



LYON COUNTY UTILITIES DEPARTMENT

34 Lakes Blvd. Suite 103
Dayton NV 89403
Phone (775) 246-6220 Fax: (775) 246-6223
www.lyon-county.org

February 11, 2022

Mr. Edwin James, General Manager
Carson Water Subconservancy District
777 E. William Street, Suite 110A
Carson City, NV 89701

Re: Highway 50 Utility Right-of- Way Project – Funding Request Extension

Dear Mr. James:

This letter is intended to request a two year extension of the funding for the Highway 50 Utility Right-of-Way Project (CWSD Interlocal Contract #2020-10) that expires June 30, 2022.

Vidler Water Company has provided in-kind engineering to identify a possible route. The land crossed is a combination of NDOT, Private, Public, and BLM property. A section of the route runs through BLM property that is unavoidable. Vidler submitted the Plan of Development in May 2021 and is awaiting processing. According to the latest from BLM, a response is not expected until Fall 2022. Vidler continues to work on the project. Attached is the BLM application, BLM application receipt letter and email regarding review schedule. Based on the BLM delay we respectfully request a two year extension to complete this project.

Thank you for your consideration in this matter.

Regards,

David Bruketta, Utilities Director

Cc: David Merrill, Vidler Water Company



United States Department of the Interior



BUREAU OF LAND MANAGEMENT

Sierra Front Field Office

5665 Morgan Mill Road

Carson City, Nevada 89701

Phone: 775-885-6000

Fax: 775-885-6147

<http://www.blm.gov/nevada>

JUN 28 2021

In Reply Refer To:

N-100499

2800 (NVC02)

Your Reference

New authorization for a municipal water pipeline right-of-way (ROW)

CERTIFIED MAIL 7019 2280 0001 3420 6243 – RETURN RECEIPT REQUESTED

Mr. David Bruketta
Utilities Director
Lyon County Utilities
34 Lakes Blvd.
Dayton, NV 89403

Dear Mr. Bruketta:

The Bureau of Land Management (BLM) received your application via email on May 27, 2021 for a municipal water pipeline right-of-way (ROW) along the HWY 50 corridor in the Stagecoach area, Lyon County, Nevada. We assigned serial number N-100499 to your application. Please refer to that number in all future correspondence relating to this project.

The BLM is unable to begin processing your application at this time due to limited staff availability. We will contact you when staff is available and we are able to process your application. Please be aware that you may not conduct any activities related to your proposed ROW project on public lands until you have received an authorized grant from this office.

If you have any questions, please contact Amanda Amar, Land Law Examiner, at (775) 885-6095, email aamar@blm.gov, or at the above address.

Sincerely,

Marina Fennel
Acting Field Manager
Sierra Front Field Office

INTERIOR REGION 10 • CALIFORNIA-GREAT BASIN

CALIFORNIA*, NEVADA*, OREGON*

* PARTIAL

David Merrill

From: Ryan Hoerth
Sent: Tuesday, January 11, 2022 10:44 AM
To: Dorothy Timian-Palmer; David Merrill; Greg Bushner
Cc: Andrew Ailes
Subject: FW: [EXTERNAL] N-100499

FYI

From: Paiva, Kathleen (Katy) <kpaiva@blm.gov>
Sent: Monday, January 10, 2022 4:04 PM
To: Ryan Hoerth <rhoerth@vidlerwater.com>
Cc: CCDO_Lands, BLM_NV <BLM_NV_CCDO_Lands@blm.gov>
Subject: Re: [EXTERNAL] N-100499

Hi Ryan,

I wanted to let you know that our Lands and Realty team met regarding our workload. Considering mandated priorities and prior applications that have been submitted, we most likely will not get to your application till after the summer or maybe longer. If there is any possibility of working on it sooner, we will reach out to you as soon as possible. If at any time, your proposed route changes to a pre-disturbed area, please let us know as that may not require an EA.

Also, please be sure to email our Lands and Realty department with any changes or updates to your application or inquiries regarding your application at blm_nv_ccdo_lands@blm.gov.

Kind regards,

Katy Paiva
Realty Specialist
Carson City District Office
Bureau of Land Management
775-885-6034

From: Paiva, Kathleen (Katy) <kpaiva@blm.gov>
Sent: Thursday, December 2, 2021 5:56 PM
To: Ryan Hoerth <rhoerth@vidlerwater.com>
Cc: CCDO_Lands, BLM_NV <BLM_NV_CCDO_Lands@blm.gov>
Subject: Re: [EXTERNAL] N-100499

Hi Ryan,

We have not gone over our FY22 workload yet but we plan to in January.

