

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, Nevada 89701

hereby make application for permission to change the

Point of Diversion, Place of Use, Manner of Use and Period of Use, of a portion

of water heretofore appropriated under Certificate No. 350-2 Claim 02148 and as decreed "In

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; Case No. 859"

1. The source of water is Glenbrook Creek and Tributaries

2. The amount of water to be changed .218 CFS not to exceed 23.63 million gallons (72.52 acre feet) annually

3. The water to be used for Quasi-municipal purposes

4. The water heretofore permitted for Irrigation, stockwatering and domestic

5. The water is to be diverted at the following point NW 1/4 SE 1/4 Section 10, T14N, R18E, MDM or 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 SE 1/4 SW 1/4 Section 11, T14N, R18E, MDM

7. Proposed place of use See attachment.

8. Existing place of use See attachment.

9. Use will be from January 1 to December 31 of each year.

10. Use was permitted from May 1 to October 15 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.) See attachment.

12. Estimated cost of works Existing

13. Estimated time required to construct works Existing

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.

By /s/ Shelly N. Turner
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.

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.

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 0.218 cubic feet per second, but not to exceed 23.63 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. 1989

Certificate No. _____ Issued _____

[Signature]
State Engineer

CANCELLED FEB 16 1994 BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT
[Signature]
STATE ENGINEER

Can. Rescinded 3-8-94
See Ruling # 4096

Abrogated By 66618-0.218 *[Signature]* 02-07-01

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. 350-2 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, Acres	Irrigation To Be Continued, Acres (3)
SW1/4 SW1/4, Section 11	5.02 (1.2)	3.35 (1.2)	1.67
SW1/4 SW1/4, Section 11	.95 (1)	.08 (1)	.87
SE1/4 SW1/4, Section 11	.05 (1)	.05 (1)	-
NW1/4 SW1/4, Section 11	2.10 (1.2)	(1.2)	2.10
Lot 3, Section 10	9.06 (1.2)	2.13 (1.2)	6.93
SE1/4 SE1/4, Section 10	16.77 (1.2)	12.49 (1.2)	4.28
Lot 5, Section 10	.03 (1.2)	.03 (1.2)	-
<u>Total</u>	<u>33.98</u>	<u>18.13</u>	<u>15.85</u>

