Application No. 78432

THE STATE OF NEVADA

APPLICATION TO APPROPRIATE WATER

Name of applicant:	**H & M PROPERTIES LLC**
Source:	**UNDERGROUND**
Basin:	**ANTELOPE VALLEY**
Manner of Use:	**COMMERCIAL AND DOMESTIC**
Period of Use:	**January 1st to December 31st**
Priority Date:	**05/01/2009**

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DENIAL OF STATE ENGINEER

This application is hereby denied on the grounds that the Applicant has not submitted the information requested by the State Engineer's Office, and that without this information granting of the application would threaten to prove detrimental to the public interest.

IN TESTIMONY WHEREOF, I, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this **3rd** day of **November,** A.D. **2010**

for [signature], P.E.
State Engineer

Application No. 78432

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

THIS SPACE FOR OFFICE USE ONLY

Date of filing in State Engineer's Office MAY 0 1 2009

Returned to applicant for correction MAY 0 8 2009

Corrected application filed MAY 1 2 2009 Map filed MAY 1 2 2009 under 78429

The applicant H & M Properties, LLC

P.O. Box 50907 (Street Address or P.O. Box) of Sparks (City or Town)

Nevada 89435 (State and Zip Code) hereby make(s) application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association give names of members.)

H & M Properties, LLC is a Nevada limited liability company formed on October 17, 2008 whose members are Michael Harris & Charles Mazza

1. The source of water is Underground (Name of stream, lake, underground, spring or other sources.)
2. The amount of water applied for is 0.5 cfs, not to exceed 30 acre-feet annually second feet. (One second foot equals 448.83 gallons per minute.)
   (a) If stored in reservoir give number of acre-feet _____
3. The water to be used for Commercial & Domestic Use (Irrigation, power, mining, commercial, domestic or other use. Must limit to one major use.)
4. If use is for:
   (a) Irrigation, state number of acres to be irrigated _____
   (b) Stockwater, state number and kind of animals _____
   (c) Other use (describe fully in No. 12) _____
   (d) Power:
      (1) Horsepower developed _____
      (2) Point of return of water to stream _____

93-207

5. The water is to be diverted from its source at the following point: (Describe as being within a 40-acre subdivision of public survey, and by course and distance to a found section corner. If on unsurveyed land, it should be so stated.)
SW ¼ NE ¼, Section 11, T.22N., R.19E., M.D.B. & M. or at a point from which the W ¼ Corner of said Section 11 bears S. 87° 25' 07" W., a distance of 3,715.58' as shown on the map accompanying this application.

6. Place of use: (Describe by legal subdivision. If on unsurveyed land, it should be so stated.)
Within a portion of SW ¼ NE ¼, Section 11, T.22N., R.19E., M.D.B. & M. as shown on the map accompanying this application.

7. Use will begin about January 1 (Month and Day) and end about December 31 (Month and Day) of each year.

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) (State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.)
Drilled & Cased well equipped with a motor, pump & meter and domestic distribution system

9. Estimated cost of works: $25,000.00

10. Estimated time required to construct works: Two (2) years
(If well completed, describe works.)

11. Estimated time required to complete the application of water to beneficial use: Five (5) years

12. Provide a detailed description of the proposed project and its water usage (use attachments if necessary):
(Failure to provide a detailed description may cause a delay in processing.)
This application is being filed to appropriate water for a commercial landscaping and wholesale nursery facility to be constructed within the proposed place of use. Water will be used for the cultivation of plants grown on the premises for sale to other users, cleaning of equipment, domestic use for household and business operations and other ancillary uses. The proposed place of use is within Washoe County APN 79-500-56 and Applicant is currently preparing a parcel map to divide this parcel into four separate parcels.

13. Miscellaneous remarks:

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2009 MAY -1 PM 3:42
STATE ENGINEER'S OFFICE

gregb@tecreno.com
E-mail Address

(775) 352-7800
Phone No.

By

Gregory M. Bilyeu
Type or print name clearly

Signature, applicant or agent

TEC Civil Engineering Consultants
Company Name

9480 Double Diamond Parkway, Suite 200
Street Address or P.O. Box

Reno, NV 89521
City, State, Zip Code

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

$250 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Revised 11-07

Protested: July 2, 2009, by Washoe County