Also, I am not necessarily going to be the Realty Specialist that will be assigned to process your application, but as soon as a Realty Specialist is assigned to your application, they will reach out to you directly. In the

meantime, you can always email our Lands and Realty department at blm_nv_ccdo_lands@blm.gov for any updates.

Thank you kindly,

Katy Paiva
Realty Specialist
Carson City District Office
Bureau of Land Management
775-885-6034

From: Ryan Hoerth <rhoerth@vidlerwater.com>
Sent: Thursday, December 2, 2021 8:35 AM
To: Paiva, Kathleen (Katy) <kpaiva@blm.gov>
Subject: RE: [EXTERNAL] N-100499

Good Morning Katy,
I am enquiring if BLM has gone over FY2022 workload priorities yet?
I have met with my team and this application will be new ground disturbance. We would like to get the project scoped hopefully soon so we can begin working on an Environmental Assessment. Any information you can provide us would be greatly appreciated.
Best regards,
Ryan

APPLICATION FOR TRANSPORTATION AND
UTILITY SYSTEMS AND FACILITIES
ON FEDERAL LANDS

FORM APPROVED
OMB Control Number: 0596-0082
Expiration Date: 8/31/2020

FOR AGENCY USE ONLY

NOTE: Before completing and filing the application, the applicant should completely review this package and schedule a preapplication meeting with representatives of the agency responsible for processing the application. Each agency may have specific and unique requirements to be met in preparing and processing the application. Many times, with the help of the agency representative, the application can be completed at the preapplication meeting.

Application Number

Date Filed

1. Name and address of applicant (include zip code)

Lyon County Utilities
Attn: David Bruketta
34 Lakes Blvd
Dayton, NV 89403

2. Name, title, and address of authorized agent if
different from item 1 (include zip code)

David Merrill, VP Project Engineering
Vidler Water Company Inc.
3480 GS Richards Blvd., Suite 101
Carson City, NV 89703-8442

3. Telephone (with area code)
(775) 246-6220

Applicant
(775) 246-6220

Authorized Agent
(775) 885-5000 x102

4. As applicant are you? (check one)

- a. ☐ Individual
b. ☐ Corporation*
c. ☐ Partnership/Association*
d. ☐ State Government/State Agency
e. ☒ Local Government
f. ☐ Federal Agency

* If checked, complete supplemental page

5. Specify what application is for: (check one)

- a. ☒ New authorization
b. ☐ Renewing existing authorization number
c. ☐ Amend existing authorization number
d. ☐ Assign existing authorization number
e. ☐ Existing use for which no authorization has been received *
f. ☐ Other*

* If checked, provide details under item 7

6. If an individual, or partnership, are you a citizen(s) of the United States? ☒ Yes ☐ No

7. Project description (describe in detail): (a) Type of system or facility, (e.g., canal, pipeline, road); (b) related structures and facilities; (c) physical specifications (Length, width, grading, etc.); (d) term of years needed; (e) time of year of use or operation; (f) Volume or amount of product to be transported; (g) duration and timing of construction; and (h) temporary work areas needed for construction (Attach additional sheets, if additional space is needed.)

(a) This request is for a pipeline utility Right-of-Way grant across Federal land. A municipal water pipeline interconnecting Lyon County Utility District (LCUD) to the Stagecoach General Improvement District (SGID) and the Silver Springs Municipal Water Company (SSMWC) water systems.

(b) Municipal Water system appurtenances.

(c) Approximately 5,865 feet of: a single municipal water pipeline up to 20-inch pipeline in a 50-foot wide permanent ROW and 50-foot wide temporary ROW with minimal grading. See POD for proposed materials.

(d) The initial request is for fifty (50) years, after which the applicant will likely apply for an extension.

(e) The proposed facilities are expected to be operated daily in perpetuity.

(f) Up to 5,000 acre-feet potable water annually.

(g) Construction time on Federal land will be approximately 60 days. Schedule is based on ROW approval and LCUD's Ten Mile Tank Project.

(h) An additional 50 feet in width of temporary work area on one side of the permanent ROW.

8. Attach a map covering area and show location of project proposal

9. State or Local government approval: ☐ Attached ☐ Applied for ☒ Not Required

10. Nonreturnable application fee: ☐ Attached ☒ Not required

11. Does project cross international boundary or affect international waterways? ☐ Yes ☒ No (if "yes," indicate on map)

12. Give statement of your technical and financial capability to construct, operate, maintain, and terminate system for which authorization is being requested.

