ASSIGNED

Serial No. 52271

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office JUN 29 1988

Returned to applicant for correction

Corrected application filed Map filed DEC 13 1988 under 52269

The applicant Glenbrook Properties

1050 E. Williams, #405A (Street and No. or P.O. Box No.) of Carson City, (City or Town)

Nevada 89701 (State and Zip Code No.) hereby make s application for permission to change the

Point of Diversion of a portion, Manner of Use (Point of diversion, manner of use, and/or place of use)

of water heretofore appropriated under Certificate No. 350-1 Claim 02148 and as decreed "In (Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

the Matter of the Determination of the Relative Rights of the Claimants

and Approporiators in and to the Water of Glenbrook Creek and Its Tributaries,

in Douglas County, Nevada, Case No. 859"

1. The source of water is Glenbrook Creek and Tributaries (Name of stream, lake, underground spring or other source.)
2. The amount of water to be changed .095 CFS not to exceed 31.68 acre feet annually. (See Item 7 and8.) (Second feet, acre feet. One second foot equals 448.3 gallons per minute.)
3. The water to be used for Irrigation (Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.)
4. The water heretofore permitted for Irrigation, stockwatering and domestic (Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.)
5. The water is to be diverted at the following point SW¼ SW¼ Section 11, T14N, R18E, MDM or (Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.)

   at a point from which the southwest corner of Section 11 bears S40°56'00" W.

   a distance of 1,554.30 feet.
6. The existing permitted point of diversion is located within SW¼ SE¼ Section 11, T14N, R18E, MDM (If point of diversion is not changed, do not answer)
7. Proposed place of use Portions of T.14N., R.18E., MDM more specifically described as (Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.)

   follows:

Section 11, SW¼ SW¼	-	.25 Acres
Section 11, NW¼ SW¼	-	2.25 Acres
Section 10, Lot 3	-	5.42 Acres
Total	-	7.92 Acres

8. Existing place of use See attachment. (Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.)
9. Use will be from May 1 (Month and Day) to October 15 (Month and Day) of each year.
10. Use was permitted from May 1 (Month and Day) to October 15 (Month and Day) of each year.
11. 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.) Diversion structure placed in Glenbrook Creek (State manner in which water is to be diverted, i.e., diversion structure, ditches, pipes and flumes, or drilled well, etc.)

    and irrigation ditch.
12. Estimated cost of works $5,000
13. Estimated time required to construct works 1 year

14. Estimated time required to complete the application of water to beneficial use 2 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

See attachment.

/s/ Shelly N. Turner
By 1050 E. William #405A
Carson City, NV. 89701

Compared kh/jm bp/se

Protested

APPROVAL OF STATE ENGINEER

This is to certify I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of a portion of the waters of Glenbrook Creek as heretofore appropriated under Proof 02148 as appears in the Matter of the Determination of the Relative Rights of the Claimants and Appropriators in and to the waters of Glenbrook Creek and its Tributaries, in the District Court of the First (now 9th) Judicial District of the State of Nevada, in and for the County of Douglas is issued subject to the terms, conditions and irrigation period imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

With the issuance of Permits 52269, 52271, 52272, 52274 and 52275, Claim No. 02148, Certificate 350-1 and 350-2 are totally abrogated and Permits 9936 and 9937 are relinquished and abandoned per deed executed September 22, 1989. This action does not result in additional water for appropriation. A measuring device must be installed and measurements of water kept.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.095 cubic feet per second, but not to exceed 31.68 acre-feet as decreed , and not to exceed a seasonal duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before October 9, 1991

Proof of completion of work shall be filed before November 9, 1991

Application of water to beneficial use shall be made on or before October 9, 1993

Proof of the application of water to beneficial use shall be filed on or before November 9, 1993

Map in support of proof of beneficial use shall be filed on or before November 9, 1993

Completion of work filed

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

IN TESTIMONY WHEREOF, I PETER G. MORROS, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 9th day of October, A.D. 19 89

Peter G. Morros
State Engineer

Abrogated By Part 70499 0.042

(Rev. 6-81)

(O)-1108

Orig. 1

52271

Attachment

Item 8. Existing place of use of water previously appropriated for irrigation under Certificate No. 350-1 and description of acreage to be removed from irrigation.