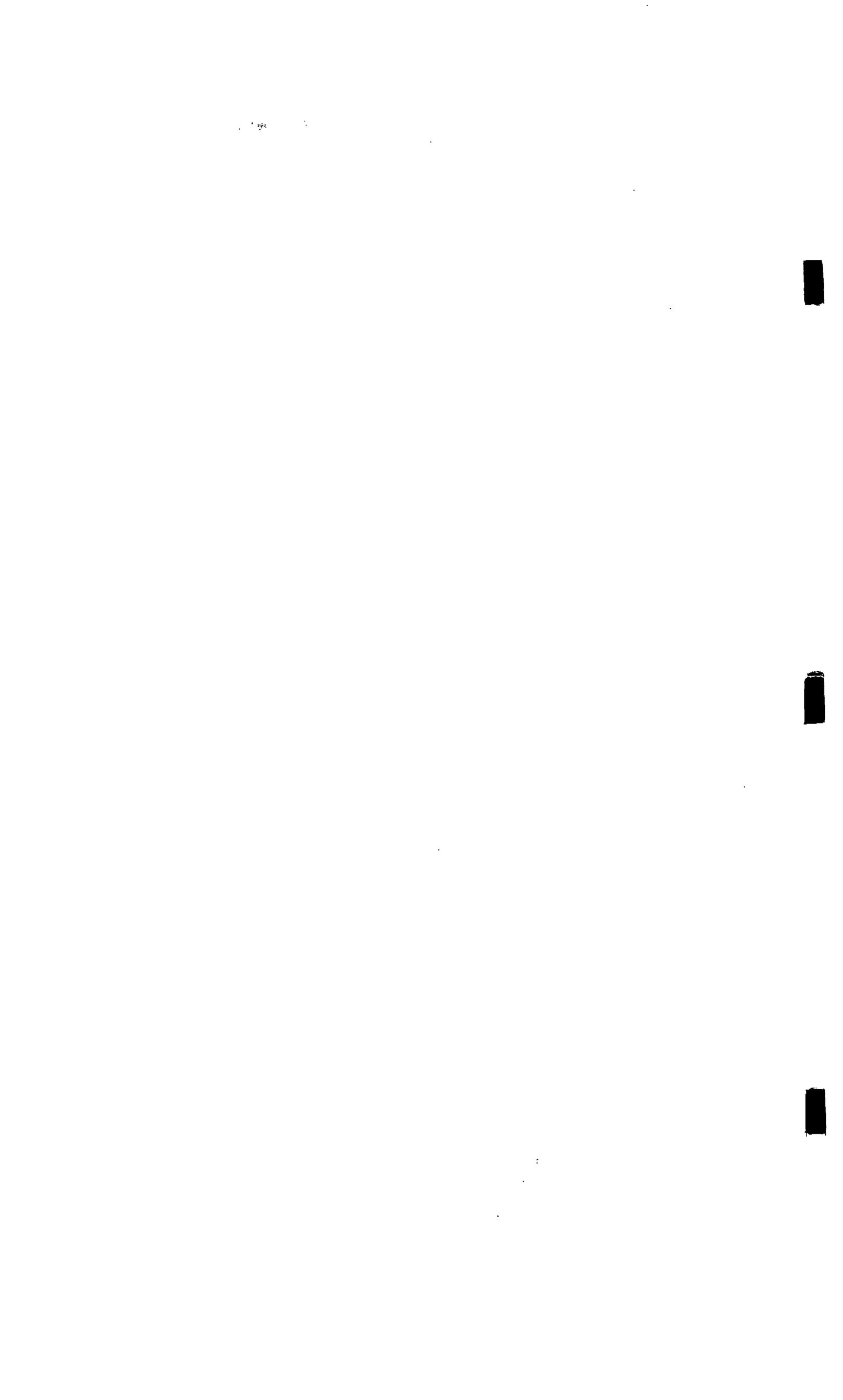
(4)
52275

NOTES:

1. A total of 33.98 acres are irrigated by commingling of the water from Glenbrook Creek with water from Bliss Springs, which discharges water to a tributary of Glenbrook Creek. A total of 18.13 acres of the original 33.98 acres will not be irrigated in the future.
2. A total of 32.98 acres are irrigated by commingling of water from Glenbrook Creek and Bliss Spring with water of North Logan Creek previously appropriated under Certificate No. 349. A total of 18.00 acres of the original 32.98 acres will not be irrigated in the future.
3. Also see Application No. 52272, filed concurrently with this Application, for description of areas where irrigation will be continued, utilizing water appropriated under Certificate No. 350-2.
4. This Application affects the portion of water appropriated under Certificate No. 350-2 for irrigation of 18.13 acres where irrigation will be discontinued. See response to Item 15 for calculation of amount of water to be changed.

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.

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.

