



**STATE OF CALIFORNIA
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
STATE WATER RESOURCES CONTROL BOARD**

DIVISION OF WATER RIGHTS

RIGHT TO DIVERT AND USE WATER

APPLICATION 18006

PERMIT 11666

AMENDED LICENSE 10180

Right Holder:

United States Department of the Interior
Bureau of Reclamation (MP-440)
2800 Cottage Way
Sacramento, CA 95825

This amended right is being issued in accordance with State Water Resources Control Board (State Water Board) **Decision 1651**, adopted on October 16, 2012. The State Water Board authorizes the diversion and use of water by the right holder in accordance with the limitations and conditions herein **SUBJECT TO PRIOR RIGHTS**. The priority of this right dates from **February 18, 1958**.

This amended right is issued in accordance with the State Water Board delegation of authority to the Deputy Director for Water Rights (Resolution 2012-0029) and the Deputy Director for Water Rights redelegation of authority dated July 6, 2012. This right supersedes any previously issued right on **Application 18006** for **Prosser Creek Reservoir**.

Right holder is hereby granted a right to divert and use water as follows:

1. Source of water: **(4) Prosser Creek**
tributary to: **Truckee River thence Pyramid Lake**
within the County of **Nevada**.

The numbering for the points of diversion, points of redirection, and places of storage for License 3723 (Application 5169), License 4196 (Application 9247), Permit 11605 (Application 15673), License 10180 (Application 18006), Permit 21366 (Application 31487) and Permit 21367 (Application 31488) are shown on the map no. 320-208-189A-1, dated July 6, 2006 (last revision, dated January 4, 2016), filed with the State Water Board.¹

2a. Location of point of diversion and place of storage

By California Coordinate System of 1983, Zone 2	40-acre subdivision of public land survey	Section	Township	Range	Base and Meridian
(4) Prosser Creek Dam (Prosser Creek Reservoir) North 2,269,206 feet and East 7,088,234 feet	NW¼ of SW¼	30	18N	17E	MD

¹ Points of Diversion (1), (2) and (3) are points of diversion in the Little Truckee River watershed for Permit 11605, Permit 21366, and Licenses 3723 and 4196. It is, therefore, intentionally not included in this right .

2b. Location of points of diversion on the Truckee River and Carson River.

See Attachment No. 1 for the location of points of diversion table

3. Purposes of use	4. Places of use ²		Township	Range	Base and Meridian
Municipal, Domestic, Industrial, Stockwatering, Fish Culture, Water Quality, Recreational, and Fish and Wildlife Preservation and Enhancement	Within the Truckee River Operating Agreement Place of Use area as shown on map no. 320-208-189A-1, dated July 6, 2006 (last revision, dated January 4, 2016).		13N	17 & 18E	MD
			14N	16-18E	
			15N	16-18E	
			16N	16-18E	
			17N	15-20E, 24-31E	
			18N	14-21E, 24-31E	
			19N	14-31E	
			20N	18-32E	
			21N	18-26E, 29-32E	
			22N	20-24E	
			23N	20-24E	
			24N	20-24E	
			25N	20-24E	
			26N	20-24E	
27N	20-24E				
28N	23 & 24E				
Irrigation³	Truckee Meadows	26,800 net acres within a gross area of 36,340 acres in the vicinity of Reno, Nevada	18N	18-21E	MD
			19N	18-21E	
			20N	18-21E	
	Newlands Project	70,000 net acres within a gross area of 107,140 acres in the vicinity of Fallon, Nevada	17N	24-31E	MD
			18N	24-31E	
			19N	24-31E	
			20N	24-31E	

3. Purpose of Use (continued)	4. Places of Use (continued)	40-acre subdivision of public land survey	Section	Township	Range	Base and Meridian
Incidental Power	Farad Powerhouse	SE¼ of SE¼	12	18N	17E	MD
	Fleish Powerhouse	NE¼ of SE¼	30	19N	18E	
	Verdi Powerhouse	NW¼ of SE¼	8	19N	18E	
	Washoe Powerhouse	SW¼ of SW¼	14	19N	18E	

² The places of use are shown on map no. 320-208-189A-1, dated July 6, 2006 (last revision, dated January 4, 2016) filed with the State Water Board.