Lyon County has the technical and financial capability to construct, operate, maintain and terminate the municipal pipeline systems.

13a. Describe other reasonable alternative routes and modes considered.

SGID & SSMWC, if able to acquire additional water rights, would be required to drill and equip additional municipal production wells, and construct additional water storage tank(s). No alternative route for the water pipeline was considered.

b. Why were these alternatives not selected?

Ground water supplies are diminishing in the area and would not sustain future growth. Additional water rights would be difficult if not impossible to acquire. Public safety for a clean sustainable water supply would be at risk. This is the most efficient route to connect the two utility systems and is adjacent to an existing ROW grant.

c. Give explanation as to why it is necessary to cross Federal Lands.

The public land along US Hwy. 50 divides private lands and the two water utility service areas. There is no route that would allow for the connection of the water systems and expansion of the LCUD service areas without crossing federal land.

14. List authorizations and pending applications filed for similar projects which may provide information to the authorizing agency. (Specify number, date, code, or name)

See Exhibit B for existing ROW. Note: the underground communication lines in N-46266 have been abandoned by AT&T.

15. Provide statement of need for project, including the economic feasibility and items such as: (a) cost of proposal (construction, operation, and maintenance); (b) estimated cost of next best alternative; and (c) expected public benefits.

Additional water supply sources will provide the SGID & SSMWC with fire protection and emergency supply in addition to a municipal supply for the development: (a) Construction Cost \$1,500,000 - O&M Cost \$1,000/yr; (b) NA; (c) improved water supply and quality & provide increased fire protection capability. See POD for additional information.

16. Describe probable effects on the population in the area, including the social and economic aspects, and the rural lifestyles.

Improve the municipal water supply system reliability and improve the quantity of water. Increase supply and pressure for fire suppression, and provide an additional water sources for times of maintenance and emergencies.

Interconnection of utility systems improves the sustainability of the systems.

17. Describe likely environmental effects that the proposed project will have on: (a) air quality; (b) visual impact; (c) surface and ground water quality and quantity; (d) the control or structural change on any stream or other body of water; (e) existing noise levels; and (f) the surface of the land, including vegetation, permafrost, soil, and soil stability.

(a) minimal during construction; (b) minimal during construction; (c) N/A; (d) N/A; (e) moderate equipment noise during construction; and (f) temporary during construction with vegetation rehabilitation afterwards.

18. Describe the probable effects that the proposed project will have on (a) populations of fish, plantlife, wildlife, and marine life, including threatened and endangered species; and (b) marine mammals, including hunting, capturing, collecting, or killing these animals.

No anticipated impact.

19. State whether any hazardous material, as defined in this paragraph, will be used, produced, transported or stored on or within the right-of-way or any of the right-of-way facilities, or used in the construction, operation, maintenance or termination of the right-of-way or any of its facilities.

"Hazardous material" means any substance, pollutant or contaminant that is listed as hazardous under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. 9601 et seq., and its regulations. The definition of hazardous substances under CERCLA includes any "hazardous waste" as defined in the Resource Conservation and Recovery Act of 1976 (RCRA), as amended, 42 U.S.C. 6901 et seq., and its regulations. The term hazardous materials also includes any nuclear or byproduct material as defined by the Atomic Energy Act of 1954, as amended, 42 U.S.C. 2011 et seq. The term does not include petroleum, including crude oil or any fraction thereof that is not otherwise specifically listed or designated as a hazardous substance under CERCLA Section 101(14), 42 U.S.C. 9601(14), nor does the term include natural gas.

No hazardous materials will be place on-site or used during construction.

20. Name all the Department(s)/Agency(ies) where this application is being filed.

United States Department of the Interior, Bureau of Land Management Carson Field Office.

I HEREBY CERTIFY, That I am of legal age and authorized to do business in the State and that I have personally examined the information contained in the application and believe that the information submitted is correct to the best of my knowledge.

Signature of Applicant

D M Bruckette

Date

5/21/21

Title 18, U.S.C. Section 1001, makes it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious, or fraudulent statements or representations as to any matter within its jurisdiction.

GENERAL INFORMATION
ALASKA NATIONAL INTEREST LANDS

This application will be used when applying for a right-of-way, permit, license, lease, or certificate for the use of Federal lands which lie within conservation system units and National Recreation or Conservation Areas as defined in the Alaska National Interest Lands Conservation Act. Conservation system units include the National Park System, National Wildlife Refuge System, National Wild and Scenic Rivers System, National Trails System, National Wilderness Preservation System, and National Forest Monuments.