Section of T.14N., R.13E., MDM as follows:	Existing Place of Use, Acres			To Be Removed From Irrigation Use, Acres (1)			Continued Use, Acres (1)		
	Irrigation Agricultural	Irrigation Golf Course	Total	Irrigation Agricultural	Irrigation Golf Course	Total	Irrigation Agricultural	Irrigation Golf Course	Total
SW1/4 SW1/4, Section 11	1.51		1.51	1.26		1.26	.25		.25
SE1/4 SW1/4, Section 11	.34		.34	.34		.34			
NE1/4 SW1/4, Section 11	.14		.14	.14		.14			
NW1/4 SW1/4, Section 11	14.41		14.41	12.16		12.16	2.25		2.25
SW1/4 NW1/4, Section 11	1.10		1.10	1.10		1.10			
Lot 3, Section 10	17.64		17.64	12.22		12.22	5.42		5.42
Lot 2, Section 10	19.16	2.21	21.37	19.16		19.16		2.21	2.21
NE1/4 NE1/4, Section 10		4.38	4.38					4.38	4.38
Lot 1, Section 10		8.05	8.05					8.05	8.05
Lot 5, Section 3		9.34	9.34		3.30	3.30		6.04	6.04
SE1/4 SE1/4, Section 3		3.46	3.46		.56	.56		2.90	2.90
Total	54.30 (2)	27.94	82.24	46.38 (3)	3.86	50.24	7.92 (2)	24.08	32.00

NOTES:

1. Also see response to Item 7 for areas where irrigation is to be continued.

2. This Application applies to that portion of water previously appropriated for agricultural irrigation. Amount of water affected by this Application, as indicated in Item 2, is computed as follows:

Total appropriation for Certificate No. 350-1 is .989 CFS., and duty for water appropriated under Certificate No. 350-1 is 4.0 acre feet per acre.

Proportionate amount applied to continued irrigation.

$$\frac{7.92 \text{ Ac}}{82.24 \text{ Ac}} \times .989 \text{ CFS} = .095 \text{ CFS}$$

$$7.92 \times 4.0 \text{ AcFt/Ac} = 31.68 \text{ AcFt}$$

3. Application No. 52274 provides for removal of 46.38 acres from agricultural irrigation.

Modified By:

Milton L. Sharp

Milton L. Sharp, P.E.
12-6-88

Attachment

Item 15. Remarks:

15.1 Supporting Information

See report titled "Water Rights and Water Use, Glenbrook, Nevada" prepared by Milton L. Sharp, P.E. dated June 1988 for additional information regarding existing and proposed use of water appropriated under Certificate No. 350-1 and for information regarding availability of water supply in Glenbrook Creek.

15.2 Explanation of Proposed Changes

Certificate No. 350-1 provides for appropriation of .989 CFS for a 168 day irrigation season which equates to 329.56 acre feet per year or 4.01 acre feet per acre applied to 82.24 acres as indicated in the response to Item 8. The Application affects only the portions of the original appropriation applied to agricultural irrigation. A separate Application (No. 52269) is being submitted, concurrently, to change the point of diversion and place of use of water previously appropriated under Certificate No. 350-1 for irrigation of the golf course and driving range. A third Application affecting water previously appropriated under Certificate No. 350-1 (No. 52274) is being submitted to change the point of diversion, manner and place of use of portions of the water previously appropriated for irrigation of lands where irrigation is being discontinued. Application No. 52274 proposes to change a portion of the water appropriated under Certificate No. 350-1 to quasi-municipal use with diversion from Lake Tahoe. (See report prepared by Milton L. Sharp for additional information and complete explanation.)

This Application provides for continued irrigation of 7.92 acres from Glenbrook Creek as indicated in Item 7. Water will be used at the rate of 4.0 acre feet per acre and diversion will be limited to 31.68 acre feet annually during the irrigation season extending from May 1 to October 15 of each year. Applications No. 52269 and 52274 together will result in discontinuance of irrigation from Glenbrook Creek of a total of 74.32 acres which reduces the annual draft from Glenbrook Creek by 297.28 acre feet based on a duty rate of 4.00 acre feet per year. (See also response to Item 8.)

Modified By:

Milton L. Sharp, P.E.
12-6-88