City of Carson City Agenda Report

Date Submitted: November 18, 2011 Agenda Date Requested: December 1, 2011

Time Requested: Consent

To: Mayor and Supervisors

From: Public Works Department

Subject Title: For Possible Action: Action to recommend that the Nevada State Engineer approve Water Applications 81106 and 81107 for approval change the point of diversion and place of use within Carson City and to allow water to be delivered across county lines. (Andrew Burnham)

Staff Summary: These Applications propose to move the water from Clear Creek Mobile Home Park to Carson City Well No. 9. Carson City's applications to move water within Eagle Valley includes the Dayton portion of the Lyon County Utilities Service area in the place of use as a result of the existing water pipeline intertie and agreement between Carson City and Lyon County.

Type of Action Requested: () Resolution (XXX) Formal Action/Motion	(check one) () Ordinance () Other		
Does This Action Require A Busin	ess Impact Statement:	(_) Yes (XXX) No

Recommended Board Action: I move to recommend that the Nevada State Engineer approve Water Applications 81106 and 81107 for approval to change the point of diversion and place of use within Carson City and to allow water to be delivered across county lines to Lyon County.

Explanation for Recommended Board Action: These Applications propose to move water from the former Clear Creek Mobile Home Park to Carson City Well No. 9 near Ross Gold Park. The existing points of diversion and place of use were the former Clear Creek Mobile Home Park in Carson City. The proposed point of diversion will be Carson City's Well #9, near Ross Gold Park. The point of diversion will remain within the Eagle Valley Hydrographic Basin. The manner of use will change from quasi municipal and domestic, to municipal purposes. The proposed place of use is to be expanded to include Carson City's service area, mainly within the Eagle Valley Hydrographic Basin (104), and also Lyon County Utilities' service area, within the Dayton Valley Hydrographic Basin (103).

These Applications come to the Board because the Dayton portion of Lyon County Utilities is included in Carson City's new filings to reflect the inter-agency agreement under which Carson City and Lyon County are working together in the management of water resources. As the Board is aware, a pipeline has been constructed which allows the movement of water between Carson City and Moundhouse/Dayton as needed in the routine operations of the two utilities.

As new applications are filed the Lyon County service area will be included in the place of use requested in our filings with the State Engineer. Lyon County Utilities will do the same on their water applications. Each application will result in a notification by the State Engineer for an advisory recommendation by the counties involved. In some applications this will also include Douglas County. Unfortunately, the State Engineer has advised that he does not have the authority under Nevada Revised Statutes to allow a blanket approval action for all present and

future changes by the Board to meet the requirement	ents of the law.
Applicable Statue, Code, Policy, Rule or Regula	ation: N/A
Fiscal Impact: N/A	
Explanation of Impact: N/A	
Funding Source: N/A	
Alternatives: N/A	
Supporting Material: Copy of Applications	
Prepared By: Ken Arnold, Environmental Manage	ır
Reviewed By: (Department Head) (City Manager) (District Attorney) (Finance Director)	Date: ///2////
Board Action Taken:	
Motion:	1) Aye/Nay 2)
	1

(Vote Recorded By)

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

	THIS SPACE FOR OFFI	CE USE ONLY	
· ¬	JUN 2 2 201		
Date of filing in State Engineer's Office	ce AUU L O LUI	3	
Returned to applicant for correction			
Corrected application filed		Map filed MAR 3 1973	3 under 27320
The applicant Carson City, a Consol	lidated Municipality		
3505 Butti Way	<u> </u>	of Carson City	
Street Address or PO	Box	=	y or Town
Nevada 89701		hereby make(s) application	for permission to change the
State and ZIP Code Point of diversion	✓ Place of use	✓ Manner of use	✓ of a portion
of water heretofore appropriated under (k		,	(Doctord give title of Doctor and
The source of water is Underground	- Carson City Well #9		
	Name of stream, I	ake, underground, spring or other sou	rces.
2. The amount of water to be changed	3.145 cfs, 13.374 afa Second feet, sem	-feet. One second foot equals 448,83	gallons per minute.
		<u>, </u>	
3. The water to be used for Municipal Imigation, pow	er, mining, commercial, etc. If	for stock, state number and kind of a	nimals. Must limit to one major use
4. The water heretofore used for Quasi-I			
	Iffors	tock, state number and kind of unima	ls.
5. The water is to be diverted at the follo distance to a found section corner. If on unsur	veyed land, it should be stated.)		
NW1/4 NW 1/4 Section 32, T.15N., R.20 bears South 44° 34' 12" East, a distance of	UE., MDB&M, or at a po of 2,449.75 feet (Carson C	lity Well #9). See map filed t	inder Permit 27320
6. The existing point of diversion is loca SE1/4 SE1/4 Section 31, T.15N., R.20E. S22°10'E, a distance of 1115 feet. See m	. MDB&M, or at a point	from which the SE corner of s	aid Section 31 bears

	7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.) See Attachment A and map filed under Temporary Application 76868T	
Ą	8. Existing place of use (Describe by legal subdivisions. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.) PORTIGE SEL/4 SEL/4 of Section 31, T.15N., R.20E., MDB&M., See Map filed under Permit 26943.	EVS 8/24/2011
	9. Proposed use will be from January 1 to December 31 of each year. Month and Day Month and Day	
	10. Existing use permitted from January 1 to December 31 of each year. Month and Day Month and Day	
	specifications of your diversion or storage works.) (State manner in which water is to be diverted, i.e., diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc.) Existing Carson City Well #9 12. Estimated cost of works Completed	
	13. Estimated time required to construct works Completed	
	If well completed, describe well.	
	14. Estimated time required to complete the application of water to beneficial use 10 years 15. 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 detay in processing.) This change application is filed by the applicant, Carson City, a Consolidated Municipality, as part of a proposed water banking program to be administered by the city. A Report of Conveyance updating ownership to the applicant will be filed prior to the application becoming Ready for Action. Water is for the benefit of LGG Properties, LLC, a Nevada Limited Liability Company, or assigns.	
	16. Miscellaneous remarks: Please provide copies of any correspondence and notices related to this application to: (1) LGG Properties, LCC, 2925 26th Avenue, San Francisco, CA 94132, and (2) Resource Concepts, Inc., 340 N. Minnesota St., Carson City, NV 89703-4152,	
	Adam O. Spear Adam O. Spear Type or print name clearly Type or print name clearly Type or print name clearly	

City, State, ZIP Code \$200 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Taggart & Taggart, Ltd

108 N. Minnesota Street

Carson city, NV 89703

775-882-9900

Revised 07/09

Phone No.

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

Ext.

Signature, applicant or agent

Company Name

Street Address or PO Box

Attachment A

ITEMS 7 PROPOSED PLACE OF USE

Carson City Utilities Department Service Area

Township 14 North, Range 20 East, M.D.M.

Sections 2, 3, 4, E1/2 of Section 5, and that portion of the N1/2 NE1/2 of Section 6 which lies within Carson City.

ALL of Township 15 North, Range 20 East, M.D.M.

The E% of Township 15 North, Range 19 East, M.D.M.

Township 16 North, Range 19 East, M.D.M.

The S¼ of Section 34, the S¼ of Section 35, those portions of the S¼ NE¼ of Section 35 which lie within Carson City, the S1/2 of Section 36, the NE1/2 of Section 36, and those portions of the SW% NW% of Section 36 which lie within Carson City.

Township 16 North, Range 20 East, M.D.M.

Sections 28, 29, 31, 32, 33, 34, 35, the W1/2 of Section 36, and those portions of the E1/2 of Section 36 which lie within Carson City.

Lyon County Utilities Department Service Area

Township 16 North, Range 20 East, M.D.M.

Section 24, the E½ of Section 25, those portions of the W½ of Section 25 which lie within Lyon County, the portions of the NEW and the NEW SEW of Section 36 which lie within Lyon County.

Township 16 North, Range 21 East, M.D.M.

Section 1, the SE% SE% of Section 2, Sections 11, 12, 13, 14, 19, 20, 23, 24, 26, 27, 28, 29, 30, the N1/2 of Section 31, the portion of the S1/2 of Section 31 which lies within Lyon County, the N1/2 of Section 32, the N½ of Section 33, the N½ of Section 34, and the N½ of Section 35.

Township 16 North, Range 22 East, M.D.M.

Sections 3, 4, 5, 6, 7, 8, 9, the N1/2 of Section 16, Sections 17, 18, 19, and 20.

Township 17 North, Range 22 East, M.D.M.

The portion of the S1/2 of Section 21 which lies within Lyon County, the S1/2 of Section 22, the portion of the N1/2 of Section 22 which lies within Lyon County, Section 27, the S1/2 of Section 28, the NE% of Section 28, the portion of the NW% of Section 28 which lies within Lyon County, the SE% of Section 29, those portions of the SW%, NW%, and NE% of Section 29 which lie within Lyon County, the portion of the S1/2 of Section 30 which lies within Lyon, County, the S½ of Section 31, the NE¼ of Section 31, the portion of the NW¼ of Section 31 which lies within Lyon County, Sections 32, 33, 34, and 35.

Township 17 North, Range 21 East, M.D.M.

The SE¼ of Section 36, those portions of the SW¼, NW¼, and NE¼ of Section 36 which lie within Lyon County.

Please see map on file under Temporary Application 76868T.

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Application No.

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

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TH				CE USE ONLY	
Date of filing in State Engineer's Office	AUG	73	3 20		
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Corrected application filed				Map filed MAR 9 19	73 under 27320
The applicant Carson City, a Consolid	ated Mur	iicipa	ality		
3505 Butti Way				of Carson City	ity or Town
Street Address or PO Box Nevada 89701	:	-		•	ny or rown n for permission to change the
State and ZIP Code				mercol maceda) abbreamor	
Point of diversion	Place of us	е		✓ Manner of use	of a portion
Permit 26944, Certificate 9429 1. The source of water is Underground - C	arson City	Well	#9		
	Na	ne of st	tream, la	ke, underground, spring or other so	ources.
2. The amount of water to be changed 0.14	45 cfs, 13.3 Se	374 af	fa cet, acre	feet. One second foot equals 448.	83 gallons per minute.
				for stock, state number and kind of	animals. Must limit to one major use
4. The water heretofore used for Quasi-Mu	nicipal and	Don	nestic If for st	ock, state number and kind of anin	1215.
5. The water is to be diverted at the following distance to a found section corner. If on unsurveyon NW1/4 NW 1/4 Section 32, T.15N., R.20E. bears South 44° 34' 12" East, a distance of 2	ed land, it sho . MDB&M 2,449.75 fc	uld be I, or a et (Ca	e as bein; stated.) at a poli arson C	g within a 40-acre subdivision of pr nt from which the Center 14- lity Well #9), See map filed	ublic survey and by course and 4 corner of said Section 32
6. The existing point of diversion is located SE1/4 SE1/4 Section 31, T.15N., R.20E., M. S18°00E, a distance of 1140 feet. See map	IDB&M. o	rat a	point f	rom which the SE comer of	Said Section 31 bears

		See Attachment A and map filed un	der Temporary Appl	ication 76868T			
Ą	BATION	8. Existing place of use (Describe by removed from irrigation.) SE1/4 SE1/4 of Section 31, T.15N.				describe acreage to be	EV \$ 8/24/2011
		7. Proposed and will be worn	nuary 1 Month and Day anuary 1 Month and Day	to December 31 Month and Day to December 31 Month and Day	of each year. of each year.		
		11. Description of proposed works, specifications of your diversion or flumes or drilled well, pump and motor, etc. Existing Carson City Well #9	storage works.) (State	n of NRS 535.010 you ma manner in which water is to be	ay be required to submi diverted, i.e., diversion struc	it plans and ture, ditches, pipes and	
		12. Estimated cost of works Com					-
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		16. Miscellaneous remarks: Please provide copies of any corre Avenue, San Francisco, CA 94132	spondence and notice 2, and (2) Resource C	es related to this application oncepts, Inc., 340 N. Min	on to: (1) L.G.G Propert nesota St., Carson City	ies, LLC, 2925 26th 1, NV 89703-4152,	
		adam@legalint.com		Adam O, Spear Typ	e or print name clearly	RE 2011 AU STATE E	
		E-mail Address		///// -////	nture, applicant or ogent	- 78 - 10 - 10	
		775-882-9900		Taggart & Taggart, Lte		ENGINE	
		Phone No. APPLICATION MUST BE SIGN BY THE APPLICANT OR AGE		108 N. Minnesota Stre Stre Carson city, NV 8970	Company Name cet Address or PO Box	REINFERS OFFICE	

7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)

\$200 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

ITEMS 1 PROPOSED PLACE OF USE

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Township 16 North, Range 19 East, M.D.M.

The S½ of Section 34, the S½ of Section 35, those portions of the S½ NE½ of Section 35 which lie within Carson City, the S1/2 of Section 36, the NE1/2 of Section 36, and those portions of the SW1/4 NW1/4 of Section 36 which lie within Carson City.

Township 16 North, Range 20 East, M.D.M.

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Lyon County Utilities Department Service Area

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Section 24, the E1/2 of Section 25, those portions of the W1/2 of Section 25 which lie within Lyon County, the portions of the NE¼ and the NE¼ SE¼ of Section 36 which lie within Lyon County.

Township 16 North, Range 21 East, M.D.M.

Section 1, the SE' SE' of Section 2, Sections 11, 12, 13, 14, 19, 20, 23, 24, 26, 27, 28, 29, 30, the N½ of Section 31, the portion of the S½ of Section 31 which lies within Lyon County, the N½ of Section 32, the N½ of Section 33, the N½ of Section 34, and the N½ of Section 35.

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The portion of the S½ of Section 21 which lies within Lyon County, the S½ of Section 22, the portion of the N1/2 of Section 22 which lies within Lyon County, Section 27, the S1/2 of Section 28, the NE% of Section 28, the portion of the NW% of Section 28 which lies within Lyon County, the SE14 of Section 29, those portions of the SW14, NW14, and NE14 of Section 292 which lie within Lyon County, the portion of the S½ of Section 30 which lies within Lyon which lies within Lyon County, the portion of the S½ of Section 30 which lies within Lyon County, the S½ of Section 31, the portion of the NW¼ of Section 31, which lies within Lyon County, Sections 32, 33, 34, and 35.

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