Transportation and utility systems and facility uses for which the application may be used are:

1. Canals, ditches, flumes, laterals, pipes, pipelines, tunnels, and other systems for the transportation of water.
2. Pipelines and other systems for the transportation of liquids other than water, including oil, natural gas, synthetic liquid and gaseous fuels, and any refined product produced therefrom.
3. Pipelines, slurry and emulsion systems, and conveyor belts for transportation of solid materials.
4. Systems for the transmission and distribution of electric energy.
5. Systems for transmission or reception of radio, television, telephone, telegraph, and other electronic signals, and other means of communications.
6. Improved right-of-way for snow machines, air cushion vehicles, and all-terrain vehicles.
7. Roads, highways, railroads, tunnels, tramways, airports, landing strips, docks, and other systems of general transportation.

This application must be filed simultaneously with each Federal department or agency requiring authorization to establish and operate your proposal.

In Alaska, the following agencies will help the applicant file an application and identify the other agencies the applicant should contact and possibly file with:

Department of Agriculture
Regional Forester, Forest Service (USFS)
P.O. Box 21628
Juneau, Alaska 99802-1628
Telephone: (907) 586-7847 (or a local Forest Service Office)

Department of the Interior
Bureau of Indian Affairs (BIA)
Alaska Regional Office
709 West 9th Street
Juneau, Alaska 99802
Telephone: (907) 586-7177

Department of the Interior
Alaska State Office
Bureau of Land Management
222 West 7th Avenue #13
Anchorage, Alaska 99513
Public Room: 907-271-5960
FAX: 907-271-3684
(or a local BLM Office)

U.S. Fish & Wildlife Service (FWS)
Office of the Regional Director
1011 East Tudor Road
Anchorage, Alaska 99503
Telephone: (907) 786-3440

National Park Service (NPS)
Alaska Regional Office
240 West 5th Avenue
Anchorage, Alaska 99501
Telephone: (907) 644-3510

Note - Filings with any Interior agency may be filed with any office noted above or with the Office of the Secretary of the Interior, Regional Environmental Officer, P.O. Box 120, 1675 C Street, Anchorage, Alaska 99513.

Department of Transportation
Federal Aviation Administration
Alaska Region AAL-4, 222 West 7th Ave., Box 14
Anchorage, Alaska 99513-7587
Telephone: (907) 271-5285

NOTE - The Department of Transportation has established the above central filing point for agencies within that Department. Affected agencies are: Federal Aviation Administration (FAA), Coast Guard (USCG), Federal Highway Administration (FHWA), Federal Railroad Administration (FRA).

OTHER THAN ALASKA NATIONAL INTEREST LANDS

Use of this form is not limited to National Interest Conservation Lands of Alaska.

Individual department/agencies may authorize the use of this form by applicants for transportation and utility systems and facilities on other Federal lands outside those areas described above.

For proposals located outside of Alaska, applications will be filed at the local agency office or at a location specified by the responsible Federal agency.

SPECIFIC INSTRUCTIONS
(Items not listed are self-explanatory)

- 7 Attach preliminary site and facility construction plans. The responsible agency will provide instructions whenever specific plans are required.
- 8 Generally, the map must show the section(s), township(s), and range(s) within which the project is to be located. Show the proposed location of the project on the map as accurately as possible. Some agencies require detailed survey maps. The responsible agency will provide additional instructions.
- 9, 10, and 12 The responsible agency will provide additional instructions.
- 13 Providing information on alternate routes and modes in as much detail as possible, discussing why certain routes or modes were rejected and why it is necessary to cross Federal lands will assist the agency(ies) in processing your application and reaching a final decision. Include only reasonable alternate routes and modes as related to current technology and economics.
- 14 The responsible agency will provide instructions.
- 15 Generally, a simple statement of the purpose of the proposal will be sufficient. However, major proposals located in critical or sensitive areas may require a full analysis with additional specific information. The responsible agency will provide additional instructions.
- 16 through 19 Providing this information with as much detail as possible will assist the Federal agency(ies) in processing the application and reaching a decision. When completing these items, you should use a sound judgment in furnishing relevant information. For example, if the project is not near a stream or other body of water, do not address this subject. The responsible agency will provide additional instructions.

Application must be signed by the applicant or applicant's authorized representative.

EFFECT OF NOT PROVIDING INFORMATION: Disclosure of the information is voluntary. If all the information is not provided, the application may be rejected.

