

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 NOV 21 2017

Returned to applicant for correction _____

Corrected Application filed _____ Map filed NOV 21 2017

The applicant US Water and Land, LLC
509 Madison Avenue, Suite 804 of New York
Street Address or P.O. Box City or Town

New York 10022
State and ZIP Code E-mail Address

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.)

US Water and Land, LLC, formed in Delaware on October 9th, 2009

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1. The source of water is unappropriated flood waters of the Humboldt River
Name of the stream, lake, underground, spring or other sources.
2. The amount of water applied for is 414.4 cfs, 300,000 acre feet
Give diversion rate in cubic feet per second (CFS) AND duty in acre-feet annually (AFA).
 - (a) If stored in a reservoir give the number of acre-feet _____
3. The water is to be used for Irrigation
Irrigation, power, mining, commercial, domestic or other use. Must be limited 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) Aquifer Storage
 - (d) Power:
 - (1) Horsepower developed _____
 - (2) Point of return of water to stream _____

per 12-4-17 E-mail from 2/9/17

4-70 HU

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.)

See attachment

6. Place of use: (Describe by legal subdivision. If on unsurveyed land, it should be so stated)

Sections 1, 2, 11, 12, 13, 14, 23, 24, 25, 26 and ~~27~~ ^{N/2 and NW/2 35} of T.38N., R.38E., Sections 25, 26, 35 and 36 of T.39N., R.38E., W1/2 and W1/2E1/2 of Section 29, Sections 30, 31 and 32 of T39N., R.39E. and Sections 5, 6, 7, W1/2, W1/2NE1/4 and NW1/4SE1/4 of Section 8, Section 17 and 18 and the W1/2 of Section 19, T38N., R.39E., M.D.B.&M.

Handwritten notes: 12-4-17, E. 1/2 NW 1/4, Section 35

7. Use will begin about January 1st and end about December 31st 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 a pump and motor, etc.)

Possible multiple diversion structures, canals, pumps, pipelines, injection wells and or rapid infiltration basins.

9. Estimated cost of works: \$100,000,000.00 plus

10. Estimated time required to construct works: 5-10 years (If the well is complete, describe works.)

11. Estimated time required to complete the application of water to beneficial use: 10+ 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.)

See attachment

13. Miscellaneous remarks:

This application is being filed in conjunction with an Aquifer Storage permit

dms@winnemucca.net
E-mail Address
775-623-4414
Phone No. Ext.

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

John H. Milton III
Type or print name clearly
John H. Milton III
Signature, applicant or agent
Desert Mountain Surveying
Company Name
146 West Second Street
Street Address or PO Box
Winnemucca, Nevada, 89445
City, State, ZIP Code

Attachment Question #5

Point of Diversion

1. Within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 34, T.37N., R.38E., M.D.B.&M or at a point from which the W $\frac{1}{4}$ corner of Section 2, T.36N., R.38E., M.D.B.&M. bears S 19°57' E 3383.0 feet.
2. Within Lot 2 of Section 2, T.36N., R.38E., M.D.B.&M. or at a point from which the W $\frac{1}{4}$ corner of said Section 2 bears S 66°08' W 3675.0 feet.
3. Within Lot 1 of Section 3, T.36N., R.39E., M.D.B.&M. or at a point from which the southeast corner of said Section 3 bears S 11°14' E 5138.0 feet.
4. Within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 35, T.36N., R.40E., M.D.B.&M. or at a point from which the southwest corner of said Section 35 bears S 9°27' W 3747.0 feet.

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Question 12 Attachment

Said project is for the purpose of creating an Aquifer Storage and Recovery (ASR) site. It will be a water resources management tool for actively storing designated surface water underground during wet periods or when excess surface water is available for such. Stored water would be available for recovery/use when needed.

Available flood and other waters will be captured by means of dams, diversions, and other structures and means, and conveyed to the ASR site via pump stations through channels, canals, and/or pipelines. At the ASR site, water will be infiltrated and/or injected into the designated aquifer by means of rapid infiltration basins (RIBs) and injection wells.

Directed and stored water will improve local and regional water supply reliability by capturing designated amounts of flood and other water that now flow unchecked and unused into the Humboldt sink.

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