

Revised Draft Environmental Impact Statement/  
Environmental Impact Report

# Truckee River Operating Agreement

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## SWRCB Change Petitions and Water Appropriation Applications Package Appendix

California and Nevada

August 2004

United States Department of the Interior  
Bureau of Reclamation  
Fish and Wildlife Service  
Bureau of Indian Affairs

State of California  
Department of Water Resources



# United States Department of the Interior

BUREAU OF RECLAMATION  
Mid-Pacific Regional Office  
2800 Cottage Way  
Sacramento, California 95825-1898

IN REPLY  
REFER TO:

**DEC 19 2003**

MP-440  
WTR-4.10

Mr. Harry Schueller  
Chief Deputy Director  
State Water Resources Control Board  
P.O. Box 2000  
Sacramento, CA 95812-2000

Subject: Truckee River Operating Agreement (TROA) Change Petitions – License 3723  
(Application 5169) Boca; License 4196 (Application 9247) Independence;  
Permit 11605 (Application 15673) Stampede; and License 10180  
(Application 18006) Prosser

Dear Mr. Schueller:

With this letter, the Bureau of Reclamation (holder of Permit 11605 (Application 15673) for Stampede Reservoir and License 10180 (Application 18006) for Prosser Creek Reservoir), Truckee Meadows Water Authority (holder of License 4196 (Application 9247) for Independence Reservoir), and Washoe County Water Conservation District (holder of License 3723 (Application 5169) for Boca Reservoir) are submitting four petitions requesting changes to the points of diversion and rediversion, place of use, and purposes of use for: Stampede Reservoir (enclosure 1), Prosser Creek Reservoir (enclosure 2), Boca Reservoir (enclosure 3), and Independence Lake (enclosure 4). These four reservoirs will be referred to hereafter as the Truckee River reservoirs. Additionally, applications for a new appropriation at Stampede Reservoir (enclosure 5) and Prosser Creek Reservoir (enclosure 6) are being submitted with the change petitions. Together, the change petitions and the applications are intended to accommodate implementation of the TROA. TROA has been negotiated pursuant to Section 205(a) of Public Law 101-618, the Truckee-Carson-Pyramid Lake Water Rights Settlement Act, to make operations at existing Truckee River reservoirs more effective and efficient, and to expand their use in order to provide multiple benefits, such as:

- Enhancing instream flows and water quality
- Enhancing spawning flows for Pyramid Lake fishes
- Enhancing reservoir storage to serve recreational uses
- Increasing the municipal and industrial drought water supply for the Truckee Meadows area, the town of Fernley, and the Truckee River basin in California.

TROA provides agreed-upon rules for accounting of water stored, released, exchanged, displaced, or spilled at Truckee River reservoirs. These accounting rules apply only among the parties to TROA or new storing parties pursuant to the terms of TROA.

In accordance with the enclosed petitions and applications, the proposed changes and appropriations should not become effective unless and until TROA is executed and by its terms becomes effective.

All existing rights to divert water would continue to be exercised according to current priorities; all existing dam safety and flood control requirements would be retained; and the exercise of Orr Ditch decreed water rights would continue to be recognized and protected.

Two key elements that differentiate operations under TROA from current operations are: First, signatory parties would be allowed to retain in storage in Truckee River reservoirs (as "credit water") all or a portion of the water they were entitled to divert from the Truckee River for direct use, making the resulting stored water available for their designated beneficial use at a later time. Second, credit water could be exchanged under prescribed conditions with other categories of water stored in Truckee River reservoirs. Also enclosed is a document that describes operations under TROA and identifies in more detail the reasons for the change petitions and new applications (enclosure 7).

Because the operations of the Federal and private reservoirs would be managed pursuant to the provisions of TROA, petitioners request that these four petitions be noticed, considered, and approved together as "one action." As indicated above, two applications to be used at Stampede and Prosser Reservoirs are also being submitted with the change petitions. We, therefore, request that these applications be considered in the same action with the change petitions. However, it is important to each of the signatories to this letter, that consideration of the applications not delay the approval of the change petitions.

Please send all correspondence to the three representatives of the signatories listed below:

Mr. John Renning  
Mid-Pacific Region  
U.S. Bureau of Reclamation  
2800 Cottage Way  
Sacramento, CA 95825

Ms. Sue Oldham  
Truckee Meadows Water Authority  
P.O. Box 30013  
Reno, NV 89520-3013

Mr. Donald Casazza  
Washoe County Water Conservation District  
275 Hill Street, Suite 230  
Reno, NV 89501

Pursuant to the provisions of the Public Resources Code, Section 10005, the fee in the amount of \$850.00 payable to the State of California, Department of Fish and Game, is enclosed for this action (enclosure 8). The State Water Resources Control Board (SWRCB) has previously

indicated that water right actions such as the subject petitions/applications will not be processed until payment is received. Reclamation continues to make this payment under protest.

It is Reclamation's understanding that the administrative process fee of \$100.00 needed to process a petition/application is covered under the service contract currently in place between Reclamation and the SWRCB for services rendered by the SWRCB staff.

We appreciate your consideration of these requests whose approval will lead to a major new water operations regime on the Truckee River that is of great importance to us and many other interests. Should you have any questions or need additional information regarding this matter, please contact Mr. John Renning of our Water Rights staff at 916-978-5295.

Sincerely,



Donna E. Tegelman  
Regional Resources Manager  
Mid-Pacific Region  
U.S. Bureau of Reclamation



Lori Williams  
General Manager  
Truckee Meadows Water Authority



Donald Casazza  
President  
Washoe County Water Conservation District

Enclosures - 8

cc: Ms. Sue Oldham  
Truckee Meadows Water Authority  
P.O. Box 30013  
Reno, NV 89520-3013





## ATTACHMENT

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### Petition for Change Application 15673 - Permit 11605

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#### General

Permit 11605 (Application 15673) for Stampede Reservoir is held by the United States, Bureau of Reclamation (Reclamation). This petition is one of a group of four petitions, which are being filed to allow transfers and exchanges of water under the Truckee River Operating Agreement (TROA). The petitioners request that these petitions be treated as a single project with a combined single notice.

Additions of points of diversion and rediversion, places of use and purposes of use identified in this petition are only for the purpose of accommodating implementation of the provisions of TROA.

#### Condition

Because implementation of the changes proposed in this petition is predicated on the approval and implementation of TROA, the applicant requests that the order by the State Water Resources Control Board (SWRCB) approving this petition include the following condition:

“These changes will not take effect unless the Truckee River Operating Agreement is in effect. All diversions, storage, use of water and operations under this permit or license shall be in accordance with the provisions contained in this permit or license and the Truckee River Operating Agreement.”

#### Existing Points of Diversion and Rediversion under the Permit

The existing point of diversion described in Permit 11605 is Stampede Dam as described in Exhibit 1A. The existing points of rediversion are described in Exhibit 2A. This point of diversion and the points of rediversion are shown on Map No. 320-419-156, dated December 17, 1953 filed with Permit 11605. This petition does not propose to eliminate any existing points of diversion or rediversion.

#### Points of Diversion and Rediversion to be Added

Points of diversion and rediversion are being added to authorize and facilitate transfers and exchanges under TROA. The point of diversion to be added is Boca Dam, which is described in Exhibit 1B and shown on Map No. 320-208-189 and filed with this petition. Points of

rediversion to be added are described in Exhibit 2B and shown on Map No. 320-208-189 and filed with this petition; they are located between Point A - Stampede Dam and Point B - Pyramid Lake.

#### **Existing Place of Use under the Permit**

Project water stored in Stampede Reservoir under Permit 11605 is identified to be used in the Truckee Meadows and Newlands Project as shown on Map No. 320-419-156, dated December 17, 1953, on file with Permit 11605. The existing place of use is described in Exhibit 3A.

#### **Expanded Place of Use to be Added**

The existing place of use is proposed to be expanded to include the areas of use within the townships described in Exhibit 3B and shown on Map No. 320-208-189 and filed with this petition.

#### **Existing Purposes of Use under the Permit**

Under Permit 11605, project water in Stampede Reservoir was originally intended to be used for irrigation, flood control, and recreation purposes. In 1971, domestic, municipal, industrial, and fish culture were added as purposes of use under Permit 11605. Soon after the reservoir was built, the Secretary of the Interior (Secretary), in order to satisfy an obligation under the Endangered Species Act and a trust responsibility to the Pyramid Lake Paiute Tribe, declared that Stampede project water was to be used only for the conservation of threatened Lahonton cutthroat trout and endangered cui-ui of Pyramid Lake. The United States District Court for the District of Nevada upheld the Secretary's decision. The Ninth Circuit Court of Appeals affirmed the decision of the lower court. The existing purposes of use are described in Exhibit 4A.

#### **Purposes of Use to be Added**

Project water stored in Stampede Reservoir shall be used for conservation of Pyramid Lake fishery (as provided in P.L. 101-618) and for such other uses as are provided in TROA and in accordance with the terms and conditions of TROA. The purposes of use to be added are described in Exhibit 4B.

**EXHIBIT 1A**

**Existing Point of Diversion under the Permit**

Stampede Dam. S10° 24' E - 480 feet from NW corner of Section 28, being within NW 1/4, NW 1/4 Section 28, T19N, R17E.\*

**EXHIBIT 1B**

**Point of Diversion to be Added**

Boca Dam. N83° 41' E - 1899.62 feet from SW corner of Section 21, being within SE 1/4, SW 1/4 Section 21, T18N, R17E.

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\* All references to township and range on this page are to Mount Diablo Base & Meridian (MDB&M).

## EXHIBIT 2A

### Existing Points of Rediversion under the Permit

Existing points of rediversion authorized under the permit for irrigation, domestic, municipal, industrial, flood control, fish culture, and recreation are as follows:

Truckee Meadows area and numerous points between the following points:

- a) 1520 feet S8° 33' W from NW corner, Sec. 29, T19N, R18E\*
- b) 5760 feet S22° 29'E from NE corner, Sec. 7, T19N, R20E

Newlands Project area and numerous points between the Carson Diversion Dam and Sagouspe Diversion Dam, such as the Coleman Diversion Dam and others:

- c) Derby Dam - 2725 feet N32° 45'E from SW corner, Sec. 19, T20N, R23E
- d) Lahontan Dam - 3850 feet N82° 45'E from SW corner, Sec. 33, T19N, R26E
- e) Carson Diversion Dam - 1885 feet N 56° 30'W from SE corner, Sec. 19, T19N, R27E
- f) Sagouspe Diversion Dam - 3620 feet N43° 00'E from SW corner, Sec. 4, T19N, R29E

## EXHIBIT 2B

### Points of Rediversion to be Added

Existing points of rediversion under the permit are to be retained. Numerous points of rediversion between the following points are to be added:

- Point A - Stampede Dam being within the NW 1/4, NW 1/4 Section 28, T19N, R17E.
- Point B - Discharge into Pyramid Lake within projected Sections 18 and 19, T23N, R23E.

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\* All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

**EXHIBIT 3A**

**Existing Place of Use under the Permit**

The existing place of use\*\* authorized under the permit for irrigation is as follows and is shown on Map # 320-419-156 dated December 17, 1953, currently on file with Permit 11605.

Truckee Meadows - 26,800 acres within a gross area of 36,340 acres within the following townships and ranges within the State of Nevada.

<u>Township*</u>	<u>Range*</u>
18N	18,19, 20 & 21E
19N	18, 19, 20 & 21E
20N	18, 19, 20 & 21E

Newlands Project - 70,000 acres within a gross area of 107,140 acres within the following townships and ranges within the State of Nevada.

<u>Township</u>	<u>Range</u>
17N	24, 25, 26, 27, 28, 29, 30 & 31E
18N	24, 25, 26, 27, 28, 29, 30 & 31E
19N	24, 25, 26, 27, 28, 29, 30 & 31E
20N	24, 25, 26, 27, 28, 29, 30 & 31E

\* All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

\*\* Note: The other existing purposes of use are also permitted within the existing place of use authorized in the permit for irrigation. A March 22, 1971, SWRCB Order granted additional purposes of use, such as municipal use.

**Expanded Place of Use under the Permit**

The expanded place of use includes the existing place of use under the permit and the added place of use. The expanded place of use includes lands within the following townships and ranges:

Township*	Range*
15 N	16 and 17E
16N	16E
17N	15, 16 and 17E
18N	15, 16, 17, 18, 19 & 20E
19N	16, 17, 18, 19, 20, 21, 22, 23, 24, 25E
20N	18, 19, 20, 21, 22, 23, 24, 25, 26E
21N	18, 19, 20, 21, 25, 26E
22N	26E

Incidental power use will be at the following power plants located as follows:

Power Plant	Subdivision	Sec.	Township	Range
Stampede	SW 1/4 NW 1/4	28	19N	17E
Farad	SE 1/4 SE 1/4	12	18N	17E
Fleish	NE 1/4 SE 1/4	30	19N	18E
Verdi	NW 1/4 SE 1/4	8	19N	18E
Washoe	SW 1/4 SW 1/4	14	19N	18E

Fish & Wildlife Protection/Enhancement (including wetlands) and Instream Water Quality Enhancement within the Truckee River system extending from the points of diversion described in Exhibits 1A and 1B to the points of discharge into Pyramid Lake located within projected Sections 18 and 19, T23N, R23E.

Fish & Wildlife Protection/Enhancement (including wetlands). Fish Culture and Water Quality Enhancement also will be within Pyramid Lake located within:

- T23N, R22 & 23E;
- T24N, R21, 22 & 23E;
- T25N, R20, 21 & 22E;
- T26N, R20, 21 & 22E;
- T27N, R21 & 22E.

Groundwater Recharge may occur in any of the places of use described for irrigation, municipal and industrial uses.

\* All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

**EXHIBIT 4A**

**Existing Purposes of Use under the Permit**

The existing purposes of use\* authorized in the permit are the following:

Domestic  
Municipal  
Industrial  
Irrigation  
Flood Control  
Fish Culture  
Recreation

**EXHIBIT 4B**

**Purposes of Use to be Added**

The purposes of use to be added because of the possible transfers and exchanges under TROA are the following:

Conservation of Pyramid Lake fishery (as provided in P.L. 101-618)  
Fish & Wildlife Protection/Enhancement (including wetlands)  
Incidental Power  
Groundwater Recharge  
Instream Water Quality Enhancement  
Stockwatering

\*Note: The other existing purposes of use described in Exhibit 4A are also permitted within the place of use described in Exhibit 3A for irrigation.

**ENVIRONMENTAL INFORMATION  
FOR PETITIONS**

(THIS IS NOT A CEQA DOCUMENT)

APPLICATION NO. 15673      PERMIT NO. 11605      LICENSE NO.

The following information will aid in the environmental review of your change petition as required by the California Environmental Quality Act (CEQA). IN ORDER FOR YOUR CHANGE PETITION TO BE ACCEPTED AS COMPLETED, ANSWERS TO THE QUESTIONS LISTED BELOW MUST BE COMPLETED TO THE BEST OF YOUR ABILITY. Failure to answer all questions may result in your change petition being returned to you, causing delays in processing. If you need more space, attach additional sheets. Additional information may be required from you to amplify further or clarify the information requested in this form.

DISCRIPTION OF CHANGES TO PROJECT

1. Provide a description of the proposed changes to your project, including but not limited to, type of construction activity, structures existing or to be built, area to be graded or excavated, changes in land use, and project operational changes, including changes in how the water will be used.

This petition for Stampede Reservoir is one of a group of four petitions, which are being filed to allow transfers and exchanges of water under the Truckee River Operating Agreement (TROA). The petitioners request that these petitions be treated as a single project with a combined single notice. Additions of points of diversion and rediversion, places of use and purposes of use identified in this petition are only for the purpose of accommodating implementation of the provisions of TROA.

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GOVERNMENTAL REQUIREMENTS

Before a final decision can be made on your change petition, we must consider the information contained in an environmental document prepared in compliance with the requirements of CEQA. If an environmental document has been prepared for your proposed changes by another agency, we must consider it. If one has not been prepared, a determination must be made as to who is responsible for the preparation of the environmental document for your change petition. The following questions are designed to aid us in that determination.

2. Contact your county planning or public works department for the following information:
- a. Person contacted N/A Date of contact \_\_\_\_\_  
Department \_\_\_\_\_ Telephone ( ) \_\_\_\_\_
  - b. Assessor's Parcel No. \_\_\_\_\_
  - c. County Zoning Designation \_\_\_\_\_
  - d. Are any county permits required for your proposed changes? \_\_\_\_\_  
If yes, check appropriate space below:  
\_\_\_\_\_ Grading Permit, \_\_\_\_\_ Use Permit, \_\_\_\_\_ Watercourse  
Obstruction Permit, \_\_\_\_\_ Change of Zoning, \_\_\_\_\_ General Plan  
Change, Other (explain): \_\_\_\_\_
  - e. Have you obtained any of the required permits described above? NO  
If yes, provide a complete copy of each permit obtained.
3. Are any additional state or federal permits required for your proposed changes? \_\_\_\_\_ (i.e., from Federal Energy Regulatory Commission, U.S. Forest Service, Bureau of Land Management, Soil Conservation Service, Department of Water Resources (Division of Safety of Dams), Reclamation Board, Coastal Commission, State Lands Commission, etc.) For each agency from which a permit is required provide the following information:
- Permit type \_\_\_\_\_
- Person (s) contacted \_\_\_\_\_ Agency \_\_\_\_\_
- Date of contact \_\_\_\_\_ Telephone ( ) \_\_\_\_\_
4. Has any public agency prepared an environmental document for any aspect of your proposed changes? NO

If so, please submit a copy of the latest environmental document (s) prepared, including a copy of the notice of determination adopted by the public agency. If not, explain below whether you expect that a public agency other than the State Water Resources Control Board will be preparing an environmental document for your change petition or whether the applicant, if it is a California public agency, will be preparing the environmental document for your change petition:

An Environmental Impact Statement/Environmental Impact Report (EIS/EIR) is being prepared to analyze the potential effects of TROA. The revised DEIS/EIR is being prepared jointly by the Department of Interior, as represented by Reclamation, U.S. Fish and Wildlife Service, and Bureau of Indian Affairs, and the State of California, as represented by Department of Water Resources.

Note: When completed, please submit a copy of the final environmental document (including notice of determination) or notice of exemption to the State Water Resources Control Board. Processing of your change petition cannot proceed until such documents are submitted.

5. Will your proposed changes, during construction or operation, generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or cause erosion, turbidity or sedimentation? NO If so, explain: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If yes or you are unsure of your answer, contact your local Regional Water Quality Control Board for the following information (See attachment for address and telephone number):

Will a waste discharge permit be required for your petition? \_\_\_\_\_  
Person contacted \_\_\_\_\_ Date of contact \_\_\_\_\_  
What method of treatment and disposal will be used? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. Have any archeological reports been prepared on this project, or will you be preparing an archeological report to satisfy another public agency? \_\_\_\_\_

Do you know of any archeological or historic sites located within the general project area?  
Yes If so, explain: See EIS/EIR being prepared for TROA.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ENVIRONMENTAL SETTING

7. Attach THREE COMPLETE SETS of color photographs, clearly dated and labeled, showing the vegetation currently existing at the following locations:

Plant communities potentially affected by the petition will be fully described in the EIS/EIR. The action proposed by this petition is not anticipated to adversely affect plant communities at Stampede Reservoir.

- a. Along the stream channel immediately downstream from the proposed point(s) of diversion
- b. Along the stream channel immediately upstream from the proposed point(s) of diversion
- c. At the place(s) where the water is to be used

Note: It is very important that you submit no less than three complete sets of photographs as required above. If less than three sets are submitted, processing of your change petition will be delayed until you furnish the remaining sets!