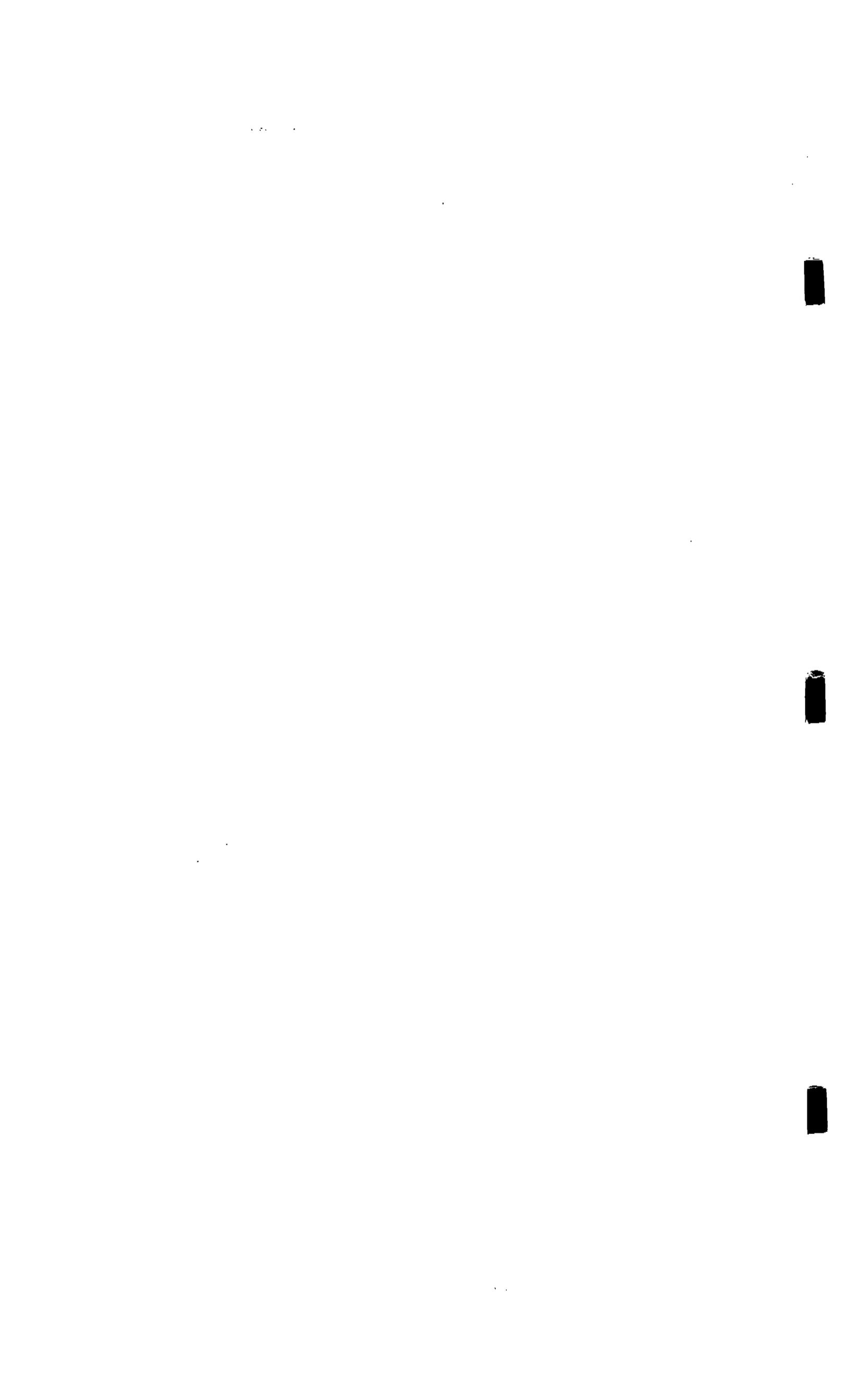
15.2 Explanation of Proposed Changes

Certificate No. 350-2 provides for appropriation of .4086 CFS for a 168 day irrigation season for irrigation of 33.98 acres which equates to 136.16 acre feet or approximately 4.01 acre feet per acre. Of the total acreage, 32.98 acres are also irrigated under Certificate No. 349 using water diverted from North Logan Creek. Combined diversion from both sources is limited to 4.0 acre feet per acre. This Application will reduce the area to be irrigated by water appropriated under Certificate No. 350-2 by 18.13 acres as indicated in Item 8. Of the 18.13 acres where irrigation is being discontinued, 18.00 acres are also irrigated using waters appropriated under Certificate No. 349. This Application will also change the point of diversion and manner of use of the water previously appropriated under Certificate No. 350-2 for irrigation of the 18.13 acres so that the water will be diverted from Lake Tahoe for quasi-municipal use.

Application No. 52272, filed concurrently with this Application, will change the point of diversion in Glenbrook Creek for water appropriated under Certificate No. 350-2 which will continue to be used for irrigation. (See also response to Item 8 and the report prepared by Milton L. Sharp for additional information and complete explanation of of proposed changes.)

15.3 Relationship of Proposed Changes to Other Appropriations

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, manner and place of use of portions of water previously appropriated under Certificate No. 350-1 and 2516. 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 350-1, 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 Permit No. 30526 and water proposed to be changed to quasi-municipal uses by this application and the applications affecting Certificates No. 350-1 and 2516 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.