DATA COLLECTION STATEMENT

The Federal agencies collect this information from applicants requesting right-of-way, permit, license, lease, or certification for the use of Federal lands. The Federal agencies use this information to evaluate the applicant's proposal. The public is obligated to submit this form if they wish to obtain permission to use Federal lands.

SUPPLEMENTAL

NOTE: The responsible agency(ies) will provide instructions	CHECK APPROPRIATE BLOCK	
I - PRIVATE CORPORATIONS	ATTACHED	FILED*
a. Articles of Incorporation	<input type="checkbox"/>	<input type="checkbox"/>
b. Corporation Bylaws	<input type="checkbox"/>	<input type="checkbox"/>
c. A certification from the State showing the corporation is in good standing and is entitled to operate within the State	<input type="checkbox"/>	<input type="checkbox"/>
d. Copy of resolution authorizing filing	<input type="checkbox"/>	<input type="checkbox"/>
e. The name and address of each shareholder owning 3 percent or more of the shares, together with the number and percentage of any class of voting shares of the entity which such shareholder is authorized to vote and the name and address of each affiliate of the entity together with, in the case of an affiliate controlled by the entity, the number of shares and the percentage of any class of voting stock of that affiliate owned, directly or indirectly, by that entity, and in the case of an affiliate which controls that entity, the number of shares and the percentage of any class of voting stock of that entity owned, directly or indirectly, by the affiliate.	<input type="checkbox"/>	<input type="checkbox"/>
f. If application is for an oil or gas pipeline, describe any related right-of-way or temporary use permit applications, and identify previous applications.	<input type="checkbox"/>	<input type="checkbox"/>
g. If application is for an oil and gas pipeline, identify all Federal lands by agency impacted by proposal.	<input type="checkbox"/>	<input type="checkbox"/>
II - PUBLIC CORPORATIONS		
a. Copy of law forming corporation	<input type="checkbox"/>	<input type="checkbox"/>
b. Proof of organization	<input type="checkbox"/>	<input type="checkbox"/>
c. Copy of Bylaws	<input type="checkbox"/>	<input type="checkbox"/>
d. Copy of resolution authorizing filing	<input type="checkbox"/>	<input type="checkbox"/>
e. If application is for an oil or gas pipeline, provide information required by item "I - f" and "I - g" above.	<input type="checkbox"/>	<input type="checkbox"/>
III - PARTNERSHIP OR OTHER UNINCORPORATED ENTITY		
a. Articles of association, if any	<input type="checkbox"/>	<input type="checkbox"/>
b. If one partner is authorized to sign, resolution authorizing action is	<input type="checkbox"/>	<input type="checkbox"/>
c. Name and address of each participant, partner, association, or other	<input type="checkbox"/>	<input type="checkbox"/>
d. If application is for an oil or gas pipeline, provide information required by item "I - f" and "I - g" above.	<input type="checkbox"/>	<input type="checkbox"/>

*If the required information is already filed with the agency processing this application and is current, check block entitled "Filed." Provide the file identification information (e.g., number, date, code, name). If not on file or current, attach the requested information.

NOTICES

Note: This applies to the Department of Agriculture/Forest Service (FS)

This information is needed by the Forest Service to evaluate the requests to use National Forest System lands and manage those lands to protect natural resources, administer the use, and ensure public health and safety. This information is required to obtain or retain a benefit. The authority for that requirement is provided by the Organic Act of 1897 and the Federal Land Policy and Management Act of 1976, which authorize the secretary of Agriculture to promulgate rules and regulations for authorizing and managing National Forest System lands. These statutes, along with the Term Permit Act, National Forest Ski Area Permit Act, Granger-Thye Act, Mineral Leasing Act, Alaska Term Permit Act, Act of September 3, 1954, Wilderness Act, National Forest Roads and Trails Act, Act of November 16, 1973, Archeological Resources Protection Act, and Alaska National Interest Lands Conservation Act, authorize the Secretary of Agriculture to issue authorizations or the use and occupancy of National Forest System lands. The Secretary of Agriculture's regulations at 36 CFR Part 251, Subpart B, establish procedures for issuing those authorizations.

BURDEN AND NONDISCRIMINATION STATEMENTS

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0082. The time required to complete this information collection is estimated to average 8 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call toll free (866) 632-9992 (voice). TDD users can contact USDA through local relay or the Federal relay at (800) 877-8339 (TDD) or (866) 377-8642 (relay voice). USDA is an equal opportunity provider and employer.

The Privacy Act of 1974 (5 U.S.C. 552a) and the Freedom of Information Act (5 U.S.C. 552) govern the confidentiality to be provided for information received by the Forest Service.