³ The maximum area irrigated in any one year under License 4196 (Application 9247), Permit 11605 (Application 15673), License 10180 (Application 18006), Permit 21366 (Application 31487) and Permit 21367 (Application 31488), shall not exceed a total of 96,800 net acres within a total gross area of 143,480 acres.

5. The amount of water to which this right is entitled and hereby confirmed is limited to the amount actually beneficially used for the stated purposes and shall not exceed **30,000 acre-feet per annum** to be collected in **Prosser Creek Reservoir** from **April 10 to August 10 of each year**. The maximum withdrawal in any one year shall not exceed **20,162 acre-feet**.

(0000005)
6. The maximum amount of water collected to storage in **Prosser Creek Reservoir** under this right and Permit 21367 (Application 31488) shall not exceed **30,000 acre-feet per year**.

(0000005M)
7. The capacity of **Prosser Creek Reservoir** covered by this right and Permit 21367 (Application 31488) shall not exceed **29,800 acre-feet**.

(0000005N)
8. This right does not authorize collection of water to storage outside of the specified season to offset evaporation and seepage losses or for any other purpose.

(0000005I)
9. Water diverted for Incidental Power use under this right is for nonconsumptive use and is to be released at the following locations:

Farad Powerhouse Return: Truckee River - By California Coordinate System of 1983, Zone 2, North 2,284,919 feet and East 7,117,723 feet.
Fleish Powerhouse Return: Truckee River - By Nevada Coordinate System of 1983, West Zone, North 14,848,874 feet and East 2,226,837 feet.
Verdi Powerhouse Return: Truckee River - By Nevada Coordinate System of 1983, West Zone, North 14,864,373 feet and East 2,230,562 feet.
Washoe Powerhouse Return: Truckee River - By Nevada Coordinate System of 1983, West Zone, North 14,857,794 feet and East 2,243,430 feet.

(0000111)
10. If it is determined after right issuance that the as-built conditions of the project are not correctly represented by the map(s) prepared to accompany the application, the right holder shall, at their expense, have the subject map(s) updated or replaced with equivalent as-built map(s). The revision(s) or new map(s) shall be prepared by a civil engineer or land surveyor registered or licensed in the State of California and shall meet the requirements prescribed in section 715 and sections 717 through 723 of the California Code of Regulations, Title 23. The revision(s) or map(s) shall be furnished upon request of the Deputy Director for Water Rights.

(0000030)
11. In compliance with section 5937 of the Fish and Game Code, if storage or diversion of water authorized by this right is by means of a dam, the right holder shall allow sufficient water at all times to pass through a fishway or, in the absence of a fishway, allow sufficient water to pass over, around, or through the dam to keep in good condition any fish that may be planted or exist below the dam; provided, that during a period of low flow in the stream, upon approval of the California Department of Fish and Wildlife, this requirement will be satisfied if sufficient water is passed through a culvert, waste gate, or over or around the dam to keep in good condition any fish that may be planted or exist below the dam if it is impracticable or detrimental to pass the water through a fishway. In the case of a reservoir, this provision shall not require the passage or release of water at a greater rate than the unimpaired natural inflow into the reservoir.

(0140069)
(0210069)

12. To ensure that the bypass flow requirement imposed as a condition of water quality certification for the Farad Diversion Dam Replacement Project is met, no water shall be rediverted at the Farad Diversion Dam unless a minimum flow of 150 cfs in the bypass reach below the Farad Diversion Dam, or total Truckee River flow immediately upstream of the diversion dam, whichever is less, is met in the operation area, or the applicable bypass flow as it may be revised in the water quality certification for the project is met. Further, no water shall be rediverted at the Farad Diversion Dam unless (1) right holder has submitted information to the Deputy Director for Water Rights demonstrating that the right holder has acquired access to redivert water or made arrangements with Truckee Meadows Water Authority to divert water on right holder's behalf consistent with the terms and conditions of this right , and (2) the Deputy Director for Water Rights advises the right holder that it has made a satisfactory demonstration.
(0140400)
13. This right shall have an effective priority junior and subject to those rights reserved to California water users to appropriate unappropriated waters of the Little Truckee River as set forth in section 5976 of part 8, division 2 of the Water Code, the allocations of water of the Truckee River and its tributaries.
(9990800)
14. Right holder shall measure and monitor amounts diverted, collected to storage, withdrawn from storage and rediverted for beneficial use under this right . The right holder shall submit a plan for approval by the State Water Board that includes a description and location of the measuring devices, frequency of data collection, the methods for recording and reporting data to the State Water Board, and any calculations required to develop the records. The plan shall identify how the right holder will ensure that the total cumulative amount of water collected, stored and used at Prosser Creek Reservoir will not exceed the authorized amount under the right . The plan shall also identify how the amounts collected and beneficially used under all of the rights for coordinated reservoir storage under the Truckee River Operating Agreement (TROA) will be accounted for under the individual rights and any other bases of right. The plan shall be submitted and approved by the Deputy Director for Water Rights prior to diversion under this right . Right holder shall implement the plan upon approval. A record of such measurements shall be maintained by the right holder, and made available to interested persons upon reasonable request. A copy of the records shall be submitted to the State Water Board with the annual "Report of Licensee."
(0100900)
15. Water stored in Prosser Creek Reservoir pursuant to pre-1914 permits issued by the Nevada State Engineer under Nevada Law, and recognized pursuant to the provisions of California Water Code sections 1231 and 1232 shall not be considered as water stored pursuant to the provisions of this right .
(9990999)
16. Right holder shall maintain the existing outlet pipe in Prosser Creek Reservoir in proper working order.
(0050800)
17. Diversions under this right shall be subject to the interstate allocation authorized under the Truckee-Carson-Pyramid Lake Water Rights Settlement Act (Pub.L. No. 101-618 (Nov. 16, 1990), Tit. II, 104 Stat. 3289) (Settlement Act) when the allocation becomes effective.
(0540900)
18. Due to the right holder's ability to exchange water among water right holders under TROA, beneficial uses for water shall only be credited to the right under which the water was originally diverted.
(9990999)

19. All diversions, storage, use of water and operations under this right shall be in accordance with the provisions contained in this right, the Settlement Act, and TROA, which is on file with the State Water Board. The Board retains jurisdiction for the purpose of amending the terms of this right to conform to the terms of TROA and the Settlement Act.
(0430300)
 20. Diversion of water under this right is subject to regulation by the TROA Administrator appointed to enforce the terms and conditions of TROA to the extent such regulation is not inconsistent with the terms and conditions of this right.
(000N001)
 21. Right holder shall notify the Deputy Director for Water Rights, in writing, of any adjustments to operations or changes to TROA made in accordance with Article Thirteen of TROA that will affect the diversion and use of water under this right.
(0490300)
 22. The State Water Board reserves continuing authority in the public interest to modify the terms and conditions of this right, including imposition of requirements to alter project facilities or operations and to modify instream flow releases, in the event of unforeseen adverse impacts to fish or wildlife. State Water Board action will be taken only after notice to interested parties and opportunity for hearing.
(000M001)
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THIS RIGHT IS ALSO SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein specified and to the lands or place of use herein described.

Reports shall be filed promptly by the right holder on the appropriate forms which will be provided for the purpose from time to time by the State Water Board.

Right holder shall allow representatives of the State Water Board and other parties, as may be authorized from time to time by the State Water Board, reasonable access to project works to determine compliance with the terms of this right.

Pursuant to Water Code sections 100 and 275 and the common law public trust doctrine, all rights and privileges under this right, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

The continuing authority of the State Water Board may be exercised by imposing specific requirements over and above those contained in this right with a view to eliminating waste of water and to meeting the reasonable water requirements of right holder without unreasonable draft on the source. Right holder may be required to implement a water conservation plan, features of which may include but not necessarily be limited to: (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this right and to determine accurately water use as against reasonable water requirement for the authorized project. No action will be taken pursuant to this paragraph unless the State Water Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

The continuing authority of the State Water Board also may be exercised by imposing further limitations on the diversion and use of water by the right holder in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the State Water Board determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution article X, section 2; is consistent with the public interest and is necessary to preserve or restore the uses protected by the public trust.

The quantity of water diverted under this right is subject to modification by the State Water Board if, after notice to the right holder and an opportunity for hearing, the State Water Board finds that such modification is necessary to meet water quality objectives in water quality control plans which have been or hereafter may be established or modified pursuant to division 7 of the Water Code. No action will be taken pursuant to this paragraph unless the State Water Board finds that: (1) adequate waste discharge requirements have been prescribed and are in effect with respect to all waste discharges which have any substantial effect upon water quality in the area involved, and (2) the water quality objectives cannot be achieved solely through the control of waste discharges.

This right does not authorize any act which results in the taking of a threatened or endangered species or candidate species or any act which is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish and Game Code sections 2050 to 2089) or the federal Endangered Species Act (16 U.S.C.A. sections 1531 to 1544). If a "take" will result from any act authorized under this water right, the right holder shall obtain authorization for an incidental take prior to construction or operation of the project. Right holder shall be responsible for meeting all requirements of the state or federal Endangered Species Acts for the project authorized under this right.

If construction or rehabilitation work is required for the diversion works covered by this right within the bed, channel, or bank of the affected water body, the right holder shall enter into a streambed or lake alteration agreement with the California Department of Fish and Wildlife. Right holder shall submit a copy of the agreement, or waiver thereof, to the Division of Water Rights prior to commencement of work. Compliance with the terms and conditions of the agreement is the responsibility of the right holder.

This right is issued and right holder takes it subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the State Water Board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article (of the Water Code) and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license, does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefore shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

STATE WATER RESOURCES CONTROL BOARD

ORIGINAL SIGNED BY:

*Barbara Evoy, Deputy Director
Division of Water Rights*

Dated: AUG 08 2016

Attachment No. 1

2b. Location of points of rediversion. Points of Rediversion (5) through (65) are on the Truckee River, and Points of Rediversion (66) and (67) are on the Carson River.

By California Coordinate System of 1983 in Zone 2	40-acre subdivision of public land survey	Section	Township	Range	Base and Meridian
(5) Farad Power Plant, Ditch & Flume North 2,276,726 feet and East 7,119,940 feet	SW $\frac{1}{4}$ of NW $\frac{1}{4}$	30	18N	18E	MD
(6) Fleish Power Plant, Ditch & Flume North 2,297,211 feet and East 7,124,864 feet	NE $\frac{1}{4}$ of SE $\frac{1}{4}$	6	18N	18E	MD

By Nevada Coordinate System of 1983, West Zone	40-acre subdivision of public land survey	Section	Township	Range	Base and Meridian
(7) Steamboat Canal North 14,843,385 feet and East 2,223,994 feet	NE $\frac{1}{4}$ of SW $\frac{1}{4}$	31	19N	18E	MD
(8) Coldron Ditch North 14,850,973 feet and East 2,226,583 feet	SE $\frac{1}{4}$ of NE $\frac{1}{4}$	30	19N	18E	MD
(8a) Truckee Meadows: Numerous points of rediversion between points (8) and (40)	SE $\frac{1}{4}$ of NE $\frac{1}{4}$	30	19N	18E	MD
	SE $\frac{1}{4}$ of SW $\frac{1}{4}$	8	19N	20E	MD
(9) Katz Ditch North 14,853,083 feet and East 2,226,202 feet	SE $\frac{1}{4}$ of SE $\frac{1}{4}$	19	19N	18E	MD
(10) Verdi Power Plant, Ditch & Flume North 14,853,117 feet and East 2,226,229 feet	SE $\frac{1}{4}$ of SE $\frac{1}{4}$	19	19N	18E	MD
(11) Washoe Power Plant Ditch North 14,862,766 feet and East 2,235,824 feet	NW $\frac{1}{4}$ of NE $\frac{1}{4}$	16	19N	18E	MD
(12) Hogan Ditch North 14,860,793 feet and East 2,236,229 feet	SW $\frac{1}{4}$ of NE $\frac{1}{4}$	16	19N	18E	MD
(13) Highland Ditch North 14,862,766 feet and East 2,235,824 feet	NW $\frac{1}{4}$ of NE $\frac{1}{4}$	16	19N	18E	MD
(14) Mastin Ditch North 14,858,104 feet and East 2,244,534 feet	SE $\frac{1}{4}$ of SW $\frac{1}{4}$	14	19N	18E	MD
(15) Last Chance Ditch North 14,860,796 feet and East 2,247,614 feet	SE $\frac{1}{4}$ of NE $\frac{1}{4}$	14	19N	18E	MD
(16) Sparks-Capurro Ditch North 14,859,813 feet and East 2,250,976 feet	NW $\frac{1}{4}$ of SE $\frac{1}{4}$	13	19N	18E	MD

By Nevada Coordinate System of 1983, West Zone	40-acre subdivision of public land survey	Section	Township	Range	Base and Meridian
(17) Irwin-Mayberry Ditch North 14,856,488 feet and East 2,254,953 feet	NE $\frac{1}{4}$ of NW $\frac{1}{4}$	19	19N	19E	MD
(18) Lake Ditch (Lake Southside) North 14,856,917 feet and East 2,255,686 feet	NE $\frac{1}{4}$ of NW $\frac{1}{4}$	19	19N	19E	MD
(19) South Side Canal North 14,858,528 feet and East 2,259,680 feet	NE $\frac{1}{4}$ of SW $\frac{1}{4}$	17	19N	19E	MD
(20) Orr Ditch, Orr Extension & Spanish Spring Valley Ditch North 14,859,198 feet and East 2,260,521 feet	NE $\frac{1}{4}$ of SW $\frac{1}{4}$	17	19N	19E	MD
(21) Indian Flat Ditch North 14,858,946 feet and East 2,262,112 feet	NE $\frac{1}{4}$ of SE $\frac{1}{4}$	17	19N	19E	MD
(22) Orr Ditch Pump Station North 14,859,008 feet and East 2,262,704 feet	NE $\frac{1}{4}$ of SE $\frac{1}{4}$	17	19N	19E	MD
(23) Reno Power Ditch & Flume North 14,859,867 feet and East 2,267,642 feet	SE $\frac{1}{4}$ of NE $\frac{1}{4}$	16	19N	19E	MD
(24) Countryman Ditch North 14,862,075 feet and East 2,268,033 feet	NE $\frac{1}{4}$ of NE $\frac{1}{4}$	16	19N	19E	MD
(25) Chism Ditch North 14,862,003 feet and East 2,268,150 feet	NE $\frac{1}{4}$ of NE $\frac{1}{4}$	16	19N	19E	MD
(26) English Mill Ditch & English Mill Tailrace Ditch North 14,863,566 feet and East 2,271,673 feet	NW $\frac{1}{4}$ of SE $\frac{1}{4}$	10	19N	19E	MD
(27) Hayden Ditch or Court Ditch North 14,862,824 feet and East 2,272,659 feet	SE $\frac{1}{4}$ of SE $\frac{1}{4}$	10	19N	19E	MD
(28) Idlewild Pump Station North 14,862,625 feet and East 2,273,168 feet	SE $\frac{1}{4}$ of SE $\frac{1}{4}$	10	19N	19E	MD
(29) Sullivan & Kelly Ditch North 14,863,999 feet and East 2,276,707 feet	NW $\frac{1}{4}$ of SE $\frac{1}{4}$	11	19N	19E	MD
(30) Cochran Ditch North 14,863,699 feet and East 2,277,344 feet	NW $\frac{1}{4}$ of SE $\frac{1}{4}$	11	19N	19E	MD
(31) Riverside Mill Ditch & Flume (Claim #10) North 14,864,144 feet and East 2,277,365 feet	NW $\frac{1}{4}$ of SE $\frac{1}{4}$	11	19N	19E	MD
(32) Scott Ranch Ditch North 14,865,010 feet and East 2,279,290 feet	SW $\frac{1}{4}$ of NW $\frac{1}{4}$	12	19N	19E	MD

By Nevada Coordinate System of 1983, West Zone	40-acre subdivision of public land survey	Section	Township	Range	Base and Meridian
(33) Abbee Ditch North 14,866,265 feet and East 2,283,562 feet	SE $\frac{1}{4}$ of NE $\frac{1}{4}$	12	19N	19E	MD
(34) Perry Ditch North 14,866,298 feet and East 2,284,219 feet	SE $\frac{1}{4}$ of NE $\frac{1}{4}$	12	19N	19E	MD
(35) Eastman Ditch North 14,865,286 feet and East 2,287,441 feet	SW $\frac{1}{4}$ of NE $\frac{1}{4}$	7	19N	20E	MD
(36) North Truckee Ditch (Glendale Plant) North 14,865,173 feet and East 2,287,712 feet	SW $\frac{1}{4}$ of NE $\frac{1}{4}$	7	19N	20E	MD
(37) Sessions Ditch North 14,865,057 feet and East 2,287,842 feet	SW $\frac{1}{4}$ of NE $\frac{1}{4}$	7	19N	20E	MD
(38) Pioneer Ditch North 14,862,744 feet and East 2,289,385 feet	SE $\frac{1}{4}$ of SE $\frac{1}{4}$	7	19N	20E	MD
(39) Stephens Ditch (Stevens) North 14,862,524 feet and East 2,291,611 feet	SE $\frac{1}{4}$ of SW $\frac{1}{4}$	8	19N	20E	MD
(40) Glendale Ditch North 14,862,252 feet and East 2,291,882 feet	SE $\frac{1}{4}$ of SW $\frac{1}{4}$	8	19N	20E	MD
(41) Hidden Valley Induction Well #4 North 14,861,057 feet and East 2,295,828 feet	SW $\frac{1}{4}$ of NW $\frac{1}{4}$	16	19N	20E	MD
(42) Largomarsino-Murphy Ditch (S. Largomarsino) North 14,858,576 feet and East 2,316,686 feet	NW $\frac{1}{4}$ of SE $\frac{1}{4}$	18	19N	21E	MD
(43) Largomarsino-Noce Ditch (N. Largomarsino) North 14,858,813 feet and East 2,318,003 feet	NE $\frac{1}{4}$ of SE $\frac{1}{4}$	18	19N	21E	MD
(44) Groton Ditch North 14,858,234 feet and East 2,324,482 feet	NE $\frac{1}{4}$ of SE $\frac{1}{4}$	17	19N	21E	MD
(45) Sheep Ranch Ditch North 14,859,130 feet and East 2,325,476 feet	NW $\frac{1}{4}$ of SW $\frac{1}{4}$	16	19N	21E	MD
(46) McCarran North Side Ditch North 14,866,397 feet and East 2,338,153 feet	NE $\frac{1}{4}$ of NW $\frac{1}{4}$	11	19N	21E	MD
(47) McCarran South Side Ditch North 14,870,713 feet and East 2,342,338 feet	SW $\frac{1}{4}$ of NW $\frac{1}{4}$	1	19N	21E	MD
(48) Old Ditch North 14,871,849 feet and East 2,349,880 feet	NW $\frac{1}{4}$ of NE $\frac{1}{4}$	6	19N	22E	MD

By Nevada Coordinate System of 1983, West Zone	40-acre subdivision of public land survey	Section	Township	Range	Base and Meridian
(49) Hill Ditch North 14,876,905 feet and East 2,354,774 feet	NW¼ of NE¼	32	20N	22E	MD
(50) Tracy Power Plant North 14,877,698 feet and East 2,359,590 feet	SE¼ of SW¼	28	20N	22E	MD
(51) Derby Dam & Truckee Canal North 14,885,141 feet and East 2,380,928 feet	NE¼ of SW¼	19	20N	23E	MD
(52) Preston Ditch North 14,885,468 feet and East 2,386,178 feet	SE¼ of NW¼	20	20N	23E	MD
(53) Washburn Ditch North 14,885,521 feet and East 2,396,933 feet	SE¼ of NW¼	22	20N	23E	MD
(54) Gregory Ditch North 14,888,853 feet and East 2,405,578 feet	SE¼ of SE¼	14	20N	23E	MD
(55) Wadsworth Power Ditch North 14,889,268 feet and East 2,406,873 feet	NW¼ of SW¼	13	20N	23E	MD
(56) Herman Ditch North 14,892,654 feet and East 2,417,832 feet	NW¼ of NW¼	17	20N	24E	MD
(57) Pierson Ditch North 14,894,902 feet and East 2,422,828 feet	NW¼ of SW¼	9	20N	24E	MD
(58) Olinghouse North 1 Ditch North 14,897,868 feet and East 2,425,862 feet	NW¼ of NE¼	9	20N	24E	MD
(59) Fernley North 14,899,217 feet and East 2,427,535 feet	SW¼ of SW¼	3	20N	24E	MD
(60) Proctor Ditch North 14,900,772 feet and East 2,427,717 feet	SW¼ of NW¼	3	20N	24E	MD
(61) Fellnagle Ditch North 14,905,654 feet and East 2,425,317 feet	NW¼ of SE¼	33	21N	24E	MD
(62) Olinghouse North 2 Ditch North 14,914,468 feet and East 2,431,328 feet	SW¼ of SE¼	22	21N	24E	MD
(63) Gardella Ditch North 14,922,553 feet and East 2,428,236 feet	SW¼ of NW¼	15	21N	24E	MD
(64) Olinghouse North 3 Ditch North 14,923,152 feet and East 2,428,587 feet	SW¼ of NW¼	15	21N	24E	MD
(65) Indian Ditch (Nixon Ditch) North 14,959,047 feet and East 2,409,488 feet	SW¼ of NE¼	12	22N	23E	MD

By Nevada Coordinate System of 1983, West Zone	40-acre subdivision of public land survey	Section	Township	Range	Base and Meridian
(66) Newlands Project: Lahontan Dam North 14,839,256 feet and East 2,488,123 feet	Bearing N. 82°45'E. 3850 feet from SW corner	33	19N	26E	MD
(67) Newlands Project: Numerous points of redirection between: Carson Diversion Dam North 14,849,892 feet and East 2,509,034 feet, and Sagoupe Diversion Dam North 14,867,558 feet and East 2,581,744 feet	Bearing N. 56°30'W. 1,885 feet from SE corner	19	19N	27E	MD
	Bearing N. 43°00"E. 3,620 feet from SW corner	4	19N	29E	MD



STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

License for Diversion and Use of Water

APPLICATION 18006

PERMIT 11666

LICENSE 10180
OVER

THIS IS TO CERTIFY, *That*

UNITED STATES DEPARTMENT OF THE INTERIOR,
BUREAU OF RECLAMATION, REGION 2
2800 COTTAGE WAY, SACRAMENTO, CALIFORNIA 95825

HAS *made proof as of* AUGUST 5, 1970 *(the date of inspection)*
to the satisfaction of the State Water Resources Control Board of a right to the use of the water of
PROSSER CREEK IN NEVADA COUNTY

tributary to TRUCKEE RIVER

IRRIGATION, DOMESTIC, MUNICIPAL, INDUSTRIAL,
for the purpose of FISH CULTURE AND RECREATIONAL USES
under Permit 11666 *of the Board and that the right to the use of this water has been perfected*
in accordance with the laws of California, the Regulations of the Board and the permit terms; that the
priority of this right dates from FEBRUARY 18, 1958 *and that the amount of water to which*
this right is entitled and hereby confirmed is limited to the amount actually beneficially used for the stated
purposes and shall not exceed THIRTY THOUSAND (30,000) ACRE-FEET PER ANNUM, TO BE
COLLECTED FROM APRIL 10 TO AUGUST 10 OF EACH YEAR. THE MAXIMUM WITHDRAWAL IN
ANY ONE YEAR SHALL NOT EXCEED 20,162 ACRE-FEET.

THE POINT OF DIVERSION OF SUCH WATER IS LOCATED:

PROSSER CREEK DAM - NORTH 33° 30' EAST 2,050 FEET FROM SW CORNER OF SECTION 30,
T18N, R17E, MDB&M, BEING WITHIN NW1/4 OF SW1/4 OF SAID SECTION 30.

A DESCRIPTION OF LANDS OR THE PLACE WHERE
SUCH WATER IS PUT TO BENEFICIAL USE IS AS FOLLOWS:

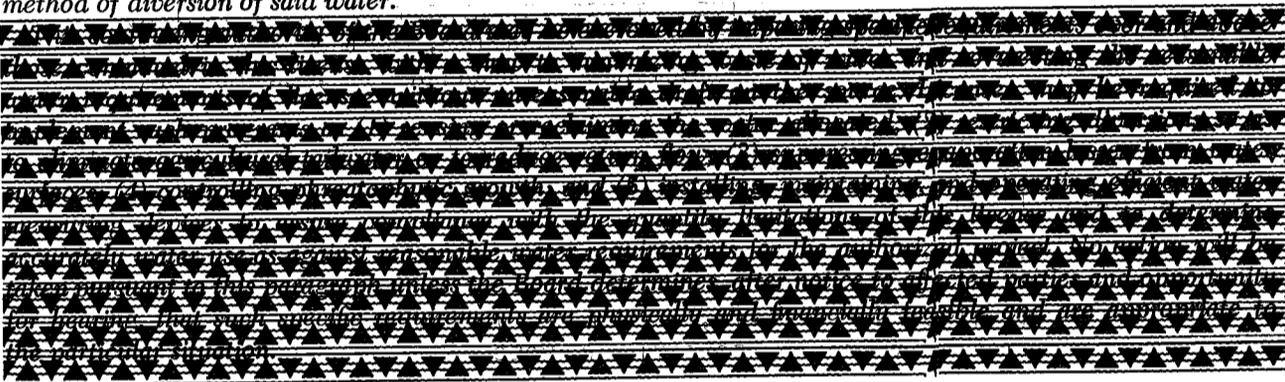
AT RESERVOIR LOCATED WITHIN T18N, R16E AND R17E, MDB&M, AND ON 82,000 NET
ACRES WITHIN 143,480 GROSS ACRES ALL WITHIN THE TRUCKEE MEADOWS AND NEWLANDS
PROJECT AREAS AS SHOWN ON MAP FILED WITH THE STATE WATER RESOURCES CONTROL
BOARD.

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 U. S. BUREAU OF RECLAMATION, PROSSER
CREEK RESERVOIR OPERATION STUDY, JANUARY 14, 1958, AND AMENDED JULY 1, 1958,
ON FILE WITH THIS 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.

THE APPROPRIATIVE RIGHTS CONSUMMATED PURSUANT TO APPLICATION 18006 SHALL
HAVE AN EFFECTIVE PRIORITY JUNIOR AND SUBJECT TO THOSE RIGHTS RESERVED TO
CALIFORNIA WATER USERS TO APPROPRIATE UNAPPROPRIATED WATERS OF THE LITTLE
TRUCKEE RIVER AS SET FORTH IN SECTION 5976 OF PART 8, DIVISION 2 OF THE WATER
CODE, THE ALLOCATIONS OF WATER OF THE TRUCKEE RIVER AND ITS TRIBUTARIES.

Licensee shall allow representatives of the Board and other parties, as may be authorized from time to time by the Board, reasonable access to project works to determine compliance with the terms of this license.

All rights and privileges under this license, including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.



Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time to time by the Board.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the Board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated: AUG 24 1973

2-1-80 Name Chgd to U.S. Water + Power Res. Service

STATE WATER RESOURCES CONTROL BOARD

K. L. Woodward

Chief, Division of Water Rights

IF AND WHEN THE INTERSTATE COMPACT COVERING THE DISTRIBUTION AND USE OF WATERS OF THE TRUCKEE AND CARSON RIVERS IS CONSENTED TO BY CONGRESS, THE OPERATION OF PROSSER RESERVOIR SHALL BE IN CONFORMITY WITH SUCH COMPACT AND THE TERMS AND CONDITIONS SET FORTH IN THIS LICENSE WHICH ARE IN CONFLICT THEREWITH SHALL NOT APPLY.

INSOFAR AS THE APPROPRIATION OF WATER UNDER THIS LICENSE IS CONCERNED, PROSSER CREEK RESERVOIR SHALL NOT BE OPERATED BY THE LICENSEE SEPARATELY OR IN CONJUNCTION WITH OTHER RESERVOIRS OF THE TRUCKEE RIVER BASIN SO AS TO PREVENT IN THE FUTURE SUCH CONSUMPTIVE BENEFICIAL USES OF WATER AS ARE PRESENTLY BEING MADE IN THE CALIFORNIA PORTION OF SAID BASIN AND SUCH CONSUMPTIVE BENEFICIAL USES AS ARE PRESENTLY BEING MADE OF WATER DIVERTED FROM LITTLE TRUCKEE RIVER TO SIERRA VALLEY, ECHO LAKE TO THE AMERICAN RIVER BASIN, AND MARLETTE LAKE TO VIRGINIA CITY, NEVADA; PROVIDED THAT THE FOREGOING IS A CONDITION IMPOSED UPON THE OPERATION OF SAID RESERVOIR UNDER THIS LICENSE AND IS NOT TO BE CONSTRUED AS A DEFINITION OF THE LEGALITY OF ANY WATER RIGHT.

PERMITTEE SHALL KEEP ADEQUATE RECORDS OF:

- A. THE RESPECTIVE AMOUNTS OF WATER IMPOUNDED IN AND RELEASED FROM PROSSER CREEK RESERVOIR SOLELY FOR THE PURPOSE OF EXCHANGING WATER RELEASED FROM STORAGE AT LAKE TAHOE FOR THE MAINTENANCE OF FISH LIFE.
- B. THE RESPECTIVE AMOUNT OF WATERS IMPOUNDED IN AND RELEASED FROM PROSSER CREEK RESERVOIR IN ADDITION TO THE FOREGOING.
- C. RELEASES OF STORED WATERS FROM LAKE TAHOE IN FULFILLMENT OF THE APPROVED OPERATION SCHEDULE IN CONDITION 1 ABOVE.