# CHURCHILL COUNTY APPLICATION FOR SENDING SITE AND TRANSFER OF DEVELOPMENT RIGHTS CALCULATION

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### **A. APPLICANT INFORMATION**

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<ol> <li>Applicant Name &amp; Mailing address: City, State, and Zip: Phone No.: Fax No.:</li> </ol>	( <u>775)427-8035</u> (775)423-4408
Fax No.: Email:	debioi253 c grail.com

2. All Persons/Firms having an ownership interest in the property:

Name Robert E. Smith Jr.	
Mailing address 7250 Curry Rd, Fallon, NV 89406 Telephone (775) 427-8035	
Telephone (115) 427-8056	

Name	
Mailing address	
Telephone	
•	
Name	
Mailing address	
Telephone	

3. Firm Name, Corporate or Business Name:

4. Type of legal entity:

X individual

- [] corporation incorporated in the State of Nevada
- [] general partnership created in the State of Nevada
- [] limited partnership created in the State of Nevada
- [] limited liability company created in the State of Nevada
- [] other:

5. Contact Person at Applicant's Organization: Name ROBERT E, SMITH Jr. Mailing Address 7250 Curry Rd, Fallon, NV 89406 Telephone 775) 427-8035 Fax (175) 423-6408

6. Are there any material facts or circumstances (e.g., pending litigation, bankruptcy, code enforcement actions, etc.) relating to any of the parties to the proposed transaction, which may potentially affect the application approval or TDR transaction? [] Yes If yes, please explain:

ND

### **B. PROPERTY INFORMATION**

1. General location of property (including nearest intersection): Curry Kd. turn off Lone Tree

2. List Assessor's parcel number(s) and acreage:

APNO06-553-37	Section, township, and range 34;18;2	8 Acreage 164, 3
APN 006. 553-41	Section, township, and range 34; 18; 28	Acreage 46.7
APN	Section, township, and range	_Acreage
APN	Section, township, and range	Acreage

Total Acreage: 211

3. Present zoning: H

4. Amount of water rights appurtenant to the property \$9.\$1Please provide a copy of the TCID Water Right Detail.

If no water rights are appurtenant to the property, has irrigation been removed and or vegetation been stripped from the property within the last six (6) years? Yes ( ) No ( ) If yes, attach an affidavit of compliance with the Dust Control requirements of Churchill County Code.

5. Property location (Check if applicable)

Military Installation buffer zone 📉 N Water resource area FEMA designated flood plain ( ) (Include copy of FEMA map) Other ( )

#### C. LAND USE INFORMATION

Describe the Sending Site providing details about the current land uses including number and types of livestock, wildlife species, a general description of crops and acreage, native fauna, wetlands and other property characteristics that have a community benefit that would be degraded by increased residential development

Provide any other information including photos and maps that clearly describe the sending site.

alfalta, livestocky

Current number of homes on the property:

Number of reservations for future homes on the property: 1 W appraisa W ONW [Please Note: This may affect the appraisal value for the easement and purchase price Reservation for the easement should the Navy and/or County participate to purchase the easement.]

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Please attach copies of any documents that may assist the sending site review committee in determining the community benefit of the sending site.

#### **D. CONSERVATION EASEMENT DESCRIPTION**

A <u>Conservation Easement</u> – a legal agreement between a landowner and an eligible organization that restricts future activities on the parcel, parcel(s) or portion thereof to protect its conservation, agricultural, open space or similar value in perpetuity.

A conservation easement granted through the TDR program <u>shall be required for land</u> <u>and water contained in the sending site.</u> The conservation easement may be placed on the entire parcel or parcels or only the portion of the parcel or parcels that is qualified as the sending site. The conservation easement shall indicate the portion of the parcel or parcels restricted from future residential development, or limitations on future residential and nonresidential development within the conservation easement and the amount of water right.

Provide information that briefly describes the proposed conservation easement including:

- Assessor's plat map or maps of the parcel or parcels
- A site plan depicting the proposed conservation easement area, existing and proposed residential units, submerged lands, any area already in a conservation easement or similar encumbrance
- A brief description of the site resources including appurtenant water rights, including a copy of the TCID Water Right Detail and TCID map showing water application/irrigation
- If the site is qualifying as habitat for a threatened or endangered species:
  - i) A wildlife habitat conservation plan, or
  - ii) A wildlife habitat restoration plan, and
  - iii) A wildlife present conditions report.