8. From the list given below, mark or circle the general plant community types which best describe those which occur within you project area (Note: See footnote denoted by \* under Question 11 below):

Tree Dominated Communities

- Subalpine Conifer
- Red Fir
- Lodgepole Pine
- Mixed Conifer
  - Sierran Mixed Conifer
  - White Fir
  - Klamath Mixed Conifer
- Douglas-Fir
- Jeffrey Pine
- Ponderosa Pine
- Eastside Pine
- Redwood
- Pinyon-Juniper
- Juniper
- Aspen
- Closed-Cone Pine-Cypress
- Montane Hardwood-Conifer
- Montane Hardwood
- Valley Foothill Hardwood
  - Blue Oak Woodland
  - Valley Oak Woodland
  - Coastal Oak Woodland
- Valley Foothill Hardwood-Conifer
  - Blue Oak-Digger Pine
- Eucalyptus
- Montane Riparian
- Valley Foothill Riparian
- Desert Riparian
- Palm Oasis
- Joshua Tree

Shrub Dominated Communities

- Alpine Dwarf-Shrub
- Low Sage
- Bitterbrush
- Sagebrush
- Montane Chaparral
- Mixed Chaparral
- Chamise-Redshank Chaparral
- Coastal Scrub
- Desert Succulent Shrub
- Desert Wash
- Desert Scrub
- Alkali Desert Scrub

Herbaceous Dominated Communities

- Annual Grassland
- Perennial Grassland
- Wet Meadow
- Fresh Emergent Wetland
- Saline Emergent Wetland
- Pasture

Aquatic Communities

- Riverine
- Lacustrine
- Estuarine
- Marine

Developed Communities

- Cropland
- Orchard-Vineyard
- Urban

Literature source: Mayer, K.E., and W.F. Laudenslayer, Jr., (eds). 1988. A Guide to Wildlife Habitats of California. California Department of Forestry and Fire Protection, Sacramento. 166 pp. (Note: You may view a copy of this document at our public counter at the address given

at the top of this form or you may purchase a copy by calling the California Department of Fish and Game, Wildlife Habitat Relationships (WHR) Program at (916) 653-7203).

9. Provide below an estimate of the type, number, and size (trunk/stem diameter at chest height) of trees and large shrubs that are planned to be removed or destroyed due to implementation of the proposed changes. Consider all aspects of your change petition, including changes in diversion structures, water distribution and use facilities, and changes in the place of use due to additional water development.

None

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FISH AND WILDLIFE CONCERNS

10. Identify the typical species of fish which occur in the source(s) from which you propose to divert water and discuss whether or not any of these fish species or their habitat has been or would be affected by your proposed changes. (Note: See footnote denoted by \* under Question 11 below):

Fish species in the project area and potentially affected by this petition will be fully described in the Revised Draft EIS/EIR. TROA is anticipated to increase the likelihood of meeting reservoir and stream flow objectives and thereby, maintain constant monthly habitat conditions for fish species.

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11. Identify the typical species of riparian and terrestrial wildlife in the area and discuss whether or not any of these species and/or their habitat has been or would be affected by your proposed changes through construction of additional water diversion and distribution works and/or changes in land use in the place of water use. (Note: See footnote denoted by \* below):

Wildlife species in the project area and potentially affected by this petition will be fully described in the Revised Draft EIS/EIR. No diversion structures or distribution works are

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proposed by this petition, nor will the places of water use be  
affected by this petition. The action proposed by this petition  
is not anticipated to adversely affect wildlife or wildlife  
habitat. TROA is anticipated to increase the likelihood of  
meeting reservoir and stream flow objectives and thereby,  
maintain more constant riparian habitat conditions for wildlife.

**\*Note:** The purposes of Question 10 and 11 are to provide a preliminary assessment of the presence of typical plant and animal species in the area and whether these species might be affected by your proposed changes. Detailed site surveys to quantify populations of specific species or determine the presence of rare or endangered species may be required at a later date. It is very important that you answer these questions accurately. If you are unable to obtain appropriate answers from your local California Department of Fish and Game biologists (See attachment for address and telephone number) or you do not have adequate information or expertise to complete your answers, you should hire a fishery consultant and/or a wildlife consultant to review your project and prepare suitable answers for you. For information on available qualified fishery or wildlife consultants near you, consult your local telephone directory yellow pages under Environmental and Ecological Services, or call the California Environmental Protection Agency, Registered Environmental Assessor (REA) Program, at (916) 324-6881 or the University of California, Cooperative Extension Service (See your local telephone directory white pages).

12. Do your proposed changes involve any construction or grading-related activity which has significantly altered or would significantly alter the bed or bank of any stream or lake?     No    

If so, explain: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**CERTIFICATION**

I hereby certify that the statements I have furnished above and in the attached exhibits are complete to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge.

Date     DEC 19 2003     Signature     *[Handwritten Signature]*

State of California  
State Water Resources Control Board  
**DIVISION OF WATER RIGHTS**  
P.O. Box 2000, Sacramento, CA 95812-2000  
Info: (916) 341-5300, FAX: (916) 341-5400, Web: http://www.waterrights.ca.gov

**PETITION FOR CHANGE**  
(WATER CODE 1700)

Application  Point of Diversion,  Point of Rediversion,  Place of Use,  Purpose of Use  
Permit 18006 License 10180 Statement or Other \_\_\_\_\_

I (we) hereby petition for change(s) noted above and shown on the accompanying map and described as follows: **See page 2 of attachment.**

Point of Diversion or Rediversion (Give coordinate distances from section corner or other ties as allowed by Cal CR 715, and the 40-acre subdivision in which the present & proposed points lie.)

Present See Attachment and Exhibits 1 and 2

Proposed See Attachment and Exhibits 1 and 2

Place of Use (If irrigation then state number of acres to be irrigated within each 40-acre tract.)

Present See Attachment and Exhibit 3

Proposed See Attachment and Exhibit 3

Purpose of Use

Present See Attachment and Exhibit 4

Proposed See Attachment and Exhibit 4

Does the proposed use serve to preserve or enhance wetlands habitat, fish and wildlife resources, or recreation in or on the water (See WC 1707)? No

(yes/no)

• GIVE REASON FOR PROPOSED CHANGE: The proposed changes are to allow water transfers and exchanges in accordance with TROA.

• WILL THE OLD POINT OF DIVERSION OR PLACE OF USE BE ABANDONED? No

(yes/no)

• WATER WILL BE USED FOR See Attachment and Exhibit 4 PURPOSES.

I (we) have access to the proposed point of diversion or control the proposed place of use by virtue of? ownership

(ownership, lease verbal or written agreement)

Are there any persons taking water from the stream between the old point of return flow and the new point of return flow? \_\_\_\_\_

(yes/no)

If by lease or agreement, state the name and address of party(s) from whom access has been obtained. Attach additional pages if needed.

Give name and address of any person(s) taking water from the stream between the present point of diversion or rediversion and the proposed point of diversion or rediversion, as well as any other person(s) known to you who may be affected by the proposed change.

**THIS CHANGE DOES NOT INVOLVE AN INCREASE IN THE AMOUNT OF THE APPROPRIATION OR SEASON OF USE.**

I (we) declare under penalty of perjury that the above is true and correct to the best of my (our) knowledge and belief.

Dated DEC 19, 20 2003 at Sacramento, California

(916) 978-5200

Signature(s)

Telephone No.

**NOTE: A \$100 filing fee made payable to the State Water Resources Control Board and a \$850 fee made payable to the Department of Fish and Game must accompany a petition for change.**

## ATTACHMENT

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### Petition for Change Application 18006 - License 10180

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#### General

License 10180 (Application 18006) for Prosser Creek Reservoir is held by the United States, Bureau of Reclamation (Reclamation). This petition is one of a group of four petitions, which are being filed to allow transfers and exchanges of water under the Truckee River Operating Agreement (TROA). The petitioners request that these petitions be treated as a single project with a combined single notice.

Additions of points of diversion and rediversion, places of use and purposes of use and the removal of a license provision identified in this petition are only for the purpose of accommodating implementation of the provisions of TROA.

#### Condition

Because implementation of the changes proposed in this petition is predicated on the approval and implementation of TROA, the applicant requests that the order by the State Water Resources Control Board (SWRCB) approving this petition include the following condition:

“These changes will not take effect unless the Truckee River Operating Agreement is in effect. All diversions, storage, use of water and operations under this license shall be in accordance with the provisions contained in this license and the Truckee River Operating Agreement.”

#### Existing Points of Diversion and Rediversion under the License

The existing point of diversion described in License 10180 is Prosser Creek Dam and is described in Exhibit 1A. The existing points of rediversion are described in Exhibit 2A and shown on Map Nos. 320-419-365 and 320-419-366 dated February 18, 1958, on file with License 10180.

#### Points of Rediversion to be Added

Points of rediversion are being added to authorize and facilitate transfers and exchanges under TROA. The points of rediversion to be added are described in Exhibit 2B and are shown on Map No. 320-208-189 and filed with this petition; they are located between Point A - Prosser Dam and Point B - Pyramid Lake.

**Existing Place of Use under the License**

The existing place of use is described in Exhibit 3A and is shown on Map Nos. 320-419-365 and 320-419-366 dated February 18, 1958 on file with License 10180.

**Expanded Place of Use to be Added**

To authorize and facilitate water transfers and exchanges, the place of use is to be expanded to include the areas of use within the townships described in Exhibit 3B and shown on Map No. 320-2080189 and filed with this petition.

**Existing Purposes of Use under the License**

The existing purposes of use are described in Exhibit 4A.

**Purposes of Use to be Added**

Project water stored in Prosser Creek Reservoir shall be used for conservation of Pyramid Lake fishery (as provided in P.L. 101-618) and for such other uses as are provided in TROA and in accordance with the terms and conditions of TROA. The purposes of use are to be expanded to include those uses described in Exhibit 4B.

**Provision to be removed from the License**

It is requested that the following provision be removed from License 10180 and be replaced by operating criteria provided in TROA:

“The Licensee shall operate Prosser Creek Reservoir in coordination with releases of water from Lake Tahoe in the Truckee River in accordance with the operation schedule contained in the U.S. Bureau of Reclamation, Prosser Creek Reservoir Operation Study, January 14, 1958, and amended July 1, 1958, on file with the Board, or in accordance with any modified operation schedule that may be submitted by the Licensee, and approved by the State Water Resources Control Board after notice and opportunity to be heard has been given to all parties and other interested persons in this proceeding.”

**Existing Point of Diversion under the License**

Existing point of diversion authorized under the license is:

Prosser Creek Dam - North 33° 30' East 2,050 feet from SW corner of Section 30, T18N, R17E\*, MDB&M, being within NW 1/4 of SW 1/4 of said Section 30.

No points of diversion are proposed to be added.

EXHIBIT 2A

**Existing Points of Rediversion under the License**

Existing points of rediversion authorized under the license for irrigation are as follows:

Truckee Meadows area and numerous points between the following points:

- a) 1520 feet S8° 33' W from NW corner, Section 29, T19N, 18E
- b) 5760 feet S22° 29'E from NE corner, Section 7, T19N, R20E

Newlands Project area and numerous points between the Carson Diversion Dam and Sagouspe Diversion Dam, such as the Coleman Diversion Dam:

- c) Derby Dam - 2725 feet N32° 45'E from SW corner, Sec. 19, T20N, R23E
- d) Lahontan Dam - 3850 feet N82° 45'E from SW corner, Sec. 33, T19N, R26E
- e) Carson Diversion Dam - 1885 feet N56° 30'W from SE corner, Sec. 19, T19N, R27E
- f) Sagouspe Diversion Dam - 3620 feet N43° 00'E from SW corner, Sec. 4, T19N, R29E

EXHIBIT 2B

**Points of Rediversion to be Added**

Existing points of rediversion under the license are to be retained.

Numerous points of rediversion between the following points are to be added:

- Point A - Prosser Dam being within the NW 1/4, SW 1/4 Section 30, T18N, R17E.
- Point B - Discharge into Pyramid Lake within projected Sections 18 and 19, T23N, R23E.

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\* All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

**Existing Place of Use under the License**

The existing place of use authorized under this license includes 82,000 net acres within 143,480 acres all within the Truckee Meadows and Newlands Project area shown on Map Nos. 320-419-365 and 320-419-366 dated February 10, 1958 and currently on file with License 10180.

Truckee Meadows - 26,800 acres within a gross area of 36,340 acres within the following townships and ranges within the State of Nevada.

Township*	Range*
18N	18, 19, 20 & 21E
19N	18, 19, 20 & 21E
20N	18, 19, 20 & 21E

Newlands Project - 70,000 acres within a gross area of 107,140 acres within the following townships and ranges within the State of Nevada.

Township	Range
17N	24, 25, 26, 27, 28, 29, 30 & 31E
18N	24, 25, 26, 27, 28, 29, 30 & 31E
19N	24, 25, 26, 27, 28, 29, 30 & 31E
20N	24, 25, 26, 27, 28, 29, 30 & 31E

\* All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

**Expanded Place of Use under the License**

The expanded place of use includes the existing place of use and the added place of use. The expanded place of use includes lands within the following townships and ranges:

Township*	Range*
15N	16 & 17E
16N	16E
17N	15, 16 & 17E
18N	15, 16, 17, 18, 19 & 20E
19N	15, 16, 17, 18, 19, 20, 21, 22,23, 24 & 25E
20N	18, 19, 20, 21, 22, 23, 24, 25 & 26E
21N	18, 19, 20, 21, 25 & 26E
22N	26E

Incidental power use will be at the following power plants located as follows:

Power Plant	Subdivision	Sec.	Township	Range
Farad	SE 1/4 SE ¼	12	18N	17E
Fleish	NE 1/4 SE ¼	30	19N	18E
Verdi	NW ¼ SE ¼	8	19N	18E
Washoe	SW 1/4 SW ¼	14	19N	18E

Fish & Wildlife Protection/Enhancement (including wetlands) and Instream Water Quality Enhancement within the Truckee River system extending from the points of diversion described in Exhibit 1A to points of discharge into Pyramid Lake located within projected Sections 18 and 19, T23N, R23E.

\*All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

Fish & Wildlife Protection/Enhancement (including wetlands). Fish Culture and Water Quality Enhancement also will be within Pyramid Lake located within:

T23N, R22 & 23E \*;  
T24N, R21, 22 & 23E;  
T25N, R20, 21 & 22E;  
T26N, R20, 21 & 22E;  
T27N, R21 & 22E

Groundwater Recharge may occur in any of the places of use described for irrigation, municipal and industrial uses.

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\* All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

**EXHIBIT 4A**

**Existing Purposes of Use under the License**

The existing purposes of use authorized under the license are the following:

Domestic  
Municipal  
Industrial  
Irrigation  
Fish Culture  
Recreational Uses

**EXHIBIT 4B**

**Purposes of Use to be Added**

The purposes of use to be added because of the possible transfer and exchanges under TROA are the following:

Conservation of Pyramid Lake fishery (as provided in P.L. 101-618)  
Stockwatering  
Fish & Wildlife Protection/Enhancement (including wetlands)  
Incidental Power  
Groundwater Recharge  
Instream Water Quality Enhancement

## ENVIRONMENTAL INFORMATION FOR PETITIONS

(THIS IS NOT A CEQA DOCUMENT)

APPLICATION NO. 18006

PERMIT NO. 11666

LICENSE NO. 10180

The following information will aid in the environmental review of your change petition as required by the California Environmental Quality Act (CEQA). IN ORDER FOR YOUR CHANGE PETITION TO BE ACCEPTED AS COMPLETED. ANSWERS TO THE QUESTIONS LISTED BELOW MUST BE COMPLETED TO THE BEST OF YOUR ABILITY. Failure to answer all questions may result in your change petition being returned to you, causing delays in processing. If you need more space, attach additional sheets. Additional information may be required from you to amplify further or clarify the information requested in this form.

### DISCRIPTION OF CHANGES TO PROJECT

1. Provide a description of the proposed changes to your project, including but not limited to, type of construction activity, structures existing or to be built, area to be graded or excavated, changes in land use, and project operational changes, including changes in how the water will be used.

This petition for Prosser Creek Reservoir is one of a group of four petitions, which are being filed to allow transfers and exchanges of water under the Truckee River Operating Agreement (TROA). The petitioners request that these petitions be treated as a single project with a combined single notice. Additions of points of diversion and rediversion, places of use and purposes of use identified in this petition are only for the purpose of accommodating implementation of the provisions of TROA.

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GOVERNMENTAL REQUIREMENTS

Before a final decision can be made on your change petition, we must consider the information contained in an environmental document prepared in compliance with the requirements of CEQA. If an environmental document has been prepared for your proposed changes by another agency, we must consider it. If one has not been prepared, a determination must be made as to who is responsible for the preparation of the environmental document for your change petition. The following questions are designed to aid us in that determination.

2. Contact your county planning or public works department for the following information:
- a. Person contacted N/A Date of contact \_\_\_\_\_  
Department \_\_\_\_\_ Telephone ( ) \_\_\_\_\_
  - b. Assessor's Parcel No. \_\_\_\_\_
  - c. County Zoning Designation \_\_\_\_\_
  - d. Are any county permits required for your proposed changes? \_\_\_\_\_  
If yes, check appropriate space below:  
\_\_\_\_\_ Grading Permit, \_\_\_\_\_ Use Permit, \_\_\_\_\_ Watercourse  
Obstruction Permit, \_\_\_\_\_ Change of Zoning, \_\_\_\_\_ General Plan  
Change, Other (explain): \_\_\_\_\_
  - e. Have you obtained any of the required permits described above? NO  
If yes, provide a complete copy of each permit obtained.

3. Are any additional state or federal permits required for your proposed changes? \_\_\_\_\_ (i.e., from Federal Energy Regulatory Commission, U.S. Forest Service, Bureau of Land Management, Soil Conservation Service, Department of Water Resources (Division of Safety of Dams), Reclamation Board, Coastal Commission, State Lands Commission, etc.) For each agency from which a permit is required provide the following information:

Permit type \_\_\_\_\_  
Person (s) contacted \_\_\_\_\_ Agency \_\_\_\_\_  
Date of contact \_\_\_\_\_ Telephone ( ) \_\_\_\_\_

4. Has any public agency prepared an environmental document for any aspect of your proposed changes? NO

If so, please submit a copy of the latest environmental document (s) prepared, including a copy of the notice of determination adopted by the public agency. If not, explain below whether you expect that a public agency other than the State Water Resources Control Board will be preparing an environmental document for your change petition or whether the applicant, if it is a California public agency, will be preparing the environmental document for your change petition:

An Environmental Impact Statement/Environmental Impact Report (EIS/EIR) is being prepared to analyze the potential effects of TROA. A revised DEIS/EIR is being prepared jointly by the Department of Interior, as represented by Reclamation, U.S. Fish and Wildlife Service, and the Bureau of Indian Affairs, and the State of California, as represented by the Department of Water Resources.

Note: When completed, please submit a copy of the final environmental document (including notice of determination) or notice of exemption to the State Water Resources Control Board. Processing of your change petition cannot proceed until such documents are submitted.

5. Will your proposed changes, during construction or operation, generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or cause erosion, turbidity or sedimentation? NO If so, explain: \_\_\_\_\_

If yes or you are unsure of your answer, contact your local Regional Water Quality Control Board for the following information (See attachment for address and telephone number):

Will a waste discharge permit be required for your petition? \_\_\_\_\_

Person contacted \_\_\_\_\_ Date of contact \_\_\_\_\_

What method of treatment and disposal will be used? \_\_\_\_\_

6. Have any archeological reports been prepared on this project, or will you be preparing an archeological report to satisfy another public agency? \_\_\_\_\_

Do you know of any archeological or historic sites located within the general project area?

Yes If so, explain: See EIS/EIR being prepared for TROA.

### ENVIRONMENTAL SETTING

7. Attach **THREE COMPLETE SETS** of color photographs, clearly dated and labeled, showing the vegetation currently existing at the following locations:

Plant communities potentially affected by the petition will be fully described in the EIS/EIR. The action proposed by this petition is not anticipated to adversely affect plant communities at Prosser Creek Reservoir.

- a. Along the stream channel immediately downstream from the proposed point(s) of diversion
- b. Along the stream channel immediately upstream from the proposed point(s) of diversion
- c. At the place(s) where the water is to be used

**Note:** It is very important that you submit no less than three complete sets of photographs as required above. If less than three sets are submitted, processing of your change petition will be delayed until you furnish the remaining sets!

8. From the list given below, mark or circle the general plant community types which best describe those which occur within you project area (Note: See footnote denoted by \* under Question 11 below):

Tree Dominated Communities

- Subalpine Conifer
- Red Fir
- Lodgepole Pine
- Mixed Conifer
  - Sierran Mixed Conifer
  - White Fir
  - Klamath Mixed Conifer
- Douglas-Fir
- Jeffrey Pine
- Ponderosa Pine
- Eastside Pine
- Redwood
- Pinyon-Juniper
- Juniper
- Aspen
- Closed-Cone Pine-Cypress
- Montane Hardwood-Conifer
- Montane Hardwood
- Valley Foothill Hardwood
  - Blue Oak Woodland
  - Valley Oak Woodland
  - Coastal Oak Woodland
- Valley Foothill Hardwood-Conifer
  - Blue Oak-Digger Pine
- Eucalyptus
- Montane Riparian
- Valley Foothill Riparian
- Desert Riparian
- Palm Oasis
- Joshua Tree

Shrub Dominated Communities

- Alpine Dwarf-Shrub
- Low Sage
- Bitterbrush
- Sagebrush
- Montane Chaparral
- Mixed Chaparral
- Chamise-Redshank Chaparral
- Coastal Scrub
- Desert Succulent Shrub
- Desert Wash
- Desert Scrub
- Alkali Desert Scrub

Herbaceous Dominated Communities

- Annual Grassland
- Perennial Grassland
- Wet Meadow
- Fresh Emergent Wetland
- Saline Emergent Wetland
- Pasture

Aquatic Communities

- Riverine
- Lacustrine
- Estuarine
- Marine

Developed Communities

- Cropland
- Orchard-Vineyard
- Urban

Literature source: Mayer, K.E., and W.F. Laudenslayer, Jr., (eds). 1988. A Guide to Wildlife Habitats of California. California Department of Forestry and Fire Protection, Sacramento. 166 pp. (Note: You may view a copy of this document at our public counter at the address given

at the top of this form or you may purchase a copy by calling the California Department of Fish and Game, Wildlife Habitat Relationships (WHR) Program at (916) 653-7203).

9. Provide below an estimate of the type, number, and size (trunk/stem diameter at chest height) of trees and large shrubs that are planned to be removed or destroyed due to implementation of the proposed changes. Consider all aspects of your change petition, including changes in diversion structures, water distribution and use facilities, and changes in the place of use due to additional water development.

None

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**FISH AND WILDLIFE CONCERNS**

10. Identify the typical species of fish which occur in the source(s) from which you propose to divert water and discuss whether or not any of these fish species or their habitat has been or would be affected by your proposed changes. (Note: See footnote denoted by \* under Question 11 below):

Fish species in the project area and potentially affected by this  
petition will be fully described in the Revised Draft EIS/EIR.  
TROA is anticipated to increase the likelihood of meeting  
reservoir and stream flow objectives and thereby, maintain more  
constant monthly habitat conditions for fish species.

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11. Identify the typical species of riparian and terrestrial wildlife in the area and discuss whether or not any of these species and/or their habitat has been or would be affected by your proposed changes through construction of additional water diversion and distribution works and/or changes in land use in the place of water use. (Note: See footnote denoted by \* below):

Wildlife species in the project area and potentially affected  
by this petition will be fully described in the Revised Draft  
EIS/EIR. No diversion structures or distribution works are

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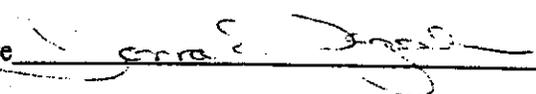
proposed by this petition, nor will the places of water use be  
affected by this petition. The action proposed by this petition  
is not anticipated to adversely affect wildlife or wildlife  
habitat. TROA is anticipated to increase the likelihood of  
meeting reservoir and stream flow objectives and thereby,  
maintain more constant riparian habitat conditions for wildlife.

\*Note: The purposes of Question 10 and 11 are to provide a preliminary assessment of the presence of typical plant and animal species in the area and whether these species might be affected by your proposed changes. Detailed site surveys to quantify populations of specific species or determine the presence of rare or endangered species may be required at a later date. It is very important that you answer these questions accurately. If you are unable to obtain appropriate answers from your local California Department of Fish and Game biologists (See attachment for address and telephone number) or you do not have adequate information or expertise to complete your answers, you should hire a fishery consultant and/or a wildlife consultant to review your project and prepare suitable answers for you. For information on available qualified fishery or wildlife consultants near you, consult your local telephone directory yellow pages under Environmental and Ecological Services, or call the California Environmental Protection Agency, Registered Environmental Assessor (REA) Program, at (916) 324-6881 or the University of California, Cooperative Extension Service (See your local telephone directory white pages).

12. Do your proposed changes involve any construction or grading-related activity which has significantly altered or would significantly alter the bed or bank of any stream or lake? No  
If so, explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CERTIFICATION

I hereby certify that the statements I have furnished above and in the attached exhibits are complete to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge.

Date DEC 19 2003 Signature 

State of California  
State Water Resources Control Board  
**DIVISION OF WATER RIGHTS**  
P.O. Box 2000, Sacramento, CA 95812-2000  
Info: (916) 341-5300, FAX: (916) 341-5400, Web: http://www.waterrights.ca.gov

**PETITION FOR CHANGE**  
(WATER CODE 1700)

Point of Diversion,  Point of Rediversion,  Place of Use,  Purpose of Use  
Application 5169 Permit \_\_\_\_\_ License 3723 Statement or Other \_\_\_\_\_

I (we) hereby petition for change(s) noted above and shown on the accompanying map and described as follows:

Point of Diversion or Rediversion (Give coordinate distances from section corner or other ties as allowed by Cal CR 715, and the 40-acre subdivision in which the present & proposed points lie.)

Present See Attachment and Exhibits 1 and 2

Proposed See Attachment and Exhibits 1 and 2

Place of Use (If irrigation then state number of acres to be irrigated within each 40-acre tract.)

Present See Attachment and Exhibit 3

Proposed See Attachment and Exhibit 3

Purpose of Use

Present See Attachment and Exhibit 4

Proposed See Attachment and Exhibit 4

Does the proposed use serve to preserve or enhance wetlands habitat, fish and wildlife resources, or recreation in or on the water (See WC 1707)? No

(yes/no)

- GIVE REASON FOR PROPOSED CHANGE: The proposed changes are to allow water transfers and exchanges in accordance with TROA.
- WILL THE OLD POINT OF DIVERSION OR PLACE OF USE BE ABANDONED? No
- WATER WILL BE USED FOR See Attachment and Exhibit 4 (yes/no) \_\_\_\_\_ PURPOSES.

I (we) have access to the proposed point of diversion or control the proposed place of use by virtue of? See attachment  
(ownership, lease verbal or written agreement)

Are there any persons taking water from the stream between the old point of return flow and the new point of return flow? \_\_\_\_\_  
(yes/no)

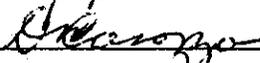
If by lease or agreement, state the name and address of party(s) from whom access has been obtained. Attach additional pages if needed.

Give name and address of any person(s) taking water from the stream between the present point of diversion or rediversion and the proposed point of diversion or rediversion, as well as any other person(s) known to you who may be affected by the proposed change.

**THIS CHANGE DOES NOT INVOLVE AN INCREASE IN THE AMOUNT OF THE APPROPRIATION OR SEASON OF USE.**

I (we) declare under penalty of perjury that the above is true and correct to the best of my (our) knowledge and belief.

Dated 12/7/03, 2003 at RENO, NV, California



Signature(s)

Telephone No. 775-322-4139

NOTE: A \$100 filing fee made payable to the State Water Resources Control Board and a \$850 fee made payable to the Department of Fish and Game must accompany a petition for change.

## ATTACHMENT

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### Petition for Change Application 5169 - License 3723

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#### General

License 3723 (Application 5169) for Boca Dam and Reservoir is held by the Washoe County Water Conservation District (District). The United States constructed and holds legal title to Boca Dam and Reservoir. The District operates and maintains Boca Dam and Reservoir and holds the license for all water storage rights at Boca Reservoir. Access by the District to Boca Reservoir is through a contract for storage of non-project water (Bureau of Reclamation Contract No. 4-07-20-W1177). This petition is one of a group of four petitions, which are being filed to allow transfers and exchanges of water under the Truckee River Operating Agreement (TROA). The petitioners request that these petitions be treated as a single project with a combined single notice.

Additions of points of diversion and rediversion, places of use and purposes of use identified in this petition are only for the purpose of accommodating implementation of the provisions of TROA.

#### Condition

Because implementation of the changes proposed in this petition is predicated on the approval and implementation of TROA, the applicant requests that the order by the State Water Resources Control Board (SWRCB) approving this petition include the following condition:

“These changes will not take effect unless the Truckee River Operating Agreement is in effect. All diversions, storage, use of water and operations under this license shall be in accordance with the provisions contained in this license and the Truckee River Operating Agreement.”

#### Existing Points of Diversion and Rediversion under the License

The existing point of diversion as authorized in License 3723 is Boca Dam and is described in Exhibit 1A. License 3723 authorizes multiple points of rediversion as described in Exhibit 2A. This point of diversion and the points of rediversion are shown on Map No. 320-419-156 dated December 17, 1953, on file with License 3723. This petition does not propose to eliminate any existing points of diversion or rediversion.

### **Points of Diversion and Rediversion to be Added**

Points of diversion and rediversion are being added to authorize and facilitate transfers and exchanges under TROA. This petition requests the addition of Stampede Dam as an additional point of diversion, which is described in Exhibit 1B and shown on Map No. 320-208-189 filed with this petition. The points of rediversion to be added are described in Exhibit 2B and shown on Map No. 320-208-189 and filed with this petition; they are located between Point A - Boca Dam and Point B - Pyramid Lake.

### **Existing Place of Use under the License**

Irrigation use will continue in the existing place of use described in License 3723. The existing place of use is described in Exhibit 3A and shown on Map No. 320-419-156, dated December 17, 1953, on file with License 3723.

### **Expanded Place of Use to be Added**

The existing place of use is to be expanded to include the additional areas of use within the townships described in Exhibit 3B and shown on Map No. 320-208-189 filed with this petition.

### **Existing Purposes of Use under the License**

The existing purposes of use are described in Exhibit 4A.

### **Purposes of Use to be Added**

The purposes of use are to be expanded to include those uses described in Exhibit 4B.

**Existing Point of Diversion under the License**

Boca Dam. N83° 41' E - 1899.62 feet from SW corner of Section 21, being within SE 1/4, SW 1/4 Section 21, T18N, R17E.\*

EXHIBIT 1B

**Point of Diversion to be Added**

Stampede Dam. S10° 24' E - 480 feet from NW corner of Section 28, being within NW 1/4, NW 1/4 Section 28, T19N, R17E.

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\* All references to township and range on this page are to Mount Diablo Base & Meridian (MDB&M).

**Existing Points of Rediversion under the License**

Existing points of rediversion for irrigation to be retained are as follows:

No.	Diversion	Bearing	Distance	Cor.	Sec.	Twp.*	Range*
1	Steamboat	N 62°04'W	3195	SW	32	19N	18E
2	Coldron	S 8°33'W	1520	NW	29	19N	18E
3	Verdi Power	N 39°58'W	845	NW	29	19N	18E
4	Washoe Power	N 87°35'W	2004	NW	15	19N	18E
5	Highland	N 75°16'W	1650	NW	15	19N	18E
6	Hogan	S 42°01'W	2485	NW	15	19N	18E
7	Mastin	S 42°02'W	5808	NW	13	19N	18E
8	Last Chance	S 24°26'W	1840	NW	13	19N	18E
9	Sparks-Capurro	S 43°33'E	3750	NW	13	19N	18E
10	Irwin-Mayberry	S 84°25'W	3375	NW	20	19N	19E
11-12	Lake Southside	N 88°05'W	2620	NW	20	19N	19E
13	Orr with Ext.	N 44°40'E	3211	NW	20	19N	19E
14	Indian Flat	N 62°28'E	4335	NW	20	19N	19E
15	Reno Power	S 26°30'W	1702	NW	15	19N	19E
16	Countryman	S 79°15'W	695	NW	15	19N	19E
17	Chism	S 70°12'W	603	NW	15	19N	19E
18	English Mill	N 61°02'W	2595	NW	14	19N	19E
19	Sullivan-Kelly	N 60°00'E	3201	NW	14	19N	19E
20	Cochrane	N 69°15'E	3640	NW	14	19N	19E
21	Scott Ranch	N 64°28'E	5955	NW	14	19N	19E
22	Abbee	S 10°05'W	7250	NE	1	19N	19E
23	Perry	S 4°30'W	6620	NE	1	19N	19E
24	Eastman	S 44°40'W	3108	NE	7	19N	20E
25	North Truckee	S 39°28'W	3015	NE	7	19N	20E
26	Sessions	S 36°10'W	3030	NE	7	19N	20E
27	Pioneer	S 3°25'W	4795	NE	7	19N	20E
28	Stevens	S 21°00'E	5405	NE	7	19N	20E
29	Glendale	S 22°29'E	5760	NE	7	19N	20E
30	S. Largomarsino	S 42°45'W	3918	NE	18	19N	21E
31	N. Largomarsino	S 21°30'W	3602	NE	18	19N	21E
32	Groten	N 5°50" W	1550	NE	20	19N	21E
33	Sheep Ranch	N 17°28" E	2475	NE	20	19N	21E

All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

**Points of Rediversion to be Added**

Existing points of rediversion under the license are to be retained. Numerous points of rediversion between the following points are to be added:

Point A - Boca Dam being within the SE 1/4, SW 1/4 Section 21, T18N, R17E.\*

Point B - Discharge into Pyramid Lake within projected Sections 18 and 19, T23N, R23E.

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\* All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

**Existing Place of Use under the License**

Existing place of use authorized under the license for irrigation and domestic uses within the Washoe County Water District's existing service area are located within the following townships and ranges within the State of Nevada:

Township*	Range*
18N	19 & 20E
19N	18, 19, 20 & 21E
20N	19 & 20E

EXHIBIT 3B

**Expanded Place of Use to be Added**

The expanded place of use includes lands within the following townships and ranges:

Township	Range
15N	16 and 17E
16N	16E
17N	15, 16 and 17E
18N	15, 16, 17, 18, 19 & 20E
19N	15, 16, 17, 18, 19, 20, 21, 22, 24, 25E
20N	18, 19, 20, 21, 22, 23, 24, 25, 26E
21N	18, 19, 20, 21, 25 & 26E
22N	26E

\* All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

Incidental power use will be at the following power plants located as follows:

<b>Power Plant</b>	<b>Subdivision</b>	<b>Sec.</b>	<b>Township*</b>	<b>Range*</b>
Stampede	SW 1/4 NW 1/4	28	19N	17E
Farad	SE 1/4 SE 1/4	12	18N	17E
Fleish	NE 1/4 SE 1/4	30	19N	18E
Verdi	NW 1/4 SE 1/4	8	19N	18E
Washoe	SW 1/4 SW 1/4	14	19N	18E

Fish & Wildlife Protection/Enhancement (including wetlands) and Instream Water Quality Enhancement within the Truckee River system extending from the points of diversion described in Exhibits 1A and 1B to point of discharge into Pyramid Lake located within projected Sections 18 and 19, T23N, R23E.

Fish & Wildlife Protection/Enhancement (including wetlands). Fish Culture and Water Quality Enhancement also will be within Pyramid Lake located within:

T23N, R22 & 23E;  
T24N, R21, 22 & 23E;  
T25N, R20, 21 & 22E;  
T26N, R20, 21 & 22E;  
T27N, R21 & 22E.

Groundwater Recharge may occur in any of the places of use described for irrigation, municipal and industrial uses.

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\* All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

**Existing Purposes of Use under the License**

Existing purposes of use authorized under License 3723 are the following:

Irrigation  
Domestic

**Purposes of Use to be Added**

The purposes of use to be added because of the possible transfer and exchanges under TROA and in accordance with the terms and conditions of TROA are the following:

Municipal  
Industrial  
Stockwatering  
Fish Culture  
Conservation of Pyramid Lake fishery (as provided in P.L. 101-618)  
Fish & Wildlife Protection/Enhancement (including wetlands)  
Incidental Power  
Groundwater Recharge  
Instream Water Quality Enhancement  
Recreation

## ENVIRONMENTAL INFORMATION FOR PETITIONS

(THIS IS NOT A CEQA DOCUMENT)

APPLICATION NO. 5169

PERMIT NO. 5286

LICENSE NO. 3723

The following information will aid in the environmental review of your change petition as required by the California Environmental Quality Act (CEQA). IN ORDER FOR YOUR CHANGE PETITION TO BE ACCEPTED AS COMPLETED, ANSWERS TO THE QUESTIONS LISTED BELOW MUST BE COMPLETED TO THE BEST OF YOUR ABILITY. Failure to answer all questions may result in your change petition being returned to you, causing delays in processing. If you need more space, attach additional sheets. Additional information may be required from you to amplify further or clarify the information requested in this form.

### DISCRIPTION OF CHANGES TO PROJECT

1. Provide a description of the proposed changes to your project, including but not limited to, type of construction activity, structures existing or to be built, area to be graded or excavated, changes in land use, and project operational changes, including changes in how the water will be used.

This petition for Boca Dam and Reservoir is one of a group of four petitions, which are being filed to allow transfers and exchanges of water under the Truckee River Operating Agreement (TROA). The petitioners request that these petitions be treated as a single project with a combined single notice. Additions of points of diversion and rediversion, places of use and purposes of use identified in this petition are only for the purpose of accommodating implementation of the provisions of TROA.

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GOVERNMENTAL REQUIREMENTS

Before a final decision can be made on your change petition, we must consider the information contained in an environmental document prepared in compliance with the requirements of CEQA. If an environmental document has been prepared for your proposed changes by another agency, we must consider it. If one has not been prepared, a determination must be made as to who is responsible for the preparation of the environmental document for your change petition. The following questions are designed to aid us in that determination.

2. Contact your county planning or public works department for the following information:
- a. Person contacted N/A Date of contact \_\_\_\_\_  
Department \_\_\_\_\_ Telephone ( ) \_\_\_\_\_
  - b. Assessor's Parcel No. \_\_\_\_\_
  - c. County Zoning Designation \_\_\_\_\_
  - d. Are any county permits required for your proposed changes? \_\_\_\_\_  
If yes, check appropriate space below:  
\_\_\_\_\_ Grading Permit, \_\_\_\_\_ Use Permit, \_\_\_\_\_ Watercourse  
Obstruction Permit, \_\_\_\_\_ Change of Zoning, \_\_\_\_\_ General Plan  
Change, Other (explain):  
\_\_\_\_\_
  - e. Have you obtained any of the required permits described above? No  
If yes, provide a complete copy of each permit obtained.

3. Are any additional state or federal permits required for your proposed changes? \_\_\_\_\_ (i.e., from Federal Energy Regulatory Commission, U.S. Forest Service, Bureau of Land Management, Soil Conservation Service, Department of Water Resources (Division of Safety of Dams), Reclamation Board, Coastal Commission, State Lands Commission, etc.) For each agency from which a permit is required provide the following information:

Permit type \_\_\_\_\_  
Person (s) contacted \_\_\_\_\_ Agency \_\_\_\_\_  
Date of contact \_\_\_\_\_ Telephone ( ) \_\_\_\_\_

4. Has any public agency prepared an environmental document for any aspect of your proposed changes? No

If so, please submit a copy of the latest environmental document (s) prepared, including a copy of the notice of determination adopted by the public agency. If not, explain below whether you expect that a public agency other than the State Water Resources Control Board will be preparing an environmental document for your change petition or whether the applicant, if it is a California public agency, will be preparing the environmental document for your change petition:

An Environmental Impact Statement/Environmental Impact Report (EIS/EIR) is being prepared to analyze the potential effects of TROA. A revised DEIS/EIR is being prepared jointly by the Department of Interior, as represented by Reclamation, U.S. Fish and Wildlife Service, and Bureau of Indian Affairs, and the State of California, as represented by Department of Water Resources.

Note: When completed, please submit a copy of the final environmental document (including notice of determination) or notice of exemption to the State Water Resources Control Board. Processing of your change petition cannot proceed until such documents are submitted.

- 5. Will your proposed changes, during construction or operation, generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or cause erosion, turbidity or sedimentation? No If so, explain: \_\_\_\_\_

If yes or you are unsure of your answer, contact your local Regional Water Quality Control Board for the following information (See attachment for address and telephone number):

Will a waste discharge permit be required for your petition? \_\_\_\_\_

Person contacted \_\_\_\_\_ Date of contact \_\_\_\_\_

What method of treatment and disposal will be used? \_\_\_\_\_

- 6. Have any archeological reports been prepared on this project, or will you be preparing an archeological report to satisfy another public agency? \_\_\_\_\_

Do you know of any archeological or historic sites located within the general project area?

Yes If so, explain: See EIS/EIR being prepared for TROA.

ENVIRONMENTAL SETTING

- 7. Attach **THREE COMPLETE SETS** of color photographs, clearly dated and labeled, showing the vegetation currently existing at the following locations:

Plant communities potentially affected by the petition will be fully described in the EIS/EIR. The action proposed by this petition is not anticipated to adversely affect plant communities at Boca Dam and Reservoir.

- a. Along the stream channel immediately downstream from the proposed point(s) of diversion
  - b. Along the stream channel immediately upstream from the proposed point(s) of diversion
  - c. At the place(s) where the water is to be used
- Note: It is very important that you submit no less than three complete sets of photographs as required above. If less than three sets are submitted, processing of your change petition will be delayed until you furnish the remaining sets!
8. From the list given below, mark or circle the general plant community types which best describe those which occur within you project area (Note: See footnote denoted by \* under Question 11 below):

Tree Dominated Communities

- Subalpine Conifer
- Red Fir
- Lodgepole Pine
- Mixed Conifer
  - Sierran Mixed Conifer
  - White Fir
  - Klamath Mixed Conifer
- Douglas-Fir
- Jeffrey Pine
- Ponderosa Pine
- Eastside Pine
- Redwood
- Pinyon-Juniper
- Juniper
- Aspen
- Closed-Cone Pine-Cypress
- Montane Hardwood-Conifer
- Montane Hardwood
- Valley Foothill Hardwood
  - Blue Oak Woodland
  - Valley Oak Woodland
  - Coastal Oak Woodland
- Valley Foothill Hardwood-Conifer
  - Blue Oak-Digger Pine
- Eucalyptus
- Montane Riparian
- Valley Foothill Riparian
- Desert Riparian
- Palm Oasis
- Joshua Tree

Shrub Dominated Communities

- Alpine Dwarf-Shrub
- Low Sage
- Bitterbrush
- Sagebrush
- Montane Chaparral
- Mixed Chaparral
- Chamise-Redshank Chaparral
- Coastal Scrub
- Desert Succulent Shrub
- Desert Wash
- Desert Scrub
- Alkali Desert Scrub

Herbaceous Dominated Communities

- Annual Grassland
- Perennial Grassland
- Wet Meadow
- Fresh Emergent Wetland
- Saline Emergent Wetland
- Pasture

Aquatic Communities

- Riverine
- Lacustrine
- Estuarine
- Marine

Developed Communities

- Cropland
- Orchard-Vineyard
- Urban

Literature source: Mayer, K.E., and W.F. Laudenslayer, Jr., (eds). 1988. A Guide to Wildlife Habitats of California. California Department of Forestry and Fire Protection. Sacramento. 166 pp. (Note: You may view a copy of this document at our public counter at the address given

at the top of this form or you may purchase a copy by calling the California Department of Fish and Game, Wildlife Habitat Relationships (WHR) Program at (916) 653-7203).

9. Provide below an estimate of the type, number, and size (trunk/stem diameter at chest height) of trees and large shrubs that are planned to be removed or destroyed due to implementation of the proposed changes. Consider all aspects of your change petition, including changes in diversion structures, water distribution and use facilities, and changes in the place of use due to additional water development.

None

FISH AND WILDLIFE CONCERNS

10. Identify the typical species of fish which occur in the source(s) from which you propose to divert water and discuss whether or not any of these fish species or their habitat has been or would be affected by your proposed changes. (Note: See footnote denoted by \* under Question 11 below):

Fish species in the project area and potentially affected by this petition will be fully described in the Revised Draft EIS/EIR. TROA is anticipated to increase the likelihood of meeting reservoir and stream flow objectives and thereby, maintain more constant monthly habitat conditions for fish species.

11. Identify the typical species of riparian and terrestrial wildlife in the area and discuss whether or not any of these species and/or their habitat has been or would be affected by your proposed changes through construction of additional water diversion and distribution works and/or changes in land use in the place of water use. (Note: See footnote denoted by \* below):

Wildlife species in the project area and potentially affected by this petition will be fully described in the Revised EIS/EIR. No diversion structures or distribution works are proposed by

this petition, nor will the places of water use be affected  
by this petition. The action proposed by this petition is not  
anticipated to adversely affect wildlife or wildlife habitat.  
TROA is anticipated to increase the likelihood of meeting reservoir  
and stream flow objectives and thereby, maintain more constant  
riparian habitat conditions for wildlife.

\*Note: The purposes of Question 10 and 11 are to provide a preliminary assessment of the presence of typical plant and animal species in the area and whether these species might be affected by your proposed changes. Detailed site surveys to quantify populations of specific species or determine the presence of rare or endangered species may be required at a later date. It is very important that you answer these questions accurately. If you are unable to obtain appropriate answers from your local California Department of Fish and Game biologists (See attachment for address and telephone number) or you do not have adequate information or expertise to complete your answers, you should hire a fishery consultant and/or a wildlife consultant to review your project and prepare suitable answers for you. For information on available qualified fishery or wildlife consultants near you, consult your local telephone directory yellow pages under Environmental and Ecological Services, or call the California Environmental Protection Agency, Registered Environmental Assessor (REA) Program, at (916) 324-6881 or the University of California, Cooperative Extension Service (See your local telephone directory white pages).

12. Do your proposed changes involve any construction or grading-related activity which has significantly altered or would significantly alter the bed or bank of any stream or lake? No  
If so, explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CERTIFICATION

I hereby certify that the statements I have furnished above and in the attached exhibits are complete to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge.

Date 11/7/03 Signature [Handwritten Signature]

State of California  
State Water Resources Control Board  
**DIVISION OF WATER RIGHTS**  
P.O. Box 2000, Sacramento, CA 95812-2000  
Info: (916) 341-5300, FAX: (916) 341-5400, Web: http://www.waterrights.ca.gov

**PETITION FOR CHANGE**  
(WATER CODE 1700)

Application 9247 Permit \_\_\_\_\_ License 4196 Statement or Other \_\_\_\_\_  
 Point of Diversion,  Point of Rediversion,  Place of Use,  Purpose of Use

I (we) hereby petition for change(s) noted above and shown on the accompanying map and described as follows:

Point of Diversion or Rediversion (Give coordinate distances from section corner or other ties as allowed by Cal CR 715, and the 40-acre subdivision in which the present & proposed points lie.)

Present See Attachment and Exhibits 1 and 2

Proposed See Attachment and Exhibits 1 and 2

Place of Use (If irrigation then state number of acres to be irrigated within each 40-acre tract.)

Present See Attachment and Exhibit 3

Proposed See Attachment and Exhibit 3

Purpose of Use

Present See Attachment and Exhibit 4

Proposed See Attachment and Exhibit 4

Does the proposed use serve to preserve or enhance wetlands habitat, fish and wildlife resources, or recreation in or on the water (See WC 1707)? No

(yes/no)

- GIVE REASON FOR PROPOSED CHANGE: The proposed changes are to allow water transfers and exchanges in accordance with TROA.
- WILL THE OLD POINT OF DIVERSION OR PLACE OF USE BE ABANDONED? No
- WATER WILL BE USED FOR See Attachment and Exhibit 4 PURPOSES.

(yes/no)

I (we) have access to the proposed point of diversion or control the proposed place of use by virtue of? ownership

(ownership, lease verbal or written agreement)

Are there any persons taking water from the stream between the old point of return flow and the new point of return flow? \_\_\_\_\_

(yes/no)

If by lease or agreement, state the name and address of party(s) from whom access has been obtained. Attach additional pages if needed.

Give name and address of any person(s) taking water from the stream between the present point of diversion or rediversion and the proposed point of diversion or rediversion, as well as any other person(s) known to you who may be affected by the proposed change.

**THIS CHANGE DOES NOT INVOLVE AN INCREASE IN THE AMOUNT OF THE APPROPRIATION OR SEASON OF USE.**

I (we) declare under penalty of perjury that the above is true and correct to the best of my (our) knowledge and belief.

Dated December 11, 2003 at RENO, NEVADA, ~~California~~

Soni Williams  
Signature(s)

775-834-8110  
Telephone No.

**NOTE:** A \$100 filing fee made payable to the State Water Resources Control Board and a \$850 fee made payable to the Department of Fish and Game must accompany a petition for change.

## ATTACHMENT

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### Petition for Change Application 9247 - License 4196

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#### General

License 4196 (Application 9247) for Independence Dam is held by Truckee Meadows Water Authority. This petition is one of a group of four petitions, which are being filed to allow transfers and exchanges of water under the Truckee River Operating Agreement (TROA). The petitioners request that these petitions be treated as a single project with a combined single notice.

Additions of points of diversion and rediversion, places of use and purposes of use identified in this petition are only for the purpose of accommodating implementation of the provisions of TROA.

#### Condition

Because implementation of the changes proposed in this petition is predicated on the approval and implementation of TROA, the applicant requests that the order by the State Water Resources Control Board (SWRCB) approving this petition include the following condition:

“These changes will not take effect unless the Truckee River Operating Agreement is in effect. All diversions, storage, use of water and operations under this license shall be in accordance with the provisions contained in this license and the Truckee River Operating Agreement.”

#### Existing Points of Diversion and Rediversion under the License

The existing point of diversion described in License 4196 is Independence Dam, which is described in Exhibit 1A. License 4196 authorizes points of rediversion as described in Exhibit 2A. This point of diversion and the points of rediversion are shown on a map dated February 7, 1938, on file with License 4196. This petition does not propose to eliminate any existing points of diversion or rediversion.

#### Points of Diversion and Rediversion to be Added

Points of diversion and rediversion are being added to authorize and facilitate transfers and exchanges under TROA. This petition requests the addition of Stampede Dam and Boca Dam as additional points of diversion, which are described in Exhibit 1B and shown on Map No. 320-208-189 filed with this petition. The points of rediversion to be added are described in Exhibit 2B and are shown on Map No. 320-208-189 filed with this petition; they are located between Independence Dam and Pyramid Lake.

**Existing Place of Use under the License**

Water stored in Independence Dam under License 4196 is identified to be used in the City of Reno and the City of Sparks as shown on the official map entitled Independence Lake Project dated February 7, 1938, in conformance with the Order of June 30, 1955. The existing place of use is described in Exhibit 3A.

**Expanded Place of Use under the License**

The current place of use is proposed to be expanded to include the areas of use within the townships described in Exhibit 3B and areas shown on Map No. 320-208-189 filed with this petition.

**Existing Purpose of Use under the License**

The existing purpose of use is described in Exhibit 4A.

**Purposes of Use to be Added**

The purposes of use are to be expanded to include those uses described in Exhibit 4B.

**EXHIBIT 1A**

**Existing Point of Diversion under the License**

Independence Dam. N5° 45' E - 1864.7 feet from SW corner of Section 35, being within Lot 1 Section 35, T19N, R15E.\*

**EXHIBIT 1B**

**Points of Diversion to be Added**

1. Stampede Dam. S10° 24' E - 480 feet from NW corner of Section 28, being within NW 1/4, NW 1/4 Section 28, T19N, R17E.
2. Boca Dam. N83° 41' E - 1899.62 feet from SW corner of Section 21, being within SE 1/4, SW 1/4 Section 21, T18N, R17E.

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\* All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

**EXHIBIT 2A**

**Existing Points of Rediversion under the License**

Existing Points of rediversion authorized in the license for municipal use are as follows:

<b>Diversion Facility / Treatment Plant</b>	<b>40 Ac. Tract</b>	<b>Section</b>	<b>Township*</b>	<b>Range*</b>
STEAMBOAT DITCH	NW 1/4 SE 1/4	31	19N	18E
HIGHLAND DITCH	SW 1/4 SE 1/4	9	19N	18E
IDLEWILD PUMP	SE 1/4 NE 1/4	16	19N	19E

**EXHIBIT 2B**

**Points of Rediversion to be Added**

The existing points of rediversion under the license are to be retained. Numerous points of rediversion to be added under the license are between the following points:

Point A - Independence Dam within Lot 1 of Section 35, T19N, R15E.

Point B - Discharge into Pyramid Lake within projected Sections 18 and 19, T23N, R23E.

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\* All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

**Existing Place of Use under the License**

The existing place of use authorized under the license includes lands within Townships 19N, Ranges 19E and 20E\* as shown on the official map dated February 7, 1938, in conformance with the Order of June 30, 1955.

**Expanded Place of Use under the License**

The expanded place of use includes the existing place of use under the license and the added place of use. The expanded place of use includes lands within the following townships and ranges:

Township*	Range*
15N	16 and 17E
16N	16E
17N	15, 16 and 17E
18N	15, 16, 17, 18, 19 & 20E
19N	15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25E
20N	18, 19, 20, 21, 22, 23, 24, 25 & 26E
21N	18, 19, 20, 21, 25 & 26E
22N	26E

Incidental power use will be at the power plants located as follows:

Power Plant	Subdivision	Sec.	Township	Range
Stampede	SW 1/4 NW 1/4	28	19N	17E
Farad	SE 1/4 SE 1/4	12	18N	17E
Fleish	NE 1/4 SE 1/4	30	19N	18E
Verdi	NW 1/4 SE 1/4	8	19N	18E
Washoe	SW 1/4 SW 1/4	14	19N	18E

\* All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

Fish & Wildlife Protection/Enhancement (including wetlands) and Instream Water Quality Enhancement within the Truckee River system extending from the points of diversion described in Exhibits 1A and 1B to points of discharge into Pyramid Lake located within projected Sections 18 and 19, T23N, R23E.\*

Fish & Wildlife Protection/Enhancement. Fish Culture and Water Quality Enhancement also will be within Pyramid Lake located within:

T23N, R22 & 23E;  
T24N, R21, 22 & 23E;  
T25N, R20, 21 & 22E;  
T26N, R20, 21 & 22E;  
T27N, R21 & 22E.

Groundwater Recharge may occur in any of the places of use described for municipal and industrial uses.

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\* All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

**Existing Purpose of Use under the License**

The existing purpose of use authorized under the license is municipal.

**Purposes of Use to be Added**

The purposes of use are to be expanded because of the possible transfer and exchanges under TROA to include the following:

- Domestic
- Industrial
- Irrigation
- Stockwatering
- Fish Culture
- Fish & Wildlife Protection/Enhancement (including wetlands)
- Incidental Power
- Groundwater Recharge
- Instream Water Quality Enhancement
- Recreation
- Conservation of Pyramid Lake fishery (as provided in P.L. 101-618)

## ENVIRONMENTAL INFORMATION FOR PETITIONS

(THIS IS NOT A CEQA DOCUMENT)

APPLICATION NO. 9247

PERMIT NO. 5392

LICENSE NO. 4196

The following information will aid in the environmental review of your change petition as required by the California Environmental Quality Act (CEQA). IN ORDER FOR YOUR CHANGE PETITION TO BE ACCEPTED AS COMPLETED, ANSWERS TO THE QUESTIONS LISTED BELOW MUST BE COMPLETED TO THE BEST OF YOUR ABILITY. Failure to answer all questions may result in your change petition being returned to you, causing delays in processing. If you need more space, attach additional sheets. Additional information may be required from you to amplify further or clarify the information requested in this form.

### DISCRPTION OF CHANGES TO PROJECT

1. Provide a description of the proposed changes to your project, including but not limited to, type of construction activity, structures existing or to be built, area to be graded or excavated, changes in land use, and project operational changes, including changes in how the water will be used.

This petition for Independence Dam is one of a group of four petitions which are being filed to allow transfers and exchanges of water under the Truckee River Operating Agreement (TROA). The petitioners request that these petitions be treated as a single project with a combined single notice. Additions of points of diversion and rediversion, places of use and purposes of use identified in this petition are only for the purpose of accommodating implementation of the provisions of TROA.

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GOVERNMENTAL REQUIREMENTS

Before a final decision can be made on your change petition, we must consider the information contained in an environmental document prepared in compliance with the requirements of CEQA. If an environmental document has been prepared for your proposed changes by another agency, we must consider it. If one has not been prepared, a determination must be made as to who is responsible for the preparation of the environmental document for your change petition. The following questions are designed to aid us in that determination.

2. Contact your county planning or public works department for the following information:
- a. Person contacted N/A Date of contact \_\_\_\_\_  
Department \_\_\_\_\_ Telephone ( ) \_\_\_\_\_
  - b. Assessor's Parcel No. \_\_\_\_\_
  - c. County Zoning Designation \_\_\_\_\_
  - d. Are any county permits required for your proposed changes? \_\_\_\_\_  
If yes, check appropriate space below:  
\_\_\_\_\_ Grading Permit, \_\_\_\_\_ Use Permit, \_\_\_\_\_ Watercourse  
Obstruction Permit, \_\_\_\_\_ Change of Zoning, \_\_\_\_\_ General Plan  
Change, Other (explain): \_\_\_\_\_
  - e. Have you obtained any of the required permits described above? No  
If yes, provide a complete copy of each permit obtained.

3. Are any additional state or federal permits required for your proposed changes? \_\_\_\_\_ (i.e., from Federal Energy Regulatory Commission, U.S. Forest Service, Bureau of Land Management, Soil Conservation Service, Department of Water Resources (Division of Safety of Dams), Reclamation Board, Coastal Commission, State Lands Commission, etc.) For each agency from which a permit is required provide the following information:

Permit type \_\_\_\_\_

Person (s) contacted \_\_\_\_\_ Agency \_\_\_\_\_

Date of contact \_\_\_\_\_ Telephone ( ) \_\_\_\_\_

4. Has any public agency prepared an environmental document for any aspect of your proposed changes? No

If so, please submit a copy of the latest environmental document (s) prepared, including a copy of the notice of determination adopted by the public agency. If not, explain below whether you expect that a public agency other than the State Water Resources Control Board will be preparing an environmental document for your change petition or whether the applicant, if it is a California public agency, will be preparing the environmental document for your change petition:

An Environmental Impact Statement/Environmental Impact Report (EIS/EIR is being prepared to analyze the potential effects of TROA. A revised DEIS/EIR is being prepared jointly by the Department of Interior, as represented by Reclamation, U.S. Fish and Wildlife Service, and Bureau of Indian Affairs, and the State of California, as represented by Department of Water Resources.

Note: When completed, please submit a copy of the final environmental document (including notice of determination) or notice of exemption to the State Water Resources Control Board. Processing of your change petition cannot proceed until such documents are submitted.

5. Will your proposed changes, during construction or operation, generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or cause erosion, turbidity or sedimentation? No If so, explain: \_\_\_\_\_

If yes or you are unsure of your answer, contact your local Regional Water Quality Control Board for the following information (See attachment for address and telephone number):

Will a waste discharge permit be required for your petition? \_\_\_\_\_

Person contacted \_\_\_\_\_ Date of contact \_\_\_\_\_

What method of treatment and disposal will be used? \_\_\_\_\_

6. Have any archeological reports been prepared on this project, or will you be preparing an archeological report to satisfy another public agency? \_\_\_\_\_

Do you know of any archeological or historic sites located within the general project area?

Yes If so, explain: See EIS/EIR being prepared for TROA.

### ENVIRONMENTAL SETTING

7. Attach **THREE COMPLETE SETS** of color photographs, clearly dated and labeled, showing the vegetation currently existing at the following locations:

Plant communities potentially affected by the petition will be fully described in the EIS/EIR. The action proposed by this petition is not anticipated to adversely affect plant communities at Independence Dam.

- a. Along the stream channel immediately downstream from the proposed point(s) of diversion
- b. Along the stream channel immediately upstream from the proposed point(s) of diversion
- c. At the place(s) where the water is to be used

Note: It is very important that you submit no less than three complete sets of photographs as required above. If less than three sets are submitted, processing of your change petition will be delayed until you furnish the remaining sets!

8. From the list given below, mark or circle the general plant community types which best describe those which occur within you project area (Note: See footnote denoted by \* under Question 11 below):

Tree Dominated Communities

Subalpine Conifer  
Red Fir  
Lodgepole Pine  
Mixed Conifer  
    Sierran Mixed Conifer  
    White Fir  
    Klamath Mixed Conifer  
Douglas-Fir  
Jeffrey Pine  
Ponderosa Pine  
Eastside Pine  
Redwood  
Pinyon-Juniper  
Juniper  
Aspen  
Closed-Cone Pine-Cypress  
Montane Hardwood-Conifer  
Montane Hardwood  
Valley Foothill Hardwood  
    Blue Oak Woodland  
    Valley Oak Woodland  
    Coastal Oak Woodland  
Valley Foothill Hardwood-Conifer  
    Blue Oak-Digger Pine  
Eucalyptus  
Montane Riparian  
Valley Foothill Riparian  
Desert Riparian  
Palm Oasis  
Joshua Tree

Shrub Dominated Communities

Alpine Dwarf-Shrub  
Low Sage  
Bitterbrush  
Sagebrush  
Montane Chaparral  
Mixed Chaparral  
Chamise-Redshank Chaparral  
Coastal Scrub  
Desert Succulent Shrub  
Desert Wash  
Desert Scrub  
Alkali Desert Scrub

Herbaceous Dominated Communities

Annual Grassland  
Perennial Grassland  
Wet Meadow  
Fresh Emergent Wetland  
Saline Emergent Wetland  
Pasture

Aquatic Communities

Riverine  
Lacustrine  
Estuarine  
Marine

Developed Communities

Cropland  
Orchard-Vineyard  
Urban

Literature source: Mayer, K.E., and W.F. Laudenslayer, Jr., (eds). 1988. A Guide to Wildlife Habitats of California. California Department of Forestry and Fire Protection, Sacramento. 166 pp. (Note: You may view a copy of this document at our public counter at the address given

at the top of this form or you may purchase a copy by calling the California Department of Fish and Game, Wildlife Habitat Relationships (WHR) Program at (916) 653-7203).

9. Provide below an estimate of the type, number, and size (trunk/stem diameter at chest height) of trees and large shrubs that are planned to be removed or destroyed due to implementation of the proposed changes. Consider all aspects of your change petition, including changes in diversion structures, water distribution and use facilities, and changes in the place of use due to additional water development.

None

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FISH AND WILDLIFE CONCERNS

10. Identify the typical species of fish which occur in the source(s) from which you propose to divert water and discuss whether or not any of these fish species or their habitat has been or would be affected by your proposed changes. (Note: See footnote denoted by \* under Question 11 below):

Fish species in the project area and potentially affected by this petition will be fully described in the Revised Draft EIS/EIR.

TROA is anticipated to increase the likelihood of meeting reservoir and stream flow objectives and thereby, maintain more constant monthly habitat conditions for fish species.

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11. Identify the typical species of riparian and terrestrial wildlife in the area and discuss whether or not any of these species and/or their habitat has been or would be affected by your proposed changes through construction of additional water diversion and distribution works and/or changes in land use in the place of water use. (Note: See footnote denoted by \* below):

Wilflife species in the project area and potentially affected by this petition will be fully described in the Revised Draft EIS/EIR. No diversion structures or distribution works are

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proposed by this petition, nor will the places of water use  
be affected by this petition. The action proposed by this  
petition is not anticipated to adversely affect wildlife or  
wildlife habitat. TROA is anticipated to increase the likelihood  
of meeting reservoir and stream flow objectives and thereby,  
maintain more constant riparian habitat conditions for wildlife.

\*Note: The purposes of Question 10 and 11 are to provide a preliminary assessment of the presence of typical plant and animal species in the area and whether these species might be affected by your proposed changes. Detailed site surveys to quantify populations of specific species or determine the presence of rare or endangered species may be required at a later date. It is very important that you answer these questions accurately. If you are unable to obtain appropriate answers from your local California Department of Fish and Game biologists (See attachment for address and telephone number) or you do not have adequate information or expertise to complete your answers, you should hire a fishery consultant and/or a wildlife consultant to review your project and prepare suitable answers for you. For information on available qualified fishery or wildlife consultants near you, consult your local telephone directory yellow pages under Environmental and Ecological Services, or call the California Environmental Protection Agency, Registered Environmental Assessor (REA) Program, at (916) 324-6881 or the University of California, Cooperative Extension Service (See your local telephone directory white pages).

12. Do your proposed changes involve any construction or grading-related activity which has significantly altered or would significantly alter the bed or bank of any stream or lake? No  
If so, explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CERTIFICATION

I hereby certify that the statements I have furnished above and in the attached exhibits are complete to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge.

Date 12/11/03 Signature Ken L Williams

MINIMUM FILING FEE: \$100.00  
 FILE ORIGINAL & ONE COPY  
 TYPE OR PRINT IN BLACK INK  
 (For explanation of entities required, see  
 booklet "How to File an Application to  
 Appropriate Water in California")

State of California  
 State Water Resources Control Board  
**DIVISION OF WATER RIGHTS**  
 P.O. Box 2000, Sacramento, CA 95812-2000  
 Info: (916) 341-5300, FAX: (916) 341-5400, Web: <http://www.waterrights.ca.gov>

## APPLICATION TO APPROPRIATE WATER

APPLICATION No. \_\_\_\_\_  
 (Leave Blank)

### 1. APPLICANT

U.S. Department of Interior (916) 978 - 5200  
 Bureau of Reclamation (Name of applicant) (Telephone - between 8 a.m. and 5 p.m.)  
(MP-440)  
 2800 Cottage Way Sacramento California 95825  
(Mailing address) (City or town) (State) (Zip code)

### 2. SOURCE

a. The name of the source at the point of diversion is Little Truckee River  
(If unnamed, state that it is an unnamed stream, spring, etc.)  
 tributary to Truckee River

b. In a normal year does the stream dry up at any point downstream from your project? YES  NO   
 If yes, during what months is it usually dry? From \_\_\_\_\_ to \_\_\_\_\_  
 What alternate sources are available to your project should a portion of your requested direct diversion season  
 be excluded because of a dry stream or nonavailability of water? n/a

### 3. POINTS of DIVERSION and REDIVERSION

a. The point(s) of diversion will be in the County of Sierra and Nevada Counties  
 and within Assessor's Parcel Number (APN #) \_\_\_\_\_

b.

List all points giving coordinate distances from section corner or other tie as allowed by SWRCB regulations i.e. California Coordinate System	Point is within (40-acre subdivision)	Section	Township	Range	Base and Meridian
See Attachment No. 1	¼ of ¼				
	¼ of ¼				
	¼ of ¼				

c. Does applicant own the land at the point of diversion? YES  NO

d. If applicant does not own the land at point of diversion, state name and address of owner and what steps have been taken to obtain right of access: n/a

*"The energy challenge facing California is real. Every California needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>".*  
 Additional copies of this form and water right information can be obtained at [www.waterrights.ca.gov](http://www.waterrights.ca.gov).

4. PURPOSE of USE, AMOUNT and SEASON (See page insert for 4.)

a. In the table below, state the purpose(s) for which water is to be appropriated, the quantities of water for each purpose, and the dates between which diversions will be made. Use gallons per day if rate is less than 0.025 cubic foot per second (approximately 16,000 gallons per day).

PURPOSE OF USE (Irrigation, Domestic, etc.)	DIRECT DIVERSION				STORAGE		
	QUANTITY		SEASON OF DIVERSION		AMOUNT	COLLECTION SEASON	
	RATE (Cubic feet per second or gallons per day)	AMOUNT (Acre-feet per year)	Beginning Date (Mo. & Day)	Ending Date (Mo. & Day)	Acre-feet per annum	Beginning Date (Mo. & Day)	Ending Date (Mo. & Day)
See Attachment No. 3	350 cfs	226,500 af	01/01	12/31	226,500*	01/01	12/31

b. Total combined amount taken by direct diversion and storage during any one year will be 226,500 acre-feet.

\*Note: Companion right to previous right under Application 15673 (P-11605)

5. JUSTIFICATION of AMOUNT (See page insert for 5.)

a. IRRIGATION: Maximum area to be irrigated in any one year is 96,800 acres.

CROP	ACRES	METHOD OF IRRIGATION (Sprinklers, flooding, etc.)	ACRE-FEET PER YEAR	NORMAL SEASON	
				Beginning Date	Ending Date
General Crops	96,800			04/01	11/01

b. DOMESTIC: Number of residences to be served is \_\_\_\_\_. Separately owned? YES  NO   
 Total number of people to be served is \_\_\_\_\_. Estimated daily use per person is \_\_\_\_\_  
 Total area of domestic lawns and gardens is \_\_\_\_\_ square feet. (Gallons per day)  
 Incidental domestic uses are \_\_\_\_\_  
 (Dust control area, number and kind of domestic animals, etc.)

c. STOCKWATERING: Kind of stock \_\_\_\_\_ Maximum number \_\_\_\_\_  
 Describe type of operation: \_\_\_\_\_  
 (Feed lot, dairy, range, etc.)

d. RECREATIONAL: Type of recreation: Fishing  Swimming  Boating  Other

e. MUNICIPAL: (Estimated projected use)

POPULATION		MAXIMUM MONTH		ANNUAL USE		
5-Year periods until use is completed		Average daily use (gal. per capita)	Rate of diversion (cfs)	Average daily use (gal. per capita)	Acre-foot (per capita)	Total acre feet
PERIOD	POP.					
Present						

Month of maximum use during year is \_\_\_\_\_. Month of minimum use during year is \_\_\_\_\_.

f. HEAT CONTROL: The total area to be heat protected is n/a net acres.  
 Type of crop protected is \_\_\_\_\_  
 Rate at which water is applied to use is \_\_\_\_\_ gpm per acre.  
 The heat protection season will begin about \_\_\_\_\_ and end about \_\_\_\_\_  
 (Date) (Date)

g. FROST PROTECTION: The total area to be frost protected is n/a net acres.  
 Type of crop protected is \_\_\_\_\_  
 Rate at which water is applied to use is \_\_\_\_\_ gpm per acre.  
 The frost protection season will begin about \_\_\_\_\_ and end about \_\_\_\_\_  
 (Date) (Date)

h. INDUSTRIAL: Type of industry is \_\_\_\_\_  
 Basis for determination of amount of water needed is \_\_\_\_\_

i. MINING: The name of the claim is n/a. Patented  Unpatented   
 The nature of the mine is \_\_\_\_\_. Mineral to be mined is \_\_\_\_\_  
 Type of milling or processing is \_\_\_\_\_  
 After use, the water will be discharged into \_\_\_\_\_  
 (Name of stream)  
 in \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of Section \_\_\_\_\_, T \_\_\_\_\_, R \_\_\_\_\_, \_\_\_\_\_ B. & M.  
 (40-acre subdivision)

j. POWER: \* The total fall to be utilized is \_\_\_\_\_ feet. The maximum amount of water to be used through the penstock  
 is \_\_\_\_\_ cubic feet per second. The maximum theoretical horsepower capable of being generated  
 by the works is \_\_\_\_\_. Electrical capacity is \_\_\_\_\_ kilowatts at \_\_\_\_\_ % efficiency.  
 (Cubic feet per second x fall + 8.8) (Hp x 0.746 + efficiency)  
 After use, the water will be discharged into \_\_\_\_\_  
 (Name of stream)  
 in \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of Section \_\_\_\_\_, T \_\_\_\_\_, R \_\_\_\_\_, \_\_\_\_\_ B. & M. FERC No. \_\_\_\_\_  
 (40-acre subdivision)

k. FISH AND WILDLIFE PRESERVATION AND/OR ENHANCEMENT: YES  NO  If yes, list  
 specific and habitat type that will be preserved or enhanced in item 10 of Environmental Information  
 form APP-ENV.

l. OTHER: Describe use: See Attachment No. 3. Basis for determination of amount of water needed  
 is \_\_\_\_\_

6. PLACE OF USE See Attachment No. 2

a. Does applicant own the land where the water will be used? YES  NO  Is land in joint YES  NO   
 (All joint owners should include their names as applicants and sign the application.) ownership?

If applicant does not own land where the water will be used, give name and address of owner, and state what  
 arrangements have been made with the owner. Water will be delivered as provided in TROA. Water Master:  
Garry Stone, 290 So. Arlington, Reno, Nevada 89501, (775) 783-5241

b. USE IS WITHIN (40-ACRE SUBDIVISION)	SECTION	TOWNSHIP	RANGE	BASE & MERIDIAN	IF IRRIGATED	
					Number of acres	Presently cultivated (Y/N)
1/4 of 1/4						
1/4 of 1/4						
1/4 of 1/4						
1/4 of 1/4						
1/4 of 1/4						

(If area is unsurveyed, state the location as if lines of the public land survey were projected, or contact the Division of Water Rights. If space  
 does not permit listing all 40-acre tracts, include on another sheet or state sections, townships and ranges, and show detail on map.)

\*j. Power: See Water Right Application No. 26273 for power; incidental  
 power only under this application.

#### **4. Purpose of Use, Amount and Season**

The applicant is requesting a companion right to the previous right under water right Application 15673 (Permit 11605). The total quantity of water diverted to storage under this application will be no greater than 226,500 AF. Because implementation of the changes proposed in this application is predicated on the approval and implementation of TROA, the applicant requests that the order by the State Water Resources Control Board (SWRCB) approving this application include the following condition:

“This permit will not take effect unless the Truckee River Operating Agreement is in effect. All diversions, storage, use of water and operations under this permit and license shall be in accordance with the provisions contained in this permit or any subsequent license and the Truckee River Operating Agreement.”

#### **5. Justification of Amount**

TROA contains procedures designed to make more efficient use of existing Truckee River reservoirs, and to provide multiple benefits, such as:

- Increase municipal and industrial drought water supply for the Reno/Sparks area (Truckee Meadows), City of Fernley, and the Truckee River basin in California;
- Enhance conditions for cui-ui and Lahontan cutthroat trout, fish species listed respectively as endangered and threatened by the Federal Government;
- Reduce stream flow variability, and enhance seasonal stream flows and water quality; and
- Maintain reservoir storage at levels to better serve recreational uses.

Presently, each reservoir generally stores only one category of water for a specific purpose. Under TROA, each reservoir could store several categories of water, each with a different beneficial use, storage priority, and release and spill priority. Use of the reservoirs would also be expanded to allow additional parties (TROA signatory parties and storing parties), and the respective reservoir owner(s), to store new categories of water (credit water) from water allocated to California, water dedicated to the exercise of the Orr Ditch Decree water rights, water which would otherwise flow to Pyramid Lake, or project and private waters already in storage. By incorporating existing storage priorities and capacities for project and private waters in their respective reservoirs, TROA would not impair or conflict with the exercise of vested or perfected Orr Ditch Decree water rights or interfere with flood control and dam safety criteria.

The application to appropriate water by permit seeks to allow use of the full capacity of the existing reservoirs for the purpose of storing credit water. The section of the application entitled “Justification of Amount” and the instructions for its completion assume a traditional operating regime where each dam is operated to maximize the efficiency of that particular dam and that particular dam supplies water for specific needs to a specific area or public. TROA attempts to make the entire Truckee system operate as one unit rather than individual facilities operating for

their own most optimum circumstances. To accomplish this, TROA allows credits to be transferred among water owners and water to be used from whichever reservoir that would be most efficient at that point in time to utilize. For these reasons, the section on "Justification of Amount" does not seem to apply and we have marked the entire section "n/a".

**7. DIVERSION WORKS**

- a. Diversion will be by gravity by means of n/a  
(Dam, pipe in unobstructed channel, pipe through dam, siphon, weir, gate, etc.)
- b. Diversion will be by pumping from n/a Pump discharge rate \_\_\_\_\_ Horsepower \_\_\_\_\_  
(Depth of the well \_\_\_\_\_) (Sump, offset well, channel, reservoir, etc.) (cfs or gpd)
- c. Conduit from diversion point to first lateral or to offstream storage reservoir: n/a

CONDUIT (Pipe or channel)	MATERIAL (Type of pipe or channel lining) (Indicate if pipe is buried or not)	CROSS SECTIONAL DIMENSION (Pipe diameter or ditch depth and top and bottom width)	LENGTH (Feet)	TOTAL LIFT OR FALL		CAPACITY (Estimate)
				Feet	+ or -	

d. Storage reservoirs: (For underground storage, complete Supplement 1 to APP, available upon request.)

Name or number of reservoir, if any	DAM				RESERVOIR		
	Vertical height from downstream toe of slope to spillway level (ft.)	Construction material	Dam length (ft.)	Freeboard Dam height above spillway crest (ft.)	Approximate surface area when full (acres)	Approximate capacity (acre-feet)	Maximum water depth (ft.)
Stampede	226	Earthfill	1,511	21.3	3,450	226,500*	225

\*See Water Right Application 15673

e. Outlet pipe: (For storage reservoirs having a capacity of 10 acre-feet or more.)

Diameter of outlet pipe (inches)	Length of Outlet pipe (feet)	FALL		HEAD		Estimated storage below outlet pipe entrance (dead storage)
		(Vertical distance between entrance and exit of outlet pipe in feet)	(Vertical distance between entrance and exit of outlet pipe in feet)	(Vertical distance from spillway to outlet pipe in reservoir in feet)	(Vertical distance from spillway to outlet pipe in reservoir in feet)	
90	1,182	41	184	184	184	660 AF

- f. If water will be stored and the reservoir is not at the point of diversion, the maximum rate of diversion to offstream storage will be n/a cfs. Diversion to offstream storage will be made by:  Pumping  Gravity

**8. COMPLETION SCHEDULE**

- a. Year work will start 1966 b. Year work will be completed 1970  
 c. Year water will be used to the full extent intended \_\_\_\_\_ d. If completed, year of first use 1970

**9. GENERAL**

a. Name of the post office most used by those living near the proposed point of diversion is Truckee, California.

Does any part of the place of use comprise a subdivision on file with the Department of Real Estate? YES  NO

If yes, state name of the subdivision \_\_\_\_\_

If no, is subdivision of these lands contemplated? YES  NO

Is it planned to individually meter each service connection? YES  NO  If yes, when? \_\_\_\_\_

b. List the names and addresses of diverters of water from the source of supply downstream from the proposed point of diversion: Numerous diverters downstream of Stampede Dam along the Truckee River to Pyramid Lake.

c. Is the source used for navigation, including use by pleasure boats, for a significant part of each year at the point of diversion, or does the source substantially contribute to a waterway which is used for navigation, including use by pleasure boats? YES  NO  If yes, explain \_\_\_\_\_

**10. EXISTING WATER RIGHT (See page insert for 10.)**

Do you claim an existing right for the use of all or part of the water sought by this application? YES  NO   
 If yes, complete table below:

Nature of Right (riparian, appropriative, groundwater)	Year of First Use	Purpose of use made in recent years including amount, if known	Season of Use	Source	Location of Point of Diversion

**11. AUTHORIZED AGENT (Optional)**

With respect to  all matters concerning this water right application  those matters designated as follows:

\_\_\_\_\_

(Name of agent) ( ) (Telephone number of agent between 8 a.m. and 5 p.m.)

\_\_\_\_\_

(Mailing address) (City or town) (State) (Zip code)

is authorized to act on my behalf as my agent.

**12. SIGNATURE OF APPLICANT**

I (we) declare under penalty of perjury that the above is true and correct to the best of my (our) knowledge and belief.

Dated DEC 19 2003 20  , at Sacramento, California

Ms. Mr.  
 Miss. Mrs. [Signature]  
 (Signature of applicant)

(If there is more than one owner of the project, please indicate their relationship.)

Ms. Mr.  
 Miss. Mrs. \_\_\_\_\_  
 (Signature of applicant)

Additional information needed for preparation of this application may be found in the Instruction Booklet entitled "HOW TO FILE AN APPLICATION TO APPROPRIATE WATER IN CALIFORNIA". If there is insufficient space for answers in this form, attach extra sheets. Please cross-reference all remarks to the numbered item of the application to which they may refer. Send original application and one copy to the STATE WATER RESOURCES CONTROL BOARD, DIVISION OF WATER RIGHTS, P.O. Box 2000, Sacramento, CA 95812-2000, with \$100 minimum filing fee.

**NOTE:**

If this application is approved for a permit, a minimum permit fee of \$100 will be required before the permit is issued.

## **10. Existing Water Right**

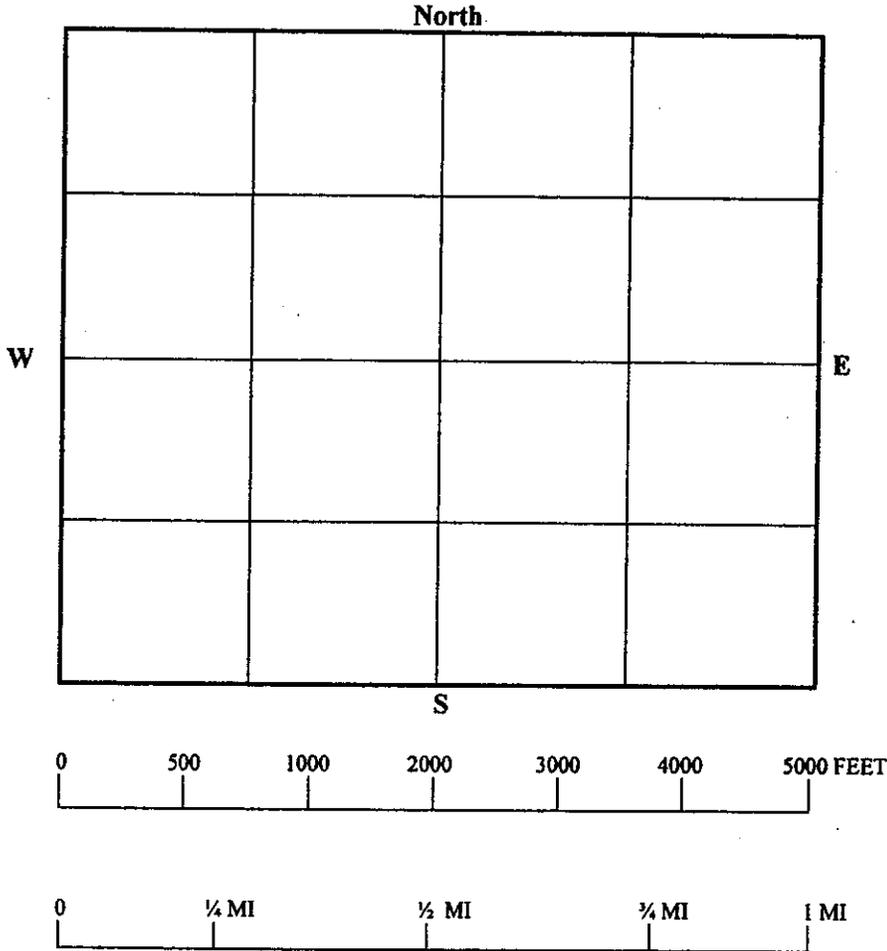
This application is for 226,500 AF, the capacity of Stampede Reservoir. This right will be used in conjunction with Application 15673 and the total quantity of water diverted to storage under this application will be no greater than 226,500 AF. The diversion season will cover the entire year. Because implementation of the changes proposed in this application is predicated on the approval and implementation of TROA, the applicant requests that the order by the State Water Resources Control Board (SWRCB) approving this application include the following condition:

“This permit will not take effect unless the Truckee River Operating Agreement is in effect. All diversions, storage, use of water and operations under this permit and license shall be in accordance with the provisions contained in this permit or any subsequent license and the Truckee River Operating Agreement.”

**13. MAP**

(Please complete legibly, with as much detail as possible, or attach a suitable alternative. See example in instruction booklet.)

SECTION(S) \_\_\_\_\_ TOWNSHIP \_\_\_\_\_ RANGE \_\_\_\_\_, \_\_\_\_\_ B. & M.



- (1) Show location of the stream or spring, and give name.
- (2) Locate and describe the point of diversion (i.e. the point at which water is to be taken from the stream or spring) in the following way: Begin at the most convenient known corner of the public land survey, such as a section or quarter section corner (if on unsurveyed land more than two miles from a section corner, begin at a mark or some natural object or permanent monument that can be readily found and recognized) and measure directly north or south until opposite the point which it is desired to locate; then measure directly east or west to the desired point. Show these distances in figures on the map as shown in the instructions.
- (3) Show location of the main ditch or pipeline from the point of diversion.
- (4) Indicate clearly the proposed place of use of the water.

**14. SUPPLEMENTAL INFORMATION**

- a. If you are applying for a permit, Environmental Information form APP-ENV should be completed and attached to this form.
- b. If you are applying for underground storage, supplemental to APP (available upon request) should be completed and attached to this form.

## ATTACHMENT

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### Stampede Application To Appropriate Water By Permit

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#### Attachment No. 1

#### Points of Diversion

Stampede Dam. S10° 24' E - 480 feet from NW corner of Section 28, being within NW 1/4, NW 1/4 Section 28, T19N, R17E.\*

Boca Dam. N83° 41' E - 1899.62 feet from SW corner of Section 21, being within SE 1/4, SW 1/4 Section 21, T18N, R17E.

#### Points of Rediversion

Numerous points of rediversion between the following points are:

Point A – Stampede Dam being within the NW1/4, NW1/4 Section 28, T19N, R17E.

Point B – Discharge into Pyramid Lake within projected Section 18 and 19, T23N, R23E.

Points of rediversion authorized for irrigation, domestic, municipal, industrial, flood control, fish culture, and recreation are as follows:

Truckee Meadows area and numerous points between the following points:

- a) 1520 feet S8° 33' W from NW corner, Sec. 29, T19N, R18E
- b) 5760 feet S22° 29'E from NE corner, Sec. 7, T19N, R20E

Newlands Project area and numerous points between the Carson Diversion Dam and Sagouspe Diversion Dam, such as the Coleman Diversion Dam and others:

- c) Derby Dam - 2725 feet N32° 45'E from SW corner, Sec. 19, T20N, R23E
- d) Lahontan Dam - 3850 feet N82° 45'E from SW corner, Sec. 33, T19N, R26E
- e) Carson Diversion Dam - 1885 feet N56° 30'W from SE corner, Sec. 19, T19N, R27E
- f) Sagouspe Diversion Dam - 3620 feet N43° 00'E from SW corner, Sec. 4, T19N, R29E

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\* All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

**Attachment No. 2**

**Place of Use**

The place of use includes lands within the following townships and ranges:

<u>Township*</u>	<u>Range*</u>
15N	16 and 17E
16N	16E
17N	15, 16 and 17E
18N	15, 16, 17, 18, 19 and 20E
19N	16, 17, 18, 19, 20, 21, 22, 23, 24, 25E
20N	18, 19, 20, 21, 22, 23, 24, 25, 26E
21N	18, 19, 20, 21, 25, 26E
22N	26E

The place of use authorized for irrigation is as follows and is shown on Map # 320-419-156 dated December 17, 1953, currently on file with Permit 11605.

Truckee Meadows - 26,800 acres within a gross area of 36,340 acres within the following townships and ranges within the State of Nevada.

<u>Township</u>	<u>Range</u>
18N	18, 19, 20 & 21E
19N	18, 19, 20 & 21E
20N	18, 19, 20 & 21E

Newlands Project - 70,000 acres within a gross area of 107,140 acres within the following townships and ranges within the State of Nevada.

<u>Township</u>	<u>Range</u>
17N	24, 25, 26, 27, 28, 29, 30 & 31E
18N	24, 25, 26, 27, 28, 29, 30 & 31E
19N	24, 25, 26, 27, 28, 29, 30 & 31E
20N	24, 25, 26, 27, 28, 29, 30 & 31E

\*All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

Incidental power use will be at the following power plants located as follows:

<b>Power Plant</b>	<b>Subdivision</b>	<b>Sec.</b>	<b>Township*</b>	<b>Range*</b>
Stampede	SW 1/4 NW 1/4	28	19N	17E
Farad	SE 1/4 SE 1/4	12	18N	17E
Fleish	NE 1/4 SE 1/4	30	19N	18E
Verdi	NW 1/4 SE 1/4	8	19N	18E
Washoe	SW 1/4 SW 1/4	14	19N	18E

Fish & Wildlife Protection/Enhancement (including wetlands) and Instream Water Quality Enhancement within the Truckee River system extending from the points of diversion described in Attachment No. 1 to the points of discharge into Pyramid Lake located within projected Sections 18 and 19, T23N, R23E\*.

Fish & Wildlife Protection/Enhancement (including wetlands). Fish Culture and Water Quality Enhancement also will be within Pyramid Lake located within:

- T23N, R22 & 23E;
- T24N, R21, 22 & 23E;
- T25N, R20, 21 & 22E;
- T26N, R20, 21 & 22E;
- T27N, R21 & 22E.

Groundwater Recharge may occur in any of the places of use described for irrigation, municipal and industrial uses.

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\*All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

## **Attachment No. 3**

### **Purposes of Use**

The purposes of use authorized are the following:

- Domestic
- Municipal
- Industrial
- Irrigation
- Flood Control
- Fish Culture
- Recreation
- Conservation of Pyramid Lake Fishery (as provided in P.L. 101-618)
- Fish & Wildlife Protection/Enhancement (including wetlands)
- Incidental Power
- Groundwater Recharge
- Instream Water Quality Enhancement
- Stockwatering

State of California  
State Water Resources Control Board  
**DIVISION OF WATER RIGHTS**  
**P.O. Box 2000, Sacramento, CA 95812-2000**  
Info: (916) 341-5300, FAX: (916) 341-5400, Web: <http://www.waterrights.ca.gov>

**APPLICATION TO APPROPRIATE WATER BY PERMIT  
ENVIRONMENTAL INFORMATION**

(THIS IS NOT A CEQA DOCUMENT)

APPLICATION NO.

The following information will aid in the environmental review of your application as required by the California Environmental Quality Act (CEQA). IN ORDER FOR YOUR APPLICATION TO BE ACCEPTED AS COMPLETED, ANSWERS TO THE QUESTIONS LISTED BELOW MUST BE COMPLETED TO THE BEST OF YOUR ABILITY. Failure to answer all questions may result in your application being returned to you, causing delays in processing. If you need more space, attach additional sheets. Additional information may be required from you to amplify further or clarify the information requested in this form.

PROJECT DESCRIPTION

1. Provide a description of your project, including but not limited to, type of construction activity, structures existing or to be built, area to be graded or excavated and project operation, including how the water will be used.

This application, along with one for Prosser Creek Reservoir, is being submitted together with four petitions to allow transfers and exchanges of water according to the provisions of the Truckee River Operating Agreement (TROA). Reclamation requests that the applications for Stampede and Prosser Creek Reservoirs be treated as a single project. This application is for the appropriation of 226,500 acre feet (af) of water, the capacity of Stampede Reservoir, to be used in conjunction with Application 15673. No new facilities are to be constructed, and the quantity of water diverted to storage under this application will be no greater than the total quantity diverted to storage under the two rights (226,500 af). The collection season will cover the entire year, and the new appropriation will not take effect unless TROA is in effect. TROA will be submitted to the U.S. District Court administering the Orr Ditch and Truckee River General Electric Decrees. Once any necessary modifications in the provisions of these decrees are approved by the courts, TROA must be promulgated as a federal regulation pursuant to Title 5 of the U.S. Code before it can be implemented.

GOVERNMENTAL REQUIREMENTS

Before a final decision can be made on your water right application, we must consider the information contained in an environmental document prepared in compliance with the requirements of CEQA. If an environmental document has been prepared, a determination must be made as to who is responsible for the preparation of the environmental document for your project. The following questions are designed to aid us in that determination.

2. Contact your county planning or public works department for the following information:

a. Person contacted n/a Date of contact \_\_\_\_\_  
Department \_\_\_\_\_ Telephone ( ) \_\_\_\_\_

b. Assessor's Parcel No. \_\_\_\_\_

c. County Zoning Designation \_\_\_\_\_

d. Are any county permits required for your project? No

If yes, check appropriate space below:

\_\_\_\_\_ Grading Permit, \_\_\_\_\_ Use Permit, \_\_\_\_\_ Watercourse  
Obstruction Permit, \_\_\_\_\_ Change of Zoning, \_\_\_\_\_ General Plan  
Change, Other (explain):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

e. Have you obtained any of the required permits described above? No  
If yes, provide a complete copy of each permit obtained.

3. Are any additional state or federal permits required for your project? \_\_\_\_\_ (i.e., from Federal Energy Regulatory Commission, U.S. Forest Service, Bureau of Land Management, Soil Conservation Service, Department of Water Resources (Division of Safety of Dams), Reclamation Board, Coastal Commission, State Lands Commission, etc.) For each agency from which a permit is required provide the following information:

Permit type \_\_\_\_\_

Person (s) contacted \_\_\_\_\_ Agency \_\_\_\_\_

Date of contact \_\_\_\_\_ Telephone ( ) \_\_\_\_\_

4. Has any public agency prepared an environmental document for any aspect of your project?  
No

If so, please submit a copy of the latest environmental document (s) prepared, including a copy of the notice of determination adopted by the public agency. If not, explain below whether you expect that a public agency other than the State Water Resources Control Board will be preparing

an environmental document for your application or whether the applicant, if it is a California public agency, will be preparing the environmental document for your project:

An EIS/EIR is being prepared to analyze the potential effects of TROA. The EIS/EIR is being prepared jointly by the Dept. of Interior, as represented by Reclamation, U.S. Fish & Wildlife Service, and the Bureau of Indian Affairs, and the State of California, as represented by the Department of Water Resources.

Note: When completed, please submit a copy of the final environmental document (including notice of determination) or notice of exemption to the State Water Resources Control Board. Processing of your application cannot proceed until such documents are submitted.

5. Will your project, during construction or operation, generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or cause erosion, turbidity or sedimentation? No If so, explain: \_\_\_\_\_

If yes or you are unsure of your answer, contact your local Regional Water Quality Control Board for the following information (See attachment for address and telephone number):

Will a waste discharge permit be required for your project? \_\_\_\_\_

Person contacted \_\_\_\_\_ Date of contact \_\_\_\_\_

What method of treatment and disposal will be used? \_\_\_\_\_

6. Have any archeological reports been prepared on this project, or will you be preparing an archeological report to satisfy another public agency? \_\_\_\_\_

Do you know of any archeological or historic sites located within the general project area?

Yes If so, explain: See EIS/EIR being prepared for TROA.

## ENVIRONMENTAL SETTING

7. Attach **THREE COMPLETE SETS** of color photographs, clearly dated and labeled, showing the vegetation currently existing at the following locations:
- Along the stream channel immediately downstream from the proposed point(s) of diversion
  - Along the stream channel immediately upstream from the proposed point(s) of diversion
  - At the place(s) where the water is to be used

**Note:** It is very important that you submit no less than three complete sets of photographs as required above. If less than three sets are submitted, processing of your application will be delayed until you furnish the remaining sets!

8. From the list given below, mark or circle the general plant community types which best describe those which occur within your project area (Note: See footnote denoted by \* under Question 11 below):

### Tree Dominated Communities

Subalpine Conifer  
Red Fir  
Lodgepole Pine  
Mixed Conifer  
    Sierran Mixed Conifer  
    White Fir  
    Klamath Mixed Conifer  
Douglas-Fir  
Jeffrey Pine  
Ponderosa Pine  
Eastside Pine  
Redwood  
Pinyon-Juniper  
Juniper  
Aspen  
Closed-Cone Pine-Cypress  
Montane Hardwood-Conifer  
Montane Hardwood  
Valley Foothill Hardwood  
    Blue Oak Woodland  
    Valley Oak Woodland  
    Coastal Oak Woodland  
Valley Foothill Hardwood-Conifer  
    Blue Oak-Digger Pine  
Eucalyptus  
Montane Riparian  
Valley Foothill Riparian  
Desert Riparian  
Palm Oasis  
Joshua Tree

### Shrub Dominated Communities

Alpine Dwarf-Shrub  
Low Sage  
Bitterbrush  
Sagebrush  
Montane Chaparral  
Mixed Chaparral  
Chamise-Redshank Chaparral  
Coastal Scrub  
Desert Succulent Shrub  
Desert Wash  
Desert Scrub  
Alkali Desert Scrub

### Herbaceous Dominated Communities

Annual Grassland  
Perennial Grassland  
Wet Meadow  
Fresh Emergent Wetland  
Saline Emergent Wetland  
Pasture

### Aquatic Communities

Riverine  
Lacustrine  
Estuarine  
Marine

### Developed Communities

Cropland  
Orchard-Vineyard  
Urban

Plant communities potentially affected by the application will be fully described in the EIS/EIR. The action proposed by this application is not anticipated to adversely affect plant communities at Stampede Reservoir.

Literature source: Mayer, K.E., and W.F. Laudenslayer, Jr., (eds). 1988. A Guide to Wildlife Habitats of California. California Department of Forestry and Fire Protection, Sacramento. 166 pp. (Note: You may view a copy of this document at our public counter at the address given at the top of this form or you may purchase a copy by calling the California Department of Fish and Game, Wildlife Habitat Relationships (WHR) Program at (916) 653-7203).

9. Provide below an estimate of the type, number, and size (trunk/stem diameter at chest height) of trees and large shrubs that are planned to be removed or destroyed due to implementation of the proposed changes. Consider all aspects of your application, including changes in diversion structures, water distribution and use facilities, and changes in the place of use due to additional water development.

None.

FISH AND WILDLIFE CONCERNS

10. Identify the typical species of fish which occur in the source(s) from which you propose to divert water and discuss whether or not any of these fish species or their habitat has been or would be affected by your proposed changes. (Note: See footnote denoted by \* under Question 11 below):

Fish species in the project area and potentially affected by this application will be fully described in the Revised Draft EIS/EIR. TROA is anticipated to increase the likelihood of meeting reservoir and stream flow objectives and thereby, maintain more constant monthly habitat conditions for fish species.

11. Identify the typical species of riparian and terrestrial wildlife in the project area and discuss whether or not any of these species and/or their habitat has been or would be affected by your project through construction of water diversion and distribution works and/or changes in the place of water use. (Note: See footnote denoted by \* below):

Wildlife species in the project area and potentially affected by this application will be fully described in the Revised Draft EIS/EIR. No diversion structures or distribution works are proposed by this application, nor will the places of water use be affected by this application.

The action proposed by this application is not anticipated to adversely affect wildlife or wildlife habitat. TROA is anticipated to increase the likelihood of meeting reservoir and stream flow objectives and thereby, maintain more constant riparian habitat conditions for wildlife.

\*Note: The purposes of Question 10 and 11 are to provide a preliminary assessment of the presence of typical plant and animal species in the area and whether these species might be affected by your project. Detailed site surveys to quantify populations of specific species or determine the presence of rare or endangered species may be required at a later date. It is very important that you answer these questions accurately. If you are unable to obtain appropriate answers from your local California Department of Fish and Game biologists (See attachment for address and telephone number) or you do not have adequate information or expertise to complete your answers, you should hire a fishery consultant and/or a wildlife consultant to review your project and prepare suitable answers for you. For information on available qualified fishery or wildlife consultants near you, consult your local telephone directory yellow pages under Environmental and Ecological Services, or call the California Environmental Protection Agency, Registered Environmental Assessor (REA) Program, at (916) 324-6881 or the University of California, Cooperative Extension Service (See your local telephone directory white pages).

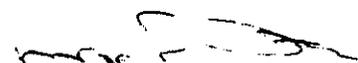
12. Does your proposed project involve any construction or grading-related activity which has significantly altered or would significantly alter the bed or bank of any stream or lake? No

If so, explain: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CERTIFICATION

I hereby certify that the statements I have furnished above and in the attached exhibits are complete to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge.

Date DEC 19 2003 Signature 

MINIMUM FILING FEE: \$700.00  
 FILE ORIGINAL & ONE COPY  
 TYPE OR PRINT IN BLACK INK  
 (For explanation of entries required, see  
 booklet "How to File an Application to  
 Appropriate Water in California")

State of California  
 State Water Resources Control Board  
**DIVISION OF WATER RIGHTS**  
 P.O. Box 2000, Sacramento, CA 95812-2000  
 Info: (916) 341-5300, FAX: (916) 341-5400, Web: <http://www.waterrights.ca.gov>

## APPLICATION TO APPROPRIATE WATER

APPLICATION No. \_\_\_\_\_  
 (Leave Blank)

### 1. APPLICANT

U.S. Department of Interior (916) 978-5200  
 Bureau of Reclamation (MP-440) (Telephone - between 8 a.m. and 5 p.m.)  
 2800 Cottage Way Sacramento California 95825  
 (Mailing address) (City or town) (State) (Zip code)

### 2. SOURCE

a. The name of the source at the point of diversion is Prosser Creek  
 (If unnamed, state that it is an unnamed stream, spring, etc.)  
 tributary to Truckee River

b. In a normal year does the stream dry up at any point downstream from your project? YES  NO   
 If yes, during what months is it usually dry? From \_\_\_\_\_ to \_\_\_\_\_  
 What alternate sources are available to your project should a portion of your requested direct diversion season be excluded because of a dry stream or nonavailability of water? n/a

### 3. POINTS of DIVERSION and REDIVERSION

a. The point(s) of diversion will be in the County of Nevada  
 and within Assessor's Parcel Number (APN #) \_\_\_\_\_

b.

List all points giving coordinate distances from section corner or other tie as allowed by SWRCB regulations i.e. California Coordinate System	Point is within (40-acre subdivision)	Section	Township	Range	Base and Meridian
See Attachment No. 1	¼ of ¼				
	¼ of ¼				
	¼ of ¼				

c. Does applicant own the land at the point of diversion? YES  NO

d. If applicant does not own the land at point of diversion, state name and address of owner and what steps have been taken to obtain right of access: n/a

*"The energy challenge facing California is real. Every California needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>".*  
 Additional copies of this form and water right information can be obtained at [www.waterrights.ca.gov](http://www.waterrights.ca.gov).

4. **PURPOSE of USE, AMOUNT and SEASON** (See insert following page 3 of this application)
- a. In the table below, state the purpose(s) for which water is to be appropriated, the quantities of water for each purpose, and the dates between which diversions will be made. Use gallons per day if rate is less than 0.025 cubic foot per second (approximately 16,000 gallons per day).

PURPOSE OF USE (Irrigation, Domestic, etc.)	DIRECT DIVERSION				STORAGE		
	QUANTITY		SEASON OF DIVERSION		AMOUNT		COLLECTION SEASON
	RATE (Cubic feet per second or gallons per day)	AMOUNT (Acre-feet per year)	Beginning Date (Mo. & Day)	Ending Date (Mo. & Day)	Acre-feet per annum	Beginning Date (Mo. & Day)	Ending Date (Mo. & Day)
See Attachment No. 3					30,000	10/01	08/10

b. Total combined amount taken by direct diversion and storage during any one year will be 30,000 \* acre-feet.

\*Note: Companion right to previous right under License 10180.

5. **JUSTIFICATION of AMOUNT** (See insert following page 3 of this application)

a. **IRRIGATION:** Maximum area to be irrigated in any one year is 96,800 acres.

CROP	ACRES	METHOD OF IRRIGATION (Sprinklers, flooding, etc.)	ACRE-FEET PER YEAR	NORMAL SEASON	
				Beginning Date	Ending Date
General Crops	96,800			04/01	11/01

b. **DOMESTIC:** Number of residences to be served is \_\_\_\_\_. Separately owned? YES  NO   
 Total number of people to be served is \_\_\_\_\_. Estimated daily use per person is \_\_\_\_\_  
 Total area of domestic lawns and gardens is \_\_\_\_\_ square feet. (Gallons per day)  
 Incidental domestic uses are \_\_\_\_\_  
 (Dust control area, number and kind of domestic animals, etc.)

c. **STOCKWATERING:** Kind of stock n/a Maximum number \_\_\_\_\_  
 Describe type of operation: \_\_\_\_\_  
 (Feed lot, dairy, range, etc.)

d. **RECREATIONAL:** Type of recreation: Fishing  Swimming  Boating  Other

e. **MUNICIPAL:** (Estimated projected use)

POPULATION 5-Year periods until use is completed		MAXIMUM MONTH		ANNUAL USE		
PERIOD	POP.	Average daily use (gal. per capita)	Rate of diversion (cfs)	Average daily use (gal. per capita)	Acre-foot (per capita)	Total acre feet
Present						

Month of maximum use during year is \_\_\_\_\_. Month of minimum use during year is \_\_\_\_\_.

f. HEAT CONTROL: The total area to be heat protected is n/a net acres.  
 Type of crop protected is \_\_\_\_\_  
 Rate at which water is applied to use is \_\_\_\_\_ gpm per acre.  
 The heat protection season will begin about \_\_\_\_\_ and end about \_\_\_\_\_  
 (Date) (Date)

g. FROST PROTECTION: The total area to be frost protected is n/a net acres.  
 Type of crop protected is \_\_\_\_\_  
 Rate at which water is applied to use is \_\_\_\_\_ gpm per acre.  
 The frost protection season will begin about \_\_\_\_\_ and end about \_\_\_\_\_  
 (Date) (Date)

h. INDUSTRIAL: Type of industry is \_\_\_\_\_  
 Basis for determination of amount of water needed is \_\_\_\_\_

i. MINING: The name of the claim is n/a. Patented  Unpatented   
 The nature of the mine is \_\_\_\_\_. Mineral to be mined is \_\_\_\_\_  
 Type of milling or processing is \_\_\_\_\_  
 After use, the water will be discharged into \_\_\_\_\_  
 (Name of stream)  
 in \_\_\_\_\_ ¼ of \_\_\_\_\_ ¼ of Section \_\_\_\_\_, T \_\_\_\_\_, R \_\_\_\_\_, \_\_\_\_\_ B. & M.  
 (40-acre subdivision)

j. POWER: The total fall to be utilized is \_\_\_\_\_ feet. The maximum amount of water to be used through the penstock is \_\_\_\_\_ cubic feet per second. The maximum theoretical horsepower capable of being generated by the works is \_\_\_\_\_. Electrical capacity is \_\_\_\_\_ kilowatts at \_\_\_\_\_ % efficiency.  
 (Cubic feet per second x fall + 8.8) (Hp x 0.746 + efficiency)  
 After use, the water will be discharged into \_\_\_\_\_  
 (Name of stream)  
 in \_\_\_\_\_ ¼ of \_\_\_\_\_ ¼ of Section \_\_\_\_\_, T \_\_\_\_\_, R \_\_\_\_\_, \_\_\_\_\_ B. & M. FERC No. \_\_\_\_\_  
 (40-acre subdivision)

k. FISH AND WILDLIFE PRESERVATION AND/OR ENHANCEMENT: YES  NO  If yes, list specific and habitat type that will be preserved or enhanced in item 10 of Environmental Information form APP-ENV.

l. OTHER: Describe use: See Attachment No. 3. Basis for determination of amount of water needed is \_\_\_\_\_

6. PLACE OF USE - See Attachment No. 2

a. Does applicant own the land where the water will be used? YES  NO  Is land in joint YES  NO  ownership?  
 (All joint owners should include their names as applicants and sign the application.)

If applicant does not own land where the water will be used, give name and address of owner, and state what arrangements have been made with the owner. Water will be delivered as provided in TROA. Watermaster: Garry Stone, 290 So. Arlington, Reno, Nevada 89501, (775) 783-5241.

b. USE IS WITHIN (40-ACRE SUBDIVISION)	SECTION	TOWNSHIP	RANGE	BASE & MERIDIAN	IF IRRIGATED	
					Number of acres	Presently cultivated (Y/N)
¼ of ¼						
¼ of ¼						
¼ of ¼						
¼ of ¼						
¼ of ¼						

(If area is unsurveyed, state the location as if lines of the public land survey were projected, or contact the Division of Water Rights. If space does not permit listing all 40-acre tracts, include on another sheet or state sections, townships and ranges, and show detail on map.)

#### **4. Purpose of Use, Amount and Season**

The applicant is requesting to remove the limitation of the existing License 10180 for Prosser Reservoir limiting the maximum withdrawal in any one year at Prosser to 20,162 AF and to increase the fill season for Prosser Reservoir under the existing license from April 10 to August 10 the period from October 1 to August 10. The total quantity of water diverted to storage under this application will remain at 30,000 AF. Because implementation of the changes proposed in this application is predicated on the approval and implementation of TROA, the applicant requests that the order by the State Water Resources Control Board (SWRCB) approving this application include the following condition:

“This permit will not take effect unless the Truckee River Operating Agreement is in effect. All diversions, storage, use of water and operations under this permit and license shall be in accordance with the provisions contained in this permit or any subsequent license and the Truckee River Operating Agreement.”

#### **5. Justification of Amount**

TROA contains procedures designed to make more efficient use of existing Truckee River reservoirs, and to provide multiple benefits, such as:

- Increase municipal and industrial drought water supply for the Reno/Sparks area (Truckee Meadows), City of Fernley, and the Truckee River basin in California;
- Enhance conditions for cui-ui and Lahontan cutthroat trout, fish species listed respectively as endangered and threatened by the Federal Government;
- Reduce stream flow variability, and enhance seasonal stream flows and water quality; and
- Maintain reservoir storage at levels to better serve recreational uses.

Presently, each reservoir generally stores only one category of water for a specific purpose. Under TROA, each reservoir could store several categories of water, each with a different beneficial use, storage priority, and release and spill priority. Use of the reservoirs would also be expanded to allow additional parties (TROA signatory parties and storing parties), and the respective reservoir owner(s), to store new categories of water (credit water) from water allocated to California, water dedicated to the exercise of the Orr Ditch Decree water rights, water which would otherwise flow to Pyramid Lake, or project and private waters already in storage. By incorporating existing storage priorities and capacities for project and private waters in their respective reservoirs, TROA would not impair or conflict with the exercise of vested or perfected Orr Ditch Decree water rights or interfere with flood control and dam safety criteria.

The application to appropriate water by permit seeks to allow use of the full capacity of the existing reservoirs for the purpose of storing credit water. The section of the application entitled “Justification of Amount” and the instructions for its completion assume a traditional operating

regime where each dam is operated to maximize the efficiency of that particular dam and that particular dam supplies water for specific needs to a specific area or public. TROA attempts to make the entire Truckee system operate as one unit rather than individual facilities operating for their own most optimum circumstances. To accomplish this, TROA allows credits to be transferred among water owners and water to be used from whichever reservoir that would be most efficient at that point in time to utilize. For these reasons, the section on "Justification of Amount" does not seem to apply and we have marked the entire section "n/a".

**7. DIVERSION WORKS**

a. Diversion will be by gravity by means of n/a

b. Diversion will be by pumping from n/a (Dam, pipe in unobstructed channel, pipe through dam, siphon, weir, gate, etc.)  
 Pump discharge rate \_\_\_\_\_ Horsepower \_\_\_\_\_  
 (Depth of the well \_\_\_\_\_) (Sump, offset well, channel, reservoir, etc.) (cfs or gpd)

c. Conduit from diversion point to first lateral or to offstream storage reservoir:

CONDUIT (Pipe or channel)	MATERIAL (Type of pipe or channel lining) (Indicate if pipe is buried or not)	CROSS SECTIONAL DIMENSION (Pipe diameter or ditch depth and top and bottom width)	LENGTH (Feet)	TOTAL LIFT OR FALL		CAPACITY (Estimate)
				Feet	+ or -	
n/a						

d. Storage reservoirs: (For underground storage, complete Supplement 1 to APP, available upon request.)

Name or number of reservoir, if any	DAM				RESERVOIR		
	Vertical height from downstream toe of slope to spillway level (ft.)	Construction material	Dam length (ft.)	Freeboard Dam height above spillway crest (ft.)	Approximate surface area when full (acres)	Approximate capacity (acre-feet)	Maximum water depth (ft.)
Prosser Cr.	119	Earthfilled	1830	21.3	734	30,000	119

e. Outlet pipe: (For storage reservoirs having a capacity of 10 acre-feet or more.)

Diameter of outlet pipe (inches)	Length of Outlet pipe (feet)	FALL		HEAD		Estimated storage below outlet pipe entrance (dead storage)
		(Vertical distance between entrance and exit of outlet pipe in feet)	(Vertical distance from spillway to outlet pipe in reservoir in feet)	(Vertical distance from spillway to outlet pipe in reservoir in feet)	(Vertical distance from spillway to outlet pipe in reservoir in feet)	
90"	200			130		Approx. 1,000

f. If water will be stored and the reservoir is not at the point of diversion, the maximum rate of diversion to offstream storage will be n/a cfs. Diversion to offstream storage will be made by:  Pumping  Gravity

**8. COMPLETION SCHEDULE**

a. Year work will start 1959 b. Year work will be completed 1962  
 c. Year water will be used to the full extent intended \_\_\_\_\_ d. If completed, year of first use \_\_\_\_\_

**9. GENERAL**

a. Name of the post office most used by those living near the proposed point of diversion is Truckee, California

Does any part of the place of use comprise a subdivision on file with the Department of Real Estate? YES  NO

If yes, state name of the subdivision \_\_\_\_\_

If no, is subdivision of these lands contemplated? YES  NO

Is it planned to individually meter each service connection? YES  NO  If yes, when? \_\_\_\_\_

b. List the names and addresses of diverters of water from the source of supply downstream from the proposed point of diversion: Numerous diverters downstream of Prosser Creek Dam along the Truckee River to Pyramid Lake; almost all in the State of Nevada.

c. Is the source used for navigation, including use by pleasure boats, for a significant part of each year at the point of diversion, or does the source substantially contribute to a waterway which is used for navigation, including use by pleasure boats? YES  NO  If yes, explain n/a

**10. EXISTING WATER RIGHT (See insert following this page for 10.)**

Do you claim an existing right for the use of all or part of the water sought by this application? YES  NO   
 If yes, complete table below:

Nature of Right (riparian, appropriative, groundwater)	Year of First Use	Purpose of use made in recent years including amount, if known	Season of Use	Source	Location of Point of Diversion

**11. AUTHORIZED AGENT (Optional)**

With respect to  all matters concerning this water right application  those matters designated as follows:

---

( )

---

(Name of agent) (Telephone number of agent between 8 a.m. and 5 p.m.)

---

(Mailing address) (City or town) (State) (Zip code)

is authorized to act on my behalf as my agent.

**12. SIGNATURE OF APPLICANT**

I (we) declare under penalty of perjury that the above is true and correct to the best of my (our) knowledge and belief.

Dated DEC 19 2003 20  , at Sacramento, California

~~Ms.~~ Mr. [Signature]  
 Miss. Mrs. \_\_\_\_\_  
 (Signature of applicant)

(If there is more than one owner of the project, please indicate their relationship.)

Ms. Mr. \_\_\_\_\_  
 Miss. Mrs. \_\_\_\_\_  
 (Signature of applicant)

Additional information needed for preparation of this application may be found in the Instruction Booklet entitled "HOW TO FILE AN APPLICATION TO APPROPRIATE WATER IN CALIFORNIA". If there is insufficient space for answers in this form, attach extra sheets. Please cross-reference all remarks to the numbered item of the application to which they may refer. Send original application and one copy to the STATE WATER RESOURCES CONTROL BOARD, DIVISION OF WATER RIGHTS, P.O. Box 2000, Sacramento, CA 95812-2000, with \$100 minimum filing fee.

**NOTE:**

If this application is approved for a permit, a minimum permit fee of \$100 will be required before the permit is issued.

## **10. Existing Water Right**

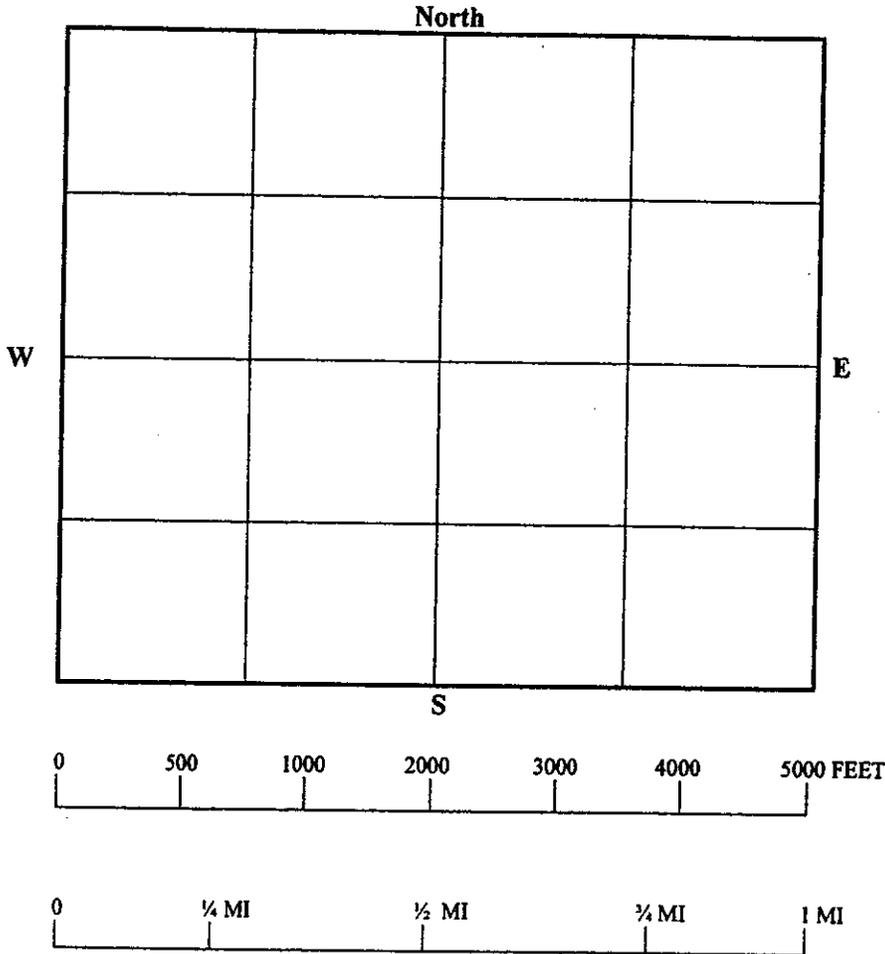
This application is requesting to remove the limitation of the existing license for Prosser Reservoir limiting the maximum withdrawal in any one year at Prosser to 20,162 AF and to increase the fill season for Prosser Reservoir under the existing license from April 10 to August 10 to the period from October 1 to August 10. This right will be used in conjunction with License 10180. The total quantity of water diverted to storage under this application will be no greater than 30,000 AF as per License 10180. Because implementation of the changes proposed in this application is predicated on the approval and implementation of TROA, the applicant requests that the order by the State Water Resources Control Board (SWRCB) approving this application include the following condition:

“This permit will not take effect unless the Truckee River Operating Agreement is in effect. All diversions, storage, use of water and operations under this permit and license shall be in accordance with the provisions contained in this permit or any subsequent license and the Truckee River Operating Agreement.”

**13. MAP**

(Please complete legibly, with as much detail as possible, or attach a suitable alternative. See example in instruction booklet.)

SECTION(S) \_\_\_\_\_ TOWNSHIP \_\_\_\_\_ RANGE \_\_\_\_\_, \_\_\_\_\_ B. & M.



- (1) Show location of the stream or spring, and give name.
- (2) Locate and describe the point of diversion (i.e. the point at which water is to be taken from the stream or spring) in the following way: Begin at the most convenient known corner of the public land survey, such as a section or quarter section corner (if on unsurveyed land more than two miles from a section corner, begin at a mark or some natural object or permanent monument that can be readily found and recognized) and measure directly north or south until opposite the point which it is desired to locate; then measure directly east or west to the desired point. Show these distances in figures on the map as shown in the instructions.
- (3) Show location of the main ditch or pipeline from the point of diversion.
- (4) Indicate clearly the proposed place of use of the water.

**14. SUPPLEMENTAL INFORMATION**

- a. If you are applying for a permit, Environmental Information form APP-ENV should be completed and attached to this form.
- b. If you are applying for underground storage, supplemental to APP (available upon request) should be completed and attached to this form.

# ATTACHMENT

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## Prosser Creek Reservoir Application To Appropriate Water By Permit

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### Attachment No. 1

#### Point of Diversion

The point of diversion is:

Prosser Creek Dam - North  $33^{\circ} 30'$  East 2,050 feet from SW corner of Section 30, T18N, R17E\*, MDB&M, being within NW 1/4 of SW 1/4 of said Section 30 located in County of Nevada, California.

#### Points of Rediversion

Numerous points of rediversion between the following points are:

- Point A - Prosser Dam being within the NW 1/4, SW 1/4 Section 30, T18N, R17E.
- Point B - Discharge into Pyramid Lake within projected Sections 18 and 19, T23N, R23E.

Points of rediversion for irrigation are located in the State of Nevada and are as follows:

Truckee Meadows area and numerous points between the following points:

- a) 1520 feet  $S8^{\circ} 33'$  W from NW corner, Section 29, T19N, 18E
- b) 5760 feet  $S22^{\circ} 29'E$  from NE corner, Section 7, T19N, R20E

Newlands Project area and numerous points between the Carson Diversion Dam and Sagouspe Diversion Dam, such as the Coleman Diversion Dam:

- c) Derby Dam - 2725 feet  $N32^{\circ} 45'E$  from SW corner, Sec. 19, T20N, R23E
- d) Lahontan Dam - 3850 feet  $N82^{\circ} 45'E$  from SW corner, Sec. 33, T19N, R26E
- e) Carson Diversion Dam - 1885 feet  $N 56^{\circ} 30'W$  from SE corner, Sec. 19, T19N, R27E
- f) Sagouspe Diversion Dam - 3620 feet  $N43^{\circ} 00'E$  from SW corner, Sec. 4, T19N, R29E

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\* All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

## Attachment No. 2

### Place of Use

The place of use includes lands within the following townships and ranges:

Township	Range
15N	16 & 17E
16N	16E
17N	15, 16 & 17E
18N	15, 16, 17, 18, 19 & 20E
19N	15, 16, 17, 18, 19, 20, 21, 22, 23, 24 & 25E
20N	18, 19, 20, 21, 22, 23, 24, 25 & 26E
21N	18, 19, 20, 21, 25 & 26E
22N	26E

The place of use includes 82,000 net acres within 143,480 acres all within the Truckee Meadows and Newlands Project area.

Truckee Meadows - 26,800 acres within a gross area of 36,340 acres within the following townships and ranges within the State of Nevada.

Township*	Range*
18N	18, 19, 20 & 21E
19N	18, 19, 20 & 21E
20N	18, 19, 20 & 21E

Newlands Project - 70,000 acres within a gross area of 107,140 acres within the following townships and ranges within the State of Nevada.

Township*	Range*
17N	24, 25, 26, 27, 28, 29, 30 & 31E
18N	24, 25, 26, 27, 28, 29, 30 & 31E
19N	24, 25, 26, 27, 28, 29, 30 & 31E
20N	24, 25, 26, 27, 28, 29, 30 & 31E

\* All references to township and range on this page are to Mount Diablo Base and Meridian (MDDB&M).

Incidental power use will be at the following power plants located as follows:

Power Plant	Subdivision	Sec.	Township	Range
Stampede	SW ¼ NW 1/4	28	19N	17E
Farad	SE ¼ SE 1/4	12	18N	17E
Fleish	NE ¼ SE 1/4	30	19N	18E
Verdi	NW 1/4 SE 1/4	8	19N	18E
Washoe	SW ¼ SW 1/4	14	19N	18E

Fish & Wildlife Protection/Enhancement (including wetlands) and Instream Water Quality Enhancement within the Truckee River system extending from the point of diversion described in Attachment No. 1 to points of discharge into Pyramid Lake located within projected Sections 18 and 19, T23N, R23E.

Fish & Wildlife Protection/Enhancement (including wetlands). Fish Culture and Water Quality Enhancement also will be within Pyramid Lake located within:

T23N, R22 & 23E;\*  
T24N, R21, 22 & 23E;  
T25N, R20, 21 & 22E;  
T26N, R20, 21 & 22E;  
T27N, R21 & 22E.

Groundwater Recharge may occur in any of the places of use described for irrigation, municipal and industrial uses.

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\*All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

## **Attachment No. 3**

### **Purposes of Use**

The purposes of use are the following:

- Domestic
- Municipal
- Industrial
- Irrigation
- Fish Culture
- Recreational Uses
- Conservation of Pyramid Lake Fishery (as defined in P.L. 101-618)
- Stockwatering
- Fish & Wildlife Protection/Enhancement (including wetlands)
- Incidental Power
- Groundwater Recharge
- Instream Water Quality Enhancement

State of California  
State Water Resources Control Board  
**DIVISION OF WATER RIGHTS**  
P.O. Box 2000, Sacramento, CA 95812-2000  
Info: (916) 341-5300, FAX: (916) 341-5400, Web: <http://www.waterrights.ca.gov>

**APPLICATION TO APPROPRIATE WATER BY PERMIT  
ENVIRONMENTAL INFORMATION**

(THIS IS NOT A CEQA DOCUMENT)

APPLICATION NO.

The following information will aid in the environmental review of your application as required by the California Environmental Quality Act (CEQA). IN ORDER FOR YOUR APPLICATION TO BE ACCEPTED AS COMPLETED, ANSWERS TO THE QUESTIONS LISTED BELOW MUST BE COMPLETED TO THE BEST OF YOUR ABILITY. Failure to answer all questions may result in your application being returned to you, causing delays in processing. If you need more space, attach additional sheets. Additional information may be required from you to amplify further or clarify the information requested in this form.

PROJECT DESCRIPTION

1. Provide a description of your project, including but not limited to, type of construction activity, structures existing or to be built, area to be graded or excavated and project operation, including how the water will be used.

This application, along with one for Stampede Reservoir, is being submitted together with four petitions requesting transfers and exchanges of water according to the provisions of the Truckee River Operating Agreement (TROA). Reclamation requests that the application for Stampede and Prosser Creek Reservoirs be treated as a single project. This application is for the appropriation of 30,000 acre feet (AF) of water, the capacity of Prosser Creek Reservoir, to be used in conjunction with License 10180. No new facilities are to be constructed, and the quantity of water diverted to storage under this application will be no greater than the total quantity diverted to storage under the two rights (30,000 AF). The diversion season will be from October 1 to August 10 of each year. The new appropriation will not take effect until TROA is in effect. TROA will be submitted to the U.S. District Courts administering the Orr Ditch and Truckee River General Electric Decrees. Once approved by the courts, TROA must be promulgated as a federal regulation before it can be implemented.

GOVERNMENTAL REQUIREMENTS

Before a final decision can be made on your water right application, we must consider the information contained in an environmental document prepared in compliance with the requirements of CEQA. If an environmental document has been prepared, a determination must be made as to who is responsible for the preparation of the environmental document for your project. The following questions are designed to aid us in that determination.

2. Contact your county planning or public works department for the following information:

a. Person contacted N/A Date of contact \_\_\_\_\_

Department \_\_\_\_\_ Telephone ( ) \_\_\_\_\_

b. Assessor's Parcel No. \_\_\_\_\_

c. County Zoning Designation \_\_\_\_\_

d. Are any county permits required for your project? No

If yes, check appropriate space below:

\_\_\_\_\_ Grading Permit, \_\_\_\_\_ Use Permit, \_\_\_\_\_ Watercourse

Obstruction Permit, \_\_\_\_\_ Change of Zoning, \_\_\_\_\_ General Plan

Change, Other (explain):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

e. Have you obtained any of the required permits described above? No

If yes, provide a complete copy of each permit obtained.

3. Are any additional state or federal permits required for your project? \_\_\_\_\_ (i.e., from Federal Energy Regulatory Commission, U.S. Forest Service, Bureau of Land Management, Soil Conservation Service, Department of Water Resources (Division of Safety of Dams), Reclamation Board, Coastal Commission, State Lands Commission, etc.) For each agency from which a permit is required provide the following information:

Permit type \_\_\_\_\_

Person (s) contacted \_\_\_\_\_ Agency \_\_\_\_\_

Date of contact \_\_\_\_\_ Telephone ( ) \_\_\_\_\_

4. Has any public agency prepared an environmental document for any aspect of your project?  
No

If so, please submit a copy of the latest environmental document (s) prepared, including a copy of the notice of determination adopted by the public agency. If not, explain below whether you expect that a public agency other than the State Water Resources Control Board will be preparing

an environmental document for your application or whether the applicant, if it is a California public agency, will be preparing the environmental document for your project: An EIS/EIR is being prepared to analyze the potential effects of TROA. The ~~EIS/EIR is being prepared jointly by the Department of Interior, as represented by Reclamation, U.S. Fish and Wildlife Service, and the Bureau of Indian Affairs, and the State of California, as represented by the Department of Water Resources.~~

Note: When completed, please submit a copy of the final environmental document (including notice of determination) or notice of exemption to the State Water Resources Control Board. Processing of your application cannot proceed until such documents are submitted.

5. Will your project, during construction or operation, generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or cause erosion, turbidity or sedimentation? No If so, explain: \_\_\_\_\_

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If yes or you are unsure of your answer, contact your local Regional Water Quality Control Board for the following information (See attachment for address and telephone number):

Will a waste discharge permit be required for your project? \_\_\_\_\_

Person contacted \_\_\_\_\_ Date of contact \_\_\_\_\_

What method of treatment and disposal will be used? \_\_\_\_\_

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6. Have any archeological reports been prepared on this project, or will you be preparing an archeological report to satisfy another public agency? \_\_\_\_\_

Do you know of any archeological or historic sites located within the general project area?

Yes If so, explain: See EIS/EIR being prepared for TROA.

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## ENVIRONMENTAL SETTING

7. Attach **THREE COMPLETE SETS** of color photographs, clearly dated and labeled, showing the vegetation currently existing at the following locations:
- Along the stream channel immediately downstream from the proposed point(s) of diversion
  - Along the stream channel immediately upstream from the proposed point(s) of diversion
  - At the place(s) where the water is to be used
- Note:** It is very important that you submit no less than **three complete sets of photographs** as required above. If less than three sets are submitted, processing of your application will be delayed until you furnish the remaining sets!

8. From the list given below, mark or circle the general plant community types which best describe those which occur within your project area (Note: See footnote denoted by \* under Question 11 below):

### Tree Dominated Communities

Subalpine Conifer  
Red Fir  
Lodgepole Pine  
Mixed Conifer  
    Sierran Mixed Conifer  
    White Fir  
    Klamath Mixed Conifer  
Douglas-Fir  
Jeffrey Pine  
Ponderosa Pine  
Eastside Pine  
Redwood  
Pinyon-Juniper  
Juniper  
Aspen  
Closed-Cone Pine-Cypress  
Montane Hardwood-Conifer  
Montane Hardwood  
Valley Foothill Hardwood  
    Blue Oak Woodland  
    Valley Oak Woodland  
    Coastal Oak Woodland  
Valley Foothill Hardwood-Conifer  
    Blue Oak-Digger Pine  
Eucalyptus  
Montane Riparian  
Valley Foothill Riparian  
Desert Riparian  
Palm Oasis  
Joshua Tree

### Shrub Dominated Communities

Alpine Dwarf-Shrub  
Low Sage  
Bitterbrush  
Sagebrush  
Montane Chaparral  
Mixed Chaparral  
Chamise-Redshank Chaparral  
Coastal Scrub  
Desert Succulent Shrub  
Desert Wash  
Desert Scrub  
Alkali Desert Scrub

### Herbaceous Dominated Communities

Annual Grassland  
Perennial Grassland  
Wet Meadow  
Fresh Emergent Wetland  
Saline Emergent Wetland  
Pasture

### Aquatic Communities

Riverine  
Lacustrine  
Estuarine  
Marine

### Developed Communities

Cropland  
Orchard-Vineyard  
Urban

Plant communities potentially affected by this application will be fully described in the EIS/EIR. The action proposed by this application is not anticipated to adversely affect plant communities at Prosser Reservoir.

Literature source: Mayer, K.E., and W.F. Laudenslayer, Jr., (eds). 1988. A Guide to Wildlife Habitats of California. California Department of Forestry and Fire Protection, Sacramento. 166 pp. (Note: You may view a copy of this document at our public counter at the address given at the top of this form or you may purchase a copy by calling the California Department of Fish and Game, Wildlife Habitat Relationships (WHR) Program at (916) 653-7203).

9. Provide below an estimate of the type, number, and size (trunk/stem diameter at chest height) of trees and large shrubs that are planned to be removed or destroyed due to implementation of the proposed changes. Consider all aspects of your application, including changes in diversion structures, water distribution and use facilities, and changes in the place of use due to additional water development.

None.

FISH AND WILDLIFE CONCERNS

10. Identify the typical species of fish which occur in the source(s) from which you propose to divert water and discuss whether or not any of these fish species or their habitat has been or would be affected by your proposed changes. (Note: See footnote denoted by \* under Question 11 below):

Fish species in the project area and potentially affected by this application will be fully described in the Revised Draft EIS/EIR.

TROA is anticipated to increase the likelihood of meeting reservoir and stream flow objectives and thereby, maintain more constant monthly habitat conditions for fish species.

11. Identify the typical species of riparian and terrestrial wildlife in the project area and discuss whether or not any of these species and/or their habitat has been or would be affected by your project through construction of water diversion and distribution works and/or changes in the place of water use. (Note: See footnote denoted by \* below):

Wildlife species in the project area and potentially affected by this application will be fully described in the Revised Draft EIS/EIR. No diversion structures or distribution works are proposed by this application, nor will the places of water use be affected by this application. The action proposed by this application is not anticipated to adversely affect wildlife or wildlife habitat. TROA is anticipated to increase the likelihood of meeting reservoir and stream flow objectives and thereby maintain more constant riparian habitat conditions for wildlife.

\*Note: The purposes of Question 10 and 11 are to provide a preliminary assessment of the presence of typical plant and animal species in the area and whether these species might be affected by your project. Detailed site surveys to quantify populations of specific species or determine the presence of rare or endangered species may be required at a later date. It is very important that you answer these questions accurately. If you are unable to obtain appropriate answers from your local California Department of Fish and Game biologists (See attachment for address and telephone number) or you do not have adequate information or expertise to complete your answers, you should hire a fishery consultant and/or a wildlife consultant to review your project and prepare suitable answers for you. For information on available qualified fishery or wildlife consultants near you, consult your local telephone directory yellow pages under Environmental and Ecological Services, or call the California Environmental Protection Agency, Registered Environmental Assessor (REA) Program, at (916) 324-6881 or the University of California, Cooperative Extension Service (See your local telephone directory white pages).

12. Does your proposed project involve any construction or grading-related activity which has significantly altered or would significantly alter the bed or bank of any stream or lake? No

If so, explain: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**CERTIFICATION**

I hereby certify that the statements I have furnished above and in the attached exhibits are complete to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge.

Date DEC 19 2003 Signature [Handwritten Signature]