

Recorder's Office Cover Sheet

Recording Requested By:

Name: Rick Robillard

Department: Public Works



00169030202309973580110114

SHAWNYNE GARREN, RECORDER

Type of Document: (please select one)

- Agreement
- Contract
- Grant
- Change Order
- Easement
- Other specify: Amendment to Easement

Amendment to Document Number 385626

FILED

NO. 2023-105

6/9/2023
DATE

DOUGLAS COUNTY CLERK
MINDEN, NV

BY ed DEPUTY



LT-141834-30, KR
Interest:15493-1
Project:7378
Contract: 4856
APN: 1418-34-210-018
Lake Tahoe
Section 34, T14N, R18E

Return Executed Original To:
NEVADA DIVISION OF STATE LANDS
901 SOUTH STEWART STREET, SUITE 5003
CARSON CITY, NEVADA 89701-5246

WATER INTAKE LINE LICENSE AMENDEMENT 1

DOUGLAS COUNTY PUBLIC WORKS WATER INTAKE LINE IN LAKE TAHOE

THIS AMENDMENT to the LICENSE made and entered into this 2nd day of June, 2023 by and between the STATE OF NEVADA, acting through the NEVADA DIVISION OF STATE LANDS, hereinafter referred to as LICENSOR, and Douglas County, Nevada, hereinafter referred to as LICENSEE.

WHEREAS, LICENSOR issued a Water Intake Line Easement to LICENSEE on March 12, 1996, recorded as Document Number 385626 on April 17, 1996 in the Official Records of Douglas County. The easement was for ONE (1) existing quasi-municipal water intake line on the lake bed of Lake Tahoe, more specifically located lakeward of Douglas County Assessor's Parcel Number 1418-34-210-018; and

WHEREAS, while LICENSOR has terminated the above referenced easement, LICENSEE desires to retain the above existing quasi-municipal water intake line; and

WHEREAS, on November 3, 2018 LICENSEE was issued a License for ONE(1) quasi-municipal water intake line, in Lake Tahoe; and

WHEREAS, on October 6, 2021 LICENSEE was issued a Construction Authorization for the purpose of replacing ONE HUNDRED TEN (110) linear feet of 10 INCH HDPE pipeline, TWO(2) lake intake skids, and installing ONE(1) submersible booster pump to increase the efficiency of the water system in low water years; and

WHEREAS, on February 8, 2023, LICENSEE filed a complete application with LICENSOR indicating the construction was complete and requesting to retain ONE (1) existing quasi-municipal water intake line on the lakebed of Lake Tahoe, more specifically located lakeward of Douglas County Assessor's Parcel Number 1418-34-210-018; and

WHEREAS, NRS 322.100 and NRS 322.050 gives the Administrator of the Division of State Lands the authority to issue permits and licenses and to grant easements over or upon any land owned by the State of Nevada; and

WHEREAS, NRS 321.595 outlines the ownership capacity of the State of Nevada over the bed of Lake Tahoe at an elevation of 6,223.0 feet; and

WHEREAS, the land requested by LICENSEE for retention of the Quasi-municipal water intake line is owned by the State of Nevada.

NOW, THEREFORE, the original License is hereby amended as follows:

For and in consideration of License Amendment to retain, maintain and repair a quasi-municipal water intake line with ONE (1) service connections, whose POINT OF DIVERSION is described in the legal description attached hereto as **EXHIBIT A** and by reference made a part hereof together with the right of ingress and egress over and across that certain real property

located in Lake Tahoe, situated in Section 34, Township 14 North, Range 18 East with the upland portion of the littoral parcel whose legal description is attached hereto as **EXHIBIT B** and by reference made a part hereof. A site plan and Legal Description is attached as a reference **EXHIBIT C**. Assessor's site map attached as **EXHIBIT D**.

1. **ATTORNEYS FEES AND VENUE:** In the event any action is filed in relation to this agreement, the unsuccessful party shall pay to the successful party, in addition to all sums either party may be called on to pay, a reasonable sum for the successful party's attorneys' fees not to exceed ONE HUNDRED FIFTY AND NO/100 DOLLARS (\$150.00) per billable hour. Any lawsuit brought to resolve a dispute arising from this License must be brought either in the location of the quasi-municipal water intake line or in Carson City, Nevada.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

IN WITNESS WHEREOF, the parties hereto have executed this License as of the day
and year first above written.

LICENSOR:

STATE OF NEVADA
Division of State Lands

By Charles Donohue
CHARLES DONOHUE
Administrator and State Land Registrar

APPROVED as to Form:

AARON D. FORD
Attorney General

By Daniel Nubel
DANIEL NUBEL
Senior Deputy Attorney General

Date: 5/12/23

LICENSEE:

DOUGLAS COUNTY PUBLIC WORKS

By Philip L. Ritger
PHILIP RITGER
Director of Public Works

STATE OF Nevada)

COUNTY OF Douglas)
ss.

On May 24 2023 personally appeared before me, a notary public, Philip Ritger who acknowledged that she/he executed the above document.

Heather Macdonnell
NOTARY PUBLIC



EXHIBIT A
LEGAL DESCRIPTION OF POINT OF DIVERSION

POINT OF DIVERSION is described as:

Section 34, T14N, R18E M.D.B.&M. or at a point from which the South $\frac{1}{4}$ corner of said Section 34, Township 14 North, Range 18 East, M.D.B.&M., bears South 38°22'43" East, a distance of 5227.39 feet.

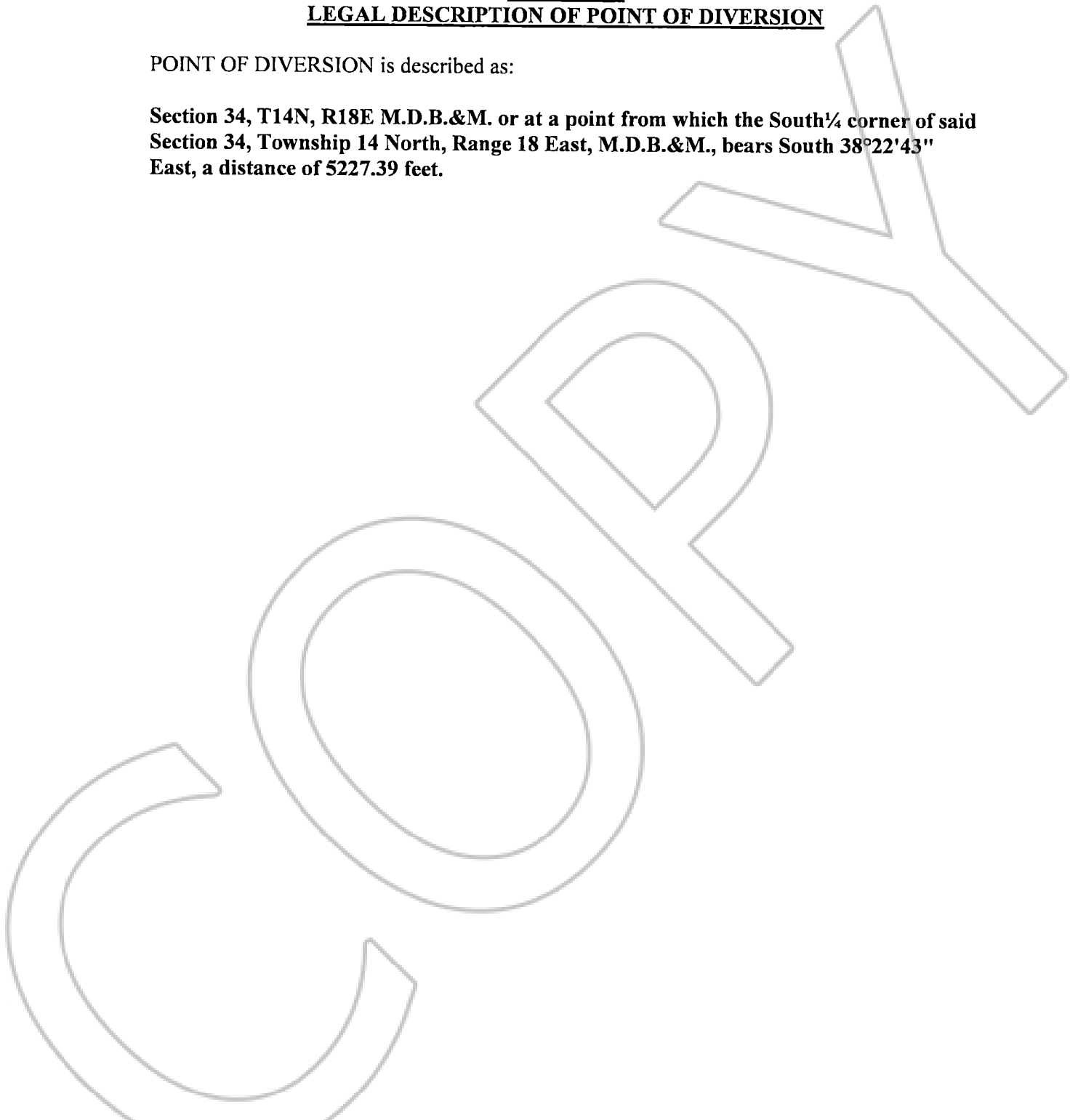


EXHIBIT B
LEGAL DESCRIPTION OF UPLAND PORTION OF THE LITTORAL PARCEL

The upland portion of the littoral parcel being described as follows:

Beginning at the Southwest corner of Lot 7, Lakeridge Estates, No.1, as recorded on that certain map of Lakeridge Estates, No. 1, Revised 23 February 1959 in Book 1 of Maps, File No. 14083.

Thence Southwesterly to a point on the approximate Low Water Line at 6,223.0 feet elevation, Lake Tahoe Datum.

**Thence Northerly along said Low Water Line to a point on the north boundary line extended Westerly from the northwest corner of Lot 18, Lakeridge Estates, No. 1.
Thence Easterly to the northwest corner of Lot 18, Lakeridge Estates, No. 1.**

Thence Southerly along the west boundary line of Lots 18, 18, 16, 11, 10, 9, 8, and 7 as recorded on the map of Lakeridge Estates, No. 1, Revised on 23 February 1959 in Book 1 of Maps, File No.14083, to the Point of Beginning.

Assessor's Parcel Number: 1418-34-210-018

EXHIBIT C
SITE PLAN AND LEGAL DESCRIPTION

CAVE ROCK WATER SYSTEM
INTAKE PIPELINE, PUMPS AND INTAKE STRUCTURE

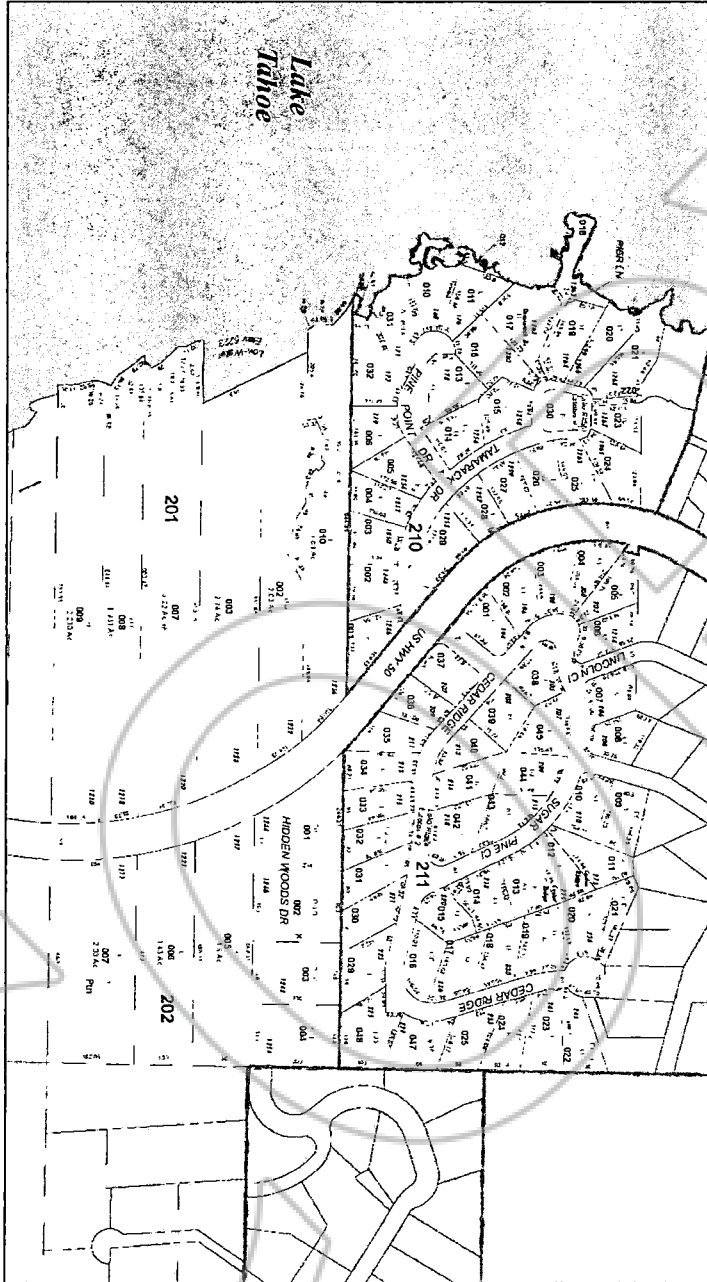
A strip of land TEN (10) feet wide, lying below the natural high water line of Lake Tahoe at elevation 6223.0 feet and within a portion of the NE¼ of Section 33 and the NW¼ of Section 34, Township 14 North, Range 18 East, M.D.M., Douglas County, Nevada, the centerline of which is more particularly described as follows:

Beginning at a point of the present ordinary and permanent high water mark of Lake Tahoe at elevation 6229.1 feet which bears South 50°07'34" West, a distance of 2220.16 feet from the N¼ corner of said Section 34, said point also being on the west face of the existing pump house building, a distance of 1.83 feet from the SW corner of said building; thence North 73°58'57" West, a distance of 75.46 feet to the natural high water mark of Lake Tahoe at elevation 6223.0 feet and the TRUE POINT OF BEGINNING; thence North 73°58'57" West, a distance of 44.65 feet; thence North 71°25'13" West, a distance of 10.21 feet; thence 29.82 feet along the arc of a curve to the right having a central angle of 39°03'20" and a radius of 53.30 feet, (chord bears North 55°23'33" West, 29.43 feet); thence North 39°21'53" West, a distance of 13.36 feet; thence 154.48 feet along the arc of a curve to the left having a central angle of 39°57'50" and a radius of 221.48 feet, (chord bears North 59°20'48" West, 151.37 feet); thence North 79°19'43" West, a distance of 119.69 feet; thence North 84°20'48" West, a distance of 73.91 feet; thence South 83°56'58" West, a distance of 327.90 feet; thence South 82°24'57" West, a distance of 111.69 feet; thence South 89°10'38" West, a distance of West, a distance of 225.18 feet to the TRUE POINT OF ENDING.

Together with a right-of-way strip of land TEN (10) feet wide lying between the present ordinary and permanent high water mark of Lake Tahoe at elevation 6229.1 feet and the natural high water mark of Lake Tahoe at elevation 6223.0 feet and within a portion of the NW¼ of Section 34, Township 14 North, Range 18 East, M.D.M., Douglas County, Nevada pursuant to NRS 445.080, the centerline of which is more particularly described as follows:

BEGINNING at a point on the present ordinary and permanent high water mark of Lake Tahoe at elevation 6229.1 feet which bears South 50°07'34" West, a distance of 220.16 feet from the N¼ corner of said Section 34, said point also being on the west face of the existing pump house building, a distance of 1.83 feet from the SW corner of said building and the TRUE POINT OF BEGINNING; thence North 73°58'57" West, a distance of 75.46 feet to the natural high water mark of Lake Tahoe at elevation 6223.0 feet and the TRUE POINT OF ENDING.

NOTE This map is prepared for the use of the Douglas County Assessor for assessment and illustrative purposes only. It does not represent survey of the premises. No liability is assumed as to the sufficiency or accuracy of the data delineated hereon.



DOUGLAS COUNTY, NEVADA
 Assessor's Office
 Douglas County, Nevada

Map Legend

- Parcel Boundary
- Subdivision Boundary
- Town Boundary
- Approximate Favor Center Line
- Easements See Recorded Documents
- Open Space/Conservation Easements
- Parcel Number
- Parcel Sub/Seq Number
- Parcel Acreage
- Parcel Lot Number
- Parcel Address

T 14 N R 18 E

6	5	4	3	2	1
7	8	9	10	11	12
13	14	15	16	17	18
19	20	21	22	23	24
25	26	27	28	29	30
31	32	33	34	35	36

SEC. 34

S 1/2 NW 1/4

1418-34-2

Scale 1" = 200'
 REV/S/D 8/17/2020

EXHIBIT D
ASSESSORS SITE MAP

Douglas County State of Nevada

CERTIFIED COPY

I certify that the document to which this certificate is attached is a full and correct copy of the original record on file in the Clerk-Treasurer's Office on this

9th day of JUNE, 2023

By Emmyl Jambrowski Deputy