Please list the attachments providing the above information:

Are there any existing easements for access, utilities, or any other purposes or other encumbrances? [] Yes [] No. If yes, show on site plan or maps and provide the recorded document number.

List all lien holders (mortgages, deeds of trust, lessees, or other encumbrances). Lien holders will be required to subordinate their mortgage or deed of trust to the conservation

easement?

Are there any properties adjacent to your lands that are subject to existing conservation easements, variance or plat restrictions, or public owned open space?

[]Yes []No []Don't Know

# E. TRANSFER OF DEVELOPMENT RIGHTS CALCULATION

# BASE DENSITY

0.0

Sending sites designated on the zoning map as A-5, A-10 or RR-20 and in the Master Plan as outside of the urbanizing area shall be assigned a base density of one (1) equivalent residential units (ERC) per four (4) acres

APN 006-553-37 Acreage/4.3: Acreage/4 x 1ERC = 41.075 APN 006-553-41 Acreage 46.7 : Acreage/4 x 1ERC = 11.1.75 Acreage :Acreage/4 x 1ERC = APN

Total = 52.75 ERCs (1)

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## WATER RIGHTED ACREAGE

One (1) equivalent residential unit per irrigated water righted acre.

APN: 006-553 - 37	Water righted acres:	82.91
APN: 006-553-41	Water righted acres:	4.9
APN:	Water righted acres:	

Total water righted acres = \$9.\$1

Total water righted acres 89.8 | x 1ERC = 89.81 ERCs(2)

#### **BONUS AREAS:**

a. Sending sites or a portion thereof located within a drinking water recharge protection or Water Resource area, military operations buffer area, or FEMA designated flood plain are allocated 1.5 ERCs per 10 acres. (Note: this calculation is not cumulative. Only include the acreage of the parcels located within one of these sites) 12.

APN: 
$$006.553.37$$
 . Acreage 164.3  $606-553-41$  46.7  
Acreage /10 x 1.5 ERCs  $= \frac{24.645}{31.65}$  ERCs (3)

b. Sending sites/parcels which total 100 or more acres are allocated one (1) ERC per ten (10) acres. (Note: Calculate total acreage of all parcels included in the sending site application. Total acreage/10 x 1ERC)

APN004-553-37 Acreage 144.3 APN APN006-553-41 Acreage 44.7 APN Acreage Acreage Total Acreage=

Total Acreage  $(211)/10 \times 1ERC = 21.1 \text{ ERCs}(4)$ 

c. Sending sites providing <u>beneficial public access</u> as defined by the County to recreation areas, walking trails, bicycle paths, wetlands, rivers, lakes, State parks, or Federal lands - 10 ERCs per parcel;

Walking trail:	APN:	Bicycle path:	APN:	
Wetland:	APN:	River:	APN:	
Lake:	APN:	State park:	APN:	
Federal land:	APN:			

Total number of parcels providing access =

10 x number of parcels providing access = \_\_\_\_\_ ERCs

#### **TOTAL NUMBER OF ERCs:**

. . . .

Total Base Density =	52.75
Total Water Righted =	89.81
Total Bonus Area (a) =	24.445
Total Bonus Area (b) =	21.1
Total Bonus Area (c) =	

**GRAND TOTAL =** 

[95.3] = TOTAL TDRs [95

\*\*\*\*\*\*

VERIFICATION

DULY BEING SWORN, DEPOSES AND SAYS THAT HE/SHE HAS AN INTEREST IN THE PROPERTY DESCRIBED IN THE FOREGOING APPLICATION; THAT HE/SHE HAS READ SAID APPLICATION AND KNOWS THE CONTENTS THEREOF; THAT THE STATEMENTS THEREIN ARE TRUE AND CORRECT TO HIS/HER KNOWLEDGE EXCEPT THOSE CLEARLY INDICATED TO BE TRUE AND CORRECT TO HIS/HER BELIEF WITHIN THE LIMITS OF HIS/HER KNOWLEDGE; THAT THE TRANSFER OF DEVELOPMENT RIGHTS BEEN READ AND UNDERSTOOD; THAT THE ORDINANCE HAS INFORMATION PROVIDED ABOUT THE TRANSFER OF DEVELOPMENT RIGHTS PROGRAM HAS BEEN READ AND UNDERSTOOD; AND THE BENEFITS AND IMPLICATIONS OF CONSERVATION EASEMENTS HAVE BEEN DISCUSSED WITH ALL INDIVIDULAS WHO HAVE AN INTEREST IN THE PROPERTY DESCRIBED.

