

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 of Carson City,
Street and No. or P.O. Box No. City or Town

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

Point of Diversion, Place of Use, Manner of Use and Period of Use of a portion
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
Appropriators in and to the Water of Glenbrook Creek and Its Tributaries,
in Douglas County, Nevada, a 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 .281 CFS not to exceed 30.48 million gallons (93.54
acre feet) annually (See Item 15.) Second feet, acre feet. One second foot equals 448.3 gallons per minute.

3. The water to be used for Quasi-municipal purposes
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for Irrigation, stockwatering, 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 NW¼ SE¼ Section 10, 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 south meander corner common to Section 3 and 10,
T 14N, R18E, MDM bears N 6°24'01" W a distance of 3,307.48 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 See attachment.
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

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 January 1 to December 31 of each year.
Month and Day Month and Day

10. Use was permitted from May 1 to October 15 of each year.
Month and Day Month and Day

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.) See attachment.
State manner in which water is to be diverted, i.e., diversion structure, ditches, pipes and flumes, or drilled well, etc. Existing

12. Estimated cost of works Existing

13. Estimated time required to construct works _____

14. Estimated time required to complete the application of water to beneficial use 5 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, place and manner of use of a portion of the waters of Glenbrook Creek to Lake Tahoe, 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.

The total combined duty of water under Permits 52273, 52274, 52275, 52276 and 30526 shall not exceed 91.36 million gallons annually.

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 0.281 cubic feet per second, but not to exceed 30.48 million gallons annually.

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 N/A

Completion of work filed NOV 18 1991

IN TESTIMONY WHEREOF, I PETER G. MORROS,
State Engineer of Nevada, have hereunto set my hand and the seal of my

Proof of beneficial use filed

office, this 9th day of October,

Cultural map filed

A.D. 19 89

Certificate No. _____ Issued _____

[Signature of Peter G. Morros]
State Engineer

~~CANCELLED FEB 16 1994~~ BECAUSE OF FAILURE
OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

[Signature] STATE ENGINEER
(Rev. 6-81)
Law. Suspended 3/8/94
See balancing #4096

Attachment

Item 7 - Proposed place of use for water previously appropriated for quasi-municipal use or water previously appropriated for other uses and proposed to be changed to quasi-municipal use.

Portions of Township 14 North, Range 18 East, MDM more particularly described as follows:

- SW 1/4 SW 1/4 of Section 2;
- W 1/2 SE 1/4, E 1/2 SW 1/4, SE 1/4 SE 1/4 of Section 3;
- All of Section 10;
- W 1/2 W 1/2, E 1/2 SW 1/4 of Section 11;
- NW 1/4 NW 1/4 of Section 14;
- N 1/2 NE 1/4, SW 1/4 NE 1/4, Lot 1, Lot 2, of Section 15;
- Portion of Lot 3 of Section 15 east of easterly right-of-way line of U.S. Highway 50;
- Portion of W 1/2 W 1/2 NE 1/4 SE 1/4 of Section 15 east of easterly right-of-way line of U.S. Highway 50.

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.

| Portion of T.14N., R.18E., MDM as follows: | Existing Place of Use, Acres | | | To Be Removed From Irrigation Use, Acres | | | Continued Use, Acres | | |
|---|------------------------------|--------------|--------------|---|-------------|--------------|----------------------|--------------|--------------|
| | Irrigation | Irrigation | Total | Irrigation | Irrigation | Total | Irrigation | Irrigation | Total |
| | Agricultural | Golf Course | | Agricultural | Golf Course | | Agricultural | Golf Course | |
| 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 | | 4.88 | 4.88 | | | | | 4.88 | 4.88 |
| 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 | 27.94 | 82.24 | 46.38 | 3.86 | 50.24 | 7.92 | 24.08 | 32.00 |
| | | (2) | | (1) | | | (2) | | |

NOTES:

52274

1. This Application affects the portion of water appropriated under Certificate No. 350-1 for irrigation of 46.83 acres where irrigation will be discontinued. See response to Item 15 for calculation of amount of water to be changed.
2. Application No. 52269, filed concurrently with this Application, affects the portion of water appropriated under Certificate No. 350-1 for irrigation of the Glenbrook Golf Course and Application No. 52271, filed concurrently with this Application, affects the portion of water previously appropriated under Certificate No. 350-1 for irrigation of 7.92 acres where irrigation will be continued.

Modified By:

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

Attachment

Item 11 - Description of works of diversion for water previously appropriated for quasi-municipal use or water previously appropriated for other uses and proposed to be changed to quasi-municipal use:

Existing 12 inch diameter intake pipe line extending approximately 1,000 feet into Lake Tahoe from the shoreline with pump or pumps to divert water into Glenbrook community water distribution system.

100



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. Of the 82.24 acres covered by the original appropriation, 27.94 acres were included as portions of the golf course and 54.30 acres were irrigated for agricultural purposes. 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; and Application No. 52271 is being submitted, concurrently, to change the point of diversion from Glenbrook Creek for water which will continue to be used for irrigation of 7.92 acres. This Application will have the effect of removing 46.38 acres from irrigation and changing the point of diversion and manner of use of the water appropriated under Certificate No. 350-1 for irrigation of the 46.38 acres, so that the water will be diverted from Lake Tahoe for quasi-municipal use.

The three Applications involving water appropriated under Certificate No. 350-1 (Applications No. 52269, 52271 and 52274) will have the effect of reducing the annual draft from Glenbrook Creek under Certificate No. 350-1 by 297.88 acre feet and transferring a portion of the reduced annual draft for diversion from Lake Tahoe. (See also response to Item 8 and the report prepared by Milton L. Sharp for additional information and complete explanation of proposed changes.)

15.3 Relationship of Proposed Changes to Other Applications

Water for quasi-municipal uses at Glenbrook with diversion from Lake Tahoe has previously been appropriated under Permits No. 30526 and 13379. Applications have been filed, concurrently with this Application, to change points of diversion, period of use, manner and place of use of portions of water previously appropriated under Certificates No. 2516 and 350-2. An Application has also been submitted to change the point of diversion and place of use of water previously appropriated under Permit No. 13379. This Application, in conjunction with the applications affecting Permit No. 13379 and Certificates No. 2516 and 350-2, is intended to provide for an additional diversion of water for quasi-municipal uses from Lake Tahoe for delivery to individual users through the water distribution facilities owned and operated by the Glenbrook Water Company. Point of diversion for all water proposed to be diverted for quasi-municipal use

will coincide with the point of diversion previously established for Permit No. 30526 as indicated in Item 5. Place of use for all water previously appropriated for quasi-municipal use and proposed to be changed to quasi-municipal purposes will be as indicated in Item 7.

Water appropriated under Permits No. 30526 and 13379 and water proposed to be changed to quasi-municipal uses by this application and the applications affecting Certificates No. 2516 and 350-1 will be commingled and maximum annual draft will be limited to 91.36 million gallons (280.37 acre feet). (See Item 15.4 for projection of total quasi-municipal water use at Glenbrook.)

It is requested that the maximum rate of diversion for all of the commingled appropriations of water for quasi-municipal use be set at 1.5 cubic feet per second.



15.4 Consumptive Use

Number and type of units to be served and projected annual consumptive use are summarized in the following table. Number and type of units represent total "build-out" at Glenbrook and projected annual consumptive use is based on 100 percent occupancy.

PROJECTED WATER USE
GLENBROOK, NEVADA

| Development Feature (Note 1) | Projected Water Use, Millions of Gallons Per Year |
|---|---|
| 126 Lots @ 1,000 GPD | 45.99 |
| 59 Cottage Lots @ 500 GPD | 10.77 |
| 108 Townhomes @ 200 GPD | 7.88 |
| 2 Office Buildings @ 200 GPD | .15 |
| Glenbrook Fire Station @ 500 GPD | .18 |
| Tennis Club @ 200 GPD | .07 |
| Golf Club and Shop @ 2,000 GPD | .73 |
| Irrigation, Gillemot Properties (Note 2) | 2.29 |
| Common Area Landscaping, 17.88 Acres @ 4.00 AcFt/Ac (Note 3) | <u>23.30</u> |
| Total | <u>91.36</u> |

NOTES:

1. Definitions. A lot is defined as a parcel of land one-third acre or larger, containing a single family residence and irrigated landscaping of about 9,000 to 14,000 square feet. A cottage lot is a parcel of land less than one-third acre, containing a single family residence and not more than 4,000 square feet of irrigated landscaping. A townhome is a single family residence with no landscaping.

2. The George W. Gillemot properties include four lots in Glenbrook Unit 3A, a 2.25 acre parcel in the SE 1/4 SE 1/4 of Section 3 and a 4.0

acre parcel in the SW 1/4 SW 1/4 of Section 2. A total of 4.6 acres is irrigated at a rate of 2.5 acre feet per acre per year. Water allocated to the four lots in Glenbrook Unit 3A is used for irrigation. Additional irrigation demand is computed as follows:

| | | |
|--|---|---------------------|
| 4.6 Acres @ 2.5 AcFt/Ac | = | 3.75 MG/yr |
| Allocation for 4 lots in Glenbrook Unit 3A @ 1,000 GPD | = | <u>(1.46) MG/yr</u> |
| Additional Water for Irrigation of 4.6 Acres | | 2.29 MG/yr |

3. A total of 17.88 acres of common area appurtenant to Glenbrook Units 1, 2A, 2C, 3A, 3B, Glenbrook Inn and Historic Hamlet are irrigated using water delivered through the Glenbrook community water distribution system. Water is applied at maximum rate of 4.0 acre feet per acre per year.

15.5 Determination of Amount of Water to be Changed

The amount of water to be changed has been determined as the difference between total projected quasi-municipal water use from Lake Tahoe at the proposed point of diversion and amounts previously appropriated under permits No. 30526 and 13379, as follows:

| | |
|--------------------------------|--------------------------|
| Maximum projected Use | 91.36 MG |
| Appropriated, Permit No. 30526 | (60.00 MG) |
| Appropriated, Permit No. 13379 | <u>(.88 MG)</u> |
| Amount to be changed | 30.48 MG (93.54 AcFt) |

$$\frac{93.54 \text{ AcFt}}{329.56 \text{ AcFt}} \times .989 \text{ CFS} = .281 \text{ CFS}$$

Modified By:

