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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.waterboards.ca.gov/waterrights>

2011 MAY -6 AM 9:49

PETITION FOR CHANGE
(WATER CODE 1700)

_____ Point of Diversion, Point of Rediversion, Place of Use, Purpose of Use, _____ Split
Application _____ Permit _____ License **DIVISION OF WATER RIGHTS**

If the change petition is being submitted for the purpose of requesting to split the water right between two or more owners, see page 2.

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 in California Coordinates, NAD 83, or other ties as allowed by CCR, tit. 23, section 715. Also provide the 40-acre subdivision in which the present and proposed points of diversion lie.)

Present: see Attachment "A"
Proposed: see Attachment "B"

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

Present: see Attachment "A"
Proposed: see Attachment "C"

Purpose of Use

Present: irrigation
Proposed: irrigation, recreation, and municipal

GIVE REASON FOR PROPOSED CHANGE:

To use the water resources more efficiently in the watershed.

WILL THE OLD POINT OF DIVERSION OR PLACE OF USE BE ABANDONED: (yes or no) no

WATER WILL BE USED FOR irrigation, recreation, and municipal PURPOSES.

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

Ownership _____, lease _____, verbal or written agreement . If by lease or agreement, state the name and address of party(s) from whom access has been obtained.

Carson City
Lyon County

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

A copy of the petition must be provided to the California Department of Fish and Game (DFG). Indicate the date that the petition was provided to DFG and provide a copy of the transmittal letter to DFG: see Attachment "D"

All petitioners must sign at the bottom of page 2.

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STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS

DIVISION OF WATER RESOURCES

License for Diversion and Use of Water

LICENSE 2002

PERMIT 2306

APPLICATION 4019

THIS IS TO CERTIFY, That **H. W. Bassman, E. Bassman, Fred Bruns, Wannblad Bros.**

and **Fred Gansberg of Gardnerville, Nevada,** have made proof to the satisfaction of the Division of Water Resources of California of a right to the use of the waters of two (2) unnamed gulches (Nos. 1 and 2) in Alpine County

tributary of West Carson River

for the purpose of **irrigation use**

under Permit **2306** of the Division of Water Resources and that said right to the use of said waters has been perfected in accordance with the laws of California, the rules and regulations of the Division of Water Resources and the terms of the said permit; that the priority of the right herein confirmed dates from **June 10, 1924;**

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to the amount actually beneficially used for said purposes and shall not exceed (1) one hundred forty-two (142) and (2) twenty-nine and two tenths (29.2), total one hundred seventy-one and two tenths (171.2) acre feet per annum by storage to be collected from about October 1st to about June 1st of each season.

The points of diversion of such water are located (1) South one hundred twenty-five (125) feet and East thirty-four hundred fifteen (3415) feet from the Northwest corner of Section 12, T 9 N, R 18 E, M.D.B.&M. and being within the NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of said Section 12, and (2) North nine hundred sixty-eight (968) feet and East three thousand forty-five (3045) feet from the southwest corner of Section 1, T 9 N, R 18 E, M.D.B.&M. and being within the SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Section 1.

The points of re-diversion of stored waters are located as follows:

- (a) North sixteen degrees West (N. 16° W.) one thousand forty-five (1045) feet from the southeast corner of Section 26, T 11 N, R 19 E, M.D.B.&M. and being within the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Section 26.
- (b) North forty-six degrees West (N. 46° W.) fourteen hundred sixty (1460) feet from the southeast corner of Section 26, T 11 N, R 19 E, M.D.B.&M. and being within the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Section 26.
- (c) South fifty degrees East (S. 50° E.) three thousand twenty (3020) feet from the northwest corner of Section 19, T 11 N, R 20 E, M.D.B.&M. and being within the SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 19.
- (d) North eighty-nine degrees West (N. 89° W.) twenty-one hundred thirty-five (2135) feet from the southeast corner of Section 18, T 11 N, R 20 E, M.D.B.&M. and being within the SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Section 18.

A description of the lands or the place where such water is put to beneficial use is as follows:

771.2 acres within Sections 1, 25, 26, 34, T 11 N, R 19 E, M.D.B.&M. and Sections 6, 7 and 18, T 11 N, R 20 E, M.D.B.&M., as shown on map entitled "Map of Lost Lakes Reservoirs and West Fork of Carson River, Alpine County, California, Application No. 4019" filed with the Division of Water Rights, August 6, 1924.

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

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

ATTACHMENT "B"

The points of diversion of water from the source are as follows:

Induction Well #25 - NE 1/4 SW 1/4 Section 14, T.15N., R.20E., M.D.M.&M., or at the point from which the SW corner of said Section 14 bears S. 46° 20' W., a distance of 3,240.0 feet situated in Carson City County