FURTHERMORE, HE/SHE AFFIRM THAT THE SENDING SITE FOR WHICH TDR CERTIFICATES ARE SOUGHT CONTAINS ONLY UNDIVIDED LEGAL LOTS AND THAT NO SUBSTANDARD LOTS OUTSIDE OF THE SENDING SITE ARE HELD IN COMMON OWNERSHIP WITH THE SENDING SITE.

HE/SHE UNDERSTAND THAT THIS APPLICATION IS SUBJECT TO REVIEW FOR CONSISTENCY WITH SELECTION POLICIES AND CRITERIA BY THE SENDING SITE REVIEW COMMITTEE IN ORDER TO PROPERLY EVALUATE AND PROCESS THIS APPLICATION. I/WE AGREE TO ALLOW SENDING SITE REVIEW COMMITTEE ENTRY TO OUR PROPERTY WITH ADVANCE NOTICE. HE/SHE UNDERSTANDS THAT THE \$150 FILLING FEE IS NONREFUNDABLE.

SIGNED

MAILING ADDRESS 7250 Carry Rd, Fallon, NV 89406	
PHONE: (775) 427-8035	

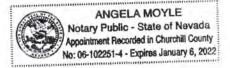
SUBSCRIBED AND SWORN TO BEFORE ME BY Kebert Earl Smith On.

DAY OF True, 2021.

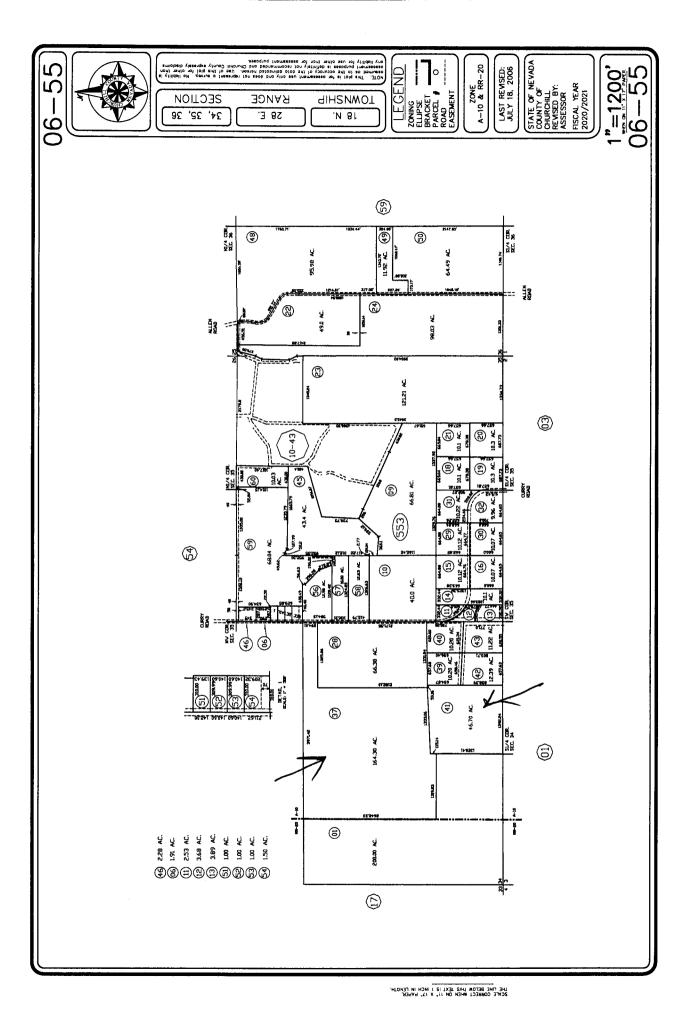
1.7 . . . . .

NOTARY PUBI IC. IN AND FOR THE

STATE OF <u>Alvada</u> County of <u>Alvada</u>



9



			-Carson Irr r Rights De	-						Page 1 3/2021
Serial #:	174	Owne	er's Name:	Smith	Re	vocab	le Living	Trust,	et al	
Control #:	055007						Trustee			
APN:	655337	C		7250		y Rd.		73267	etais Test	20174
Hold:				Fallor				NV	89400	6-9268
Pump Permit:			Phone:	(775)	423-	4440				
Property		Irrigato	or's Name:	Debbi	e or	Mars	ha			
Physical Addres	ss 7250 Cur	ry Rd.								
			Phone 1:	(775)	427-	4609				
			Phone 2:	(775)	426	8270				
			Phone 3:							
Assessment:	Yes, Parcels	are assess	ed on the t	ax roll						
District	Lateral		Takeou	ut						
West	E1 E1 E1 E1		E1-T15 E1-T16 E1-T17 E1-T18	(Meter) (Meter)						
							Total	W.R.		
Description				Sc	Tn	Rn	Acres	Acres	Susp	Duty
Pt. S2 NE4, Pt. S NE4 SW4	E4, SE4 NW4			34	18	28	247.71	77.00		4.5
BOR Reclass 2/8	36				40	00	5.04	5.04		
SE4 NE4 B/B Reduction C 6/30/88 B/B Adju		/88 (5.91ac)		34	18	28	5.91	5.91		3.5
+ 3.10 acres @ 3							3.10	3.10		3.5
- 3.10 acres @ 4 PM 250935 3/90							-3.10	-3.10		4.5
to 174-A							-70.32			
to 174-B							-10.20			
to 174-C							-10.20			
New Survey							1.40			
							0.000			
WRT 50005 7/86	NET -0-									

This document only represents the current records of the District and is not a warranty or guarantee of title or ownership. If a warranty or guarantee of title to ownership of land or water rights is desired, you will have to obtain such from a title company or registered land or water right surveyor.

Truckee-Carson Irrigation District

Water Rights Detail Record

Serial #: 174	Owner's Name:	Smith Revo	cable Living	Trust, et al	
WRT 60823 1/95					
Contested Transfer Irrigated Ac	res Reduced				
8/8/94 Court Order Bench/Bottor	n Reduction				
-73.90 acres @ 4.5 Bench				-73.90	4.5
+73.90 acres @ 3.5 Bottom				73.90	3.5
Alloc. restored wrt 50005 per rul	ing 4825				
Alloc reduced wrt 50005 per BOI	R 3/5/03				
Alloc restored 50005 per 4/3/03 c	order				
PLT protest lifted 50005 2/18/05					
WRT 80788 permit 11/11 net -0-					
Per Federal Watermaster 6/6/12.					
-82.91 acres at 3.5 Bottom				-82.91	3.5
+82.91 acres at 4.5 Bench				82.91	4.5
3/13 wrt 82089 farm map net -0-					
			Total	W.R.	
			Acres	AcresSusp	Duty
	Totals		164.30	82.91 .00	
	1.5 2	.99 3.5	4.5	Other	
Irrigated Acreage:	.00	.00 .00	82.91	.00	

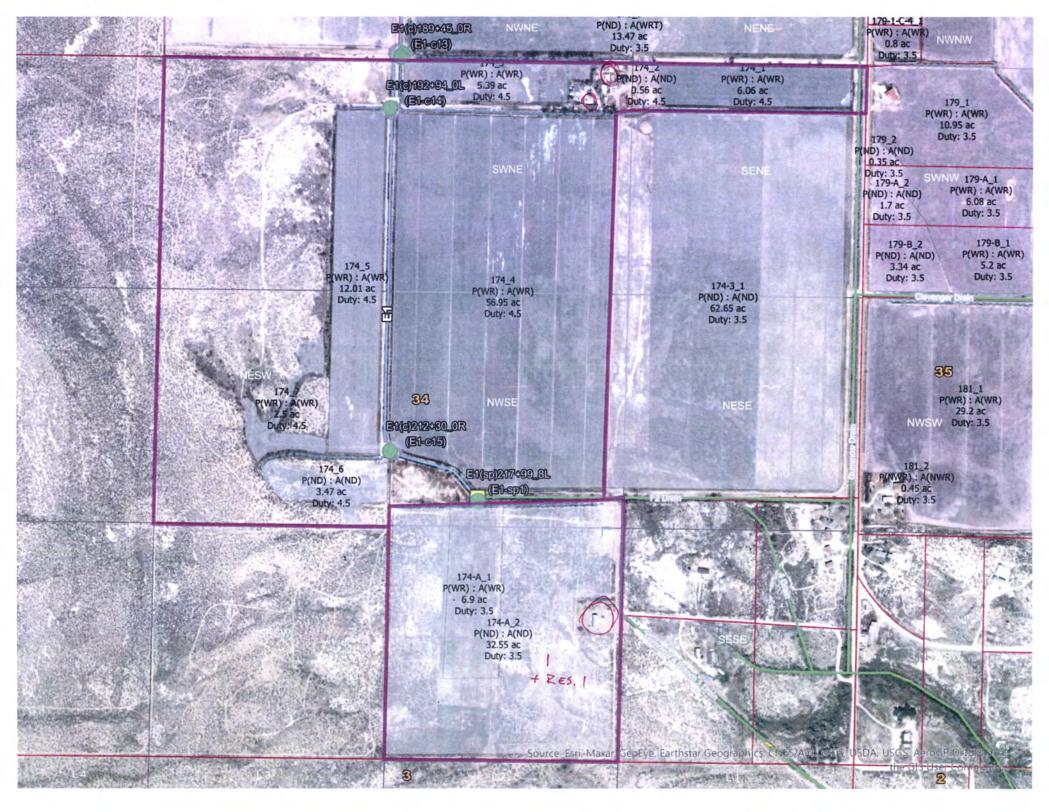
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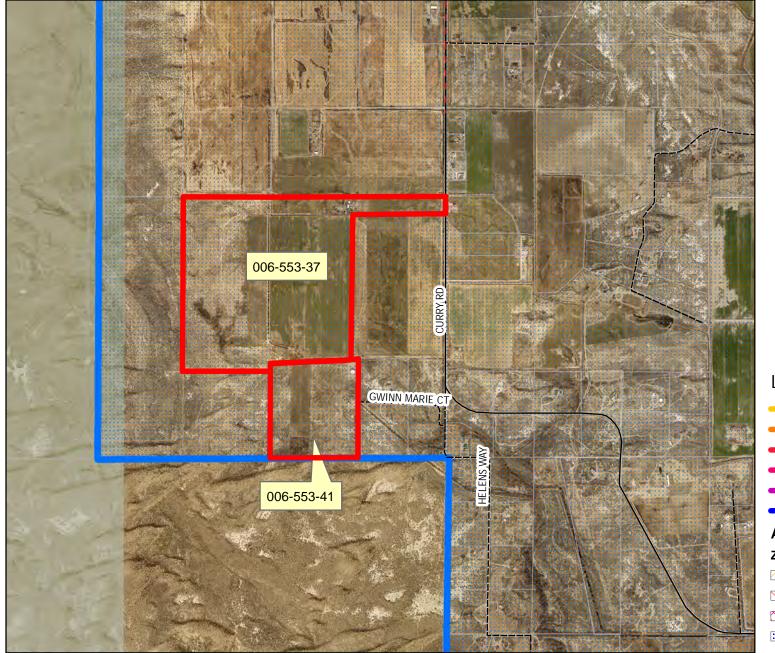
Page 2

5/13/2021

		Truckee-Carson Irr Water Rights De			5/*	Page 1 13/2021
Serial #:	174-A	Owner's Name:	Smith Jr., Ro	bert E.		
Control #:	200 S 1 1 1 1 1 1		7250 Curry R	d.		
APN:	655341 C					
Hold:			Fallon		NV 8940	6-9268
Pump Permit:		Phone:	(775) 423-444	0		
Property		Irrigator's Name:	Debbie, Marc	ia or Jeren	ny	
Physical Addre	ess 3303 Gwinr	n Marie Crt.				
		Phone 1:	(775) 427-460	9		
			(775) 426-827			
		Phone 3:	(110) 420 021			
District West	Lateral	e assessed on the f	ut			
WWEIGHT.	E1	E1-119	(Meter)			
WESL	E1	E1-119	(Meter)	Total	WR	
Description	EI	E1-119	(Meter) Sc Tn Rn	Total Acres	W.R. Acres Susp	Duty
	935 3/90 fr 174	E1-119				Duty
Description Pt. SE4 PM 250	935 3/90 fr 174	E1-119	Sc Tn Rn	Acres		Duty
Description Pt. SE4 PM 250 PM 253137 6/90 to 174-D to 174-E	935 3/90 fr 174 )		Sc Tn Rn	Acres 70.32	Acres Susp	
Description Pt. SE4 PM 250 PM 253137 6/90 to 174-D to 174-E	935 3/90 fr 174		Sc Tn Rn	Acres 70.32 -12.39		Duty 3.5
Description Pt. SE4 PM 250 PM 253137 6/90 to 174-D to 174-E	935 3/90 fr 174 )		Sc Tn Rn	Acres 70.32 -12.39 -11.22	Acres Susp 6.90	
Description Pt. SE4 PM 250 PM 253137 6/90 to 174-D to 174-E	935 3/90 fr 174 ) 76 farm map FR 6		Sc Tn Rn	Acres 70.32 -12.39 -11.22 Total	Acres Susp 6.90 W.R.	3.5
Description Pt. SE4 PM 250 PM 253137 6/90 to 174-D to 174-E	935 3/90 fr 174 ) 76 farm map FR 6	58-C Totals	Sc Tn Rn	Acres 70.32 -12.39 -11.22 Total Acres	Acres Susp 6.90 W.R. AcresSusp	3.5

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APN 006-553-37 and 006-553-41 Smith Property

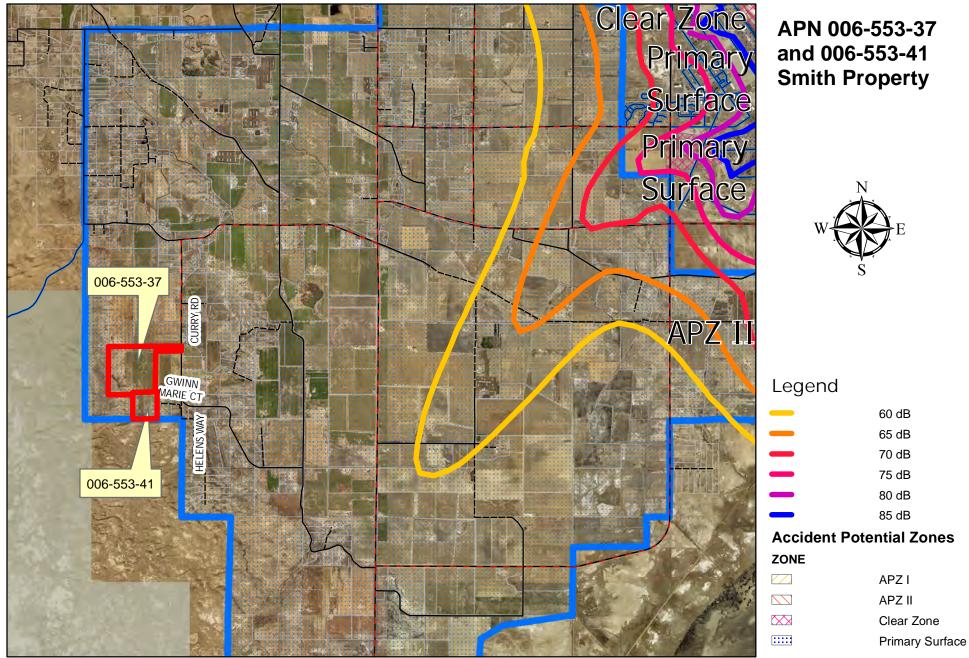


	Legend	b
	-	60 dB
		65 dB
		70 dB
		75 dB
		80 dB
		85 dB
	Acciden	t Potential Zones
	ZONE	
		APZ I
		APZ II
11111		Clear Zone
		Primary Surface

640 320 0 640 1,280 1,920 2,560 Feet



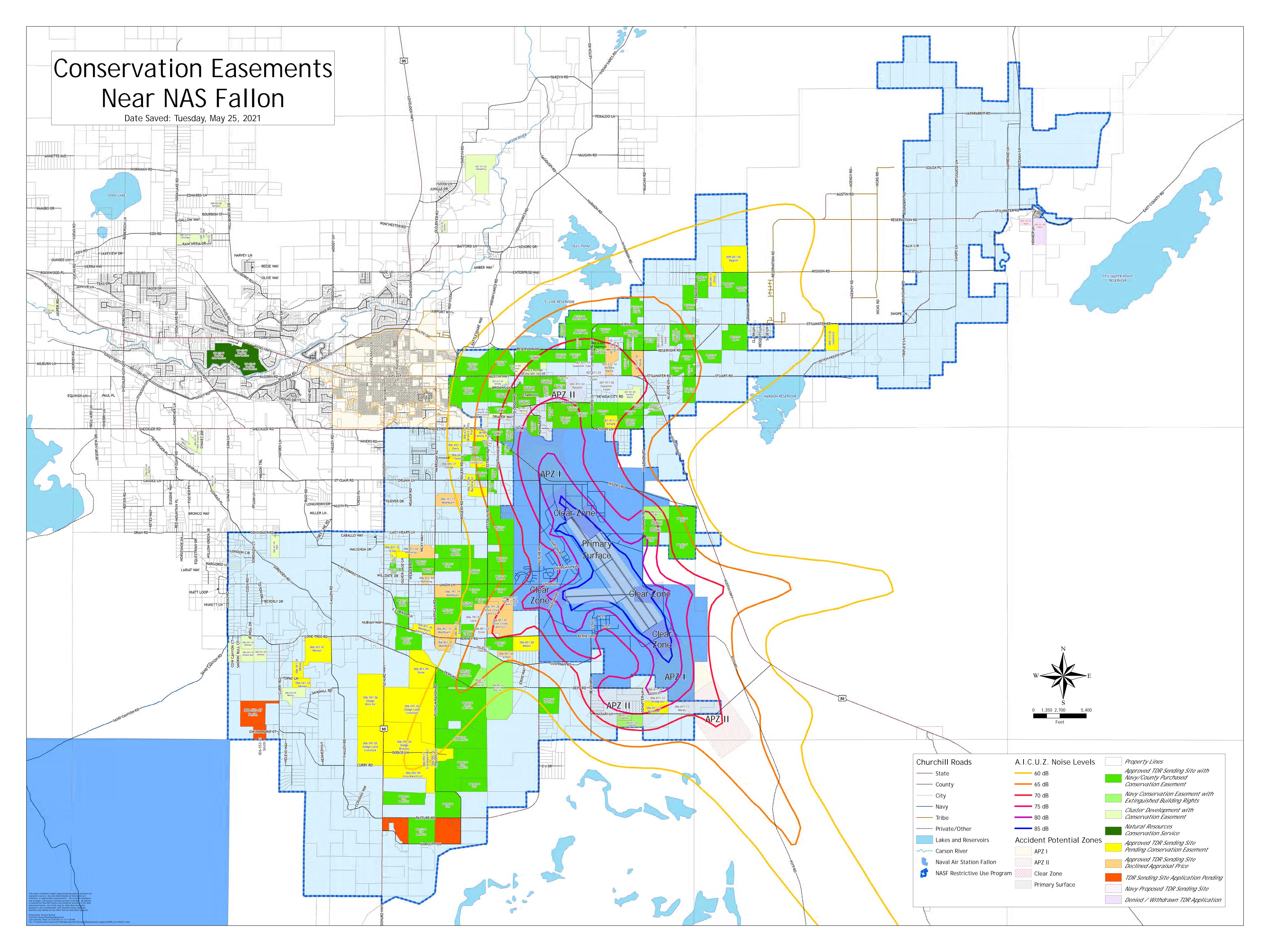
This map is intended to depict approximate boundaries and does not represent a survey. For accurate boundaries and acreages a survey by a licensed surveyor is needed. No liability is assumed by Churchill County concerning the accuracy of the data deliniated hereon. Use of this map for other than illustrative purposes is not recommended, and Churchill County expressly disclaims any liability for use other than for illustrative purposes.



<sup>2,2501,125 0 2,250 4,500 6,750 9,000</sup> Feet



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# **D. TRANSFER OF DEVELOPMENT RIGHTS CALCULATION**

#### **BASE DENSITY:**

Sending sites designated on the zoning map as A-5, A-10 or RR-20 and in the Master Plan as outside of the urbanizing area shall be assigned a base density of one (1) equivalent residential units (ERC) per four (4) acres.

006-553-37	APN	164.300	Acreage	:	Acreage/4 X 1	ERC =	41.075
006-553-41	APN	46.700	Acreage	:	Acreage/4 X 1	ERC =	11.675
	APN		Acreage	:	Acreage/4 X 1	ERC =	0.000
			Total	=	52.750	ERCs	

### WATER RIGHTED ACREAGE:

One (1) equivalent residential unit per irrigated water righted acre.

006-553-37	APN		Water righted a	acres:	82.910
006-553-41	APN	Water righted acres: 6.900			6.900
0	APN		Water righted a	acres:	
Total water right	ed acres =	89.810	X 1 ERC	=	89.810 ERCs

#### **BONUS AREAS:**

a. Sending sites or a portion thereof located within a drinking water recharge protection or Water Resource area, military operations buffer area, or FEMA designated flood plain are allocated 1.5 ERCs per 10 acres. (Note: this calculation is not cumulative. Only include the acreage of the parcels located within one of these sites.)

006-553-37	APN	164.300	Acreage	:	Acreage/10 X 1.5	ERC =	24.645
006-553-41	APN	46.700	Acreage	:	Acreage/10 X 1.5	ERC =	7.005
0	APN	0.000	Acreage	:	Acreage/10 X 1.5	ERC =	0.000
			Total	=	31.650	ERCs	

b. Sending sites/parcels <u>which total 100 or more acres</u> are allocated one (1) ERC per ten (10) acres.
(Note: Calculate total acreage of <u>all</u> parcels included in the sending site application. Total acreage/10 X 1 ERC)

006-553-37 006-553-41	APN APN	<u>    164.300</u> 46.700	Acreage Acreage			APN APN	 Acreage Acreage
Total Acreage	211.000	/10 X 1 ERC	C	=	21.100	ERCs	 C

Applicant: <u>Robert E Smith Jr</u> Phone: <u>775-427-8035, 423-6408</u>

c. Sending sites providing <u>beneficial public access</u> as defined by the County to recreation areas, walking trails, bicycle paths, wetlands, rivers, lakes, State parks, or Federal lands - 10 ERCs per parcel.

Walking trail:	APN:	Bicycle path:	APN:	
Wetland:	APN:	River:	APN:	
Lake:	APN:	State park:	APN:	
Federal land:	APN:			

Total number of parcels providing access =

10 X number of parcels providing access = 0.000 ERCs

## **TOTAL NUMBER OF ERCs:**

Total Base Density:	52.750		
Total Water Righted Acreage:	89.810		
Total Bonus Area (a):	31.650	_	
Total Bonus Area (b):	21.100		
Total Bonus Area (c):	0.000		
Grand Total	195.310	= TOTAL TDRs	195

# SENDING SITE REVIEW APPLICATION REVIEW & TDR CALCULATION

Applic	cant:         Robert E. Smith Jr.         APN:         006-553-37 & 006-553-41
Prope	rty Location: <u>7250 Curry Rd &amp; 3303 Gwinn Marie Ct</u> Zoning: <u>A-10</u>
Sendir	ng Site Criteria:
$\boxtimes$	Designation in the Churchill County Master Plan;
$\boxtimes$	Located within the military installation buffer area;
	<ul> <li>Designation in the Churchill County Master Plan as RR-20, A-10 or A-5, through either:</li> <li>a. Existing zoning of the parcel(s); or</li> <li>b. Identification of proposed rural or resource area or open space sites that meet the definition of open space, per Churchill County Master Plan, or</li> </ul>
	Identification as habitat for federally listed endangered or threatened;
$\boxtimes$	Water resource areas set aside for the benefit of Churchill County;
	Other areas
Acreag	ge of proposed sending site: $211.0$
Numbe	er of water righted acres: <u>89.8</u>
Comm	ents: These narcels are at the far west end of the buffer area and border on two (2)

sides the bombing range in the southwest area of the county. The applicant is requesting an appraisal with and without a future residence.

### **Recommendation on Sending Site:**

Since these properties meet the criteria to be a Sending Site including acreage, zoning, location in the buffer area, and water recharge area, it is recommended that Assessor's Parcel Numbers 006-553-37 & 006-553-41 be approved as Sending Sites. The calculation for Transferrable Development Rights (TDRs) should include all of the water righted acreage since they will be able to beneficially use the water on these properties; therefore, the Sending Site should be approved for 195 TDRs.

Und Chair, Sending Site Review Committee

<u>6/23/2021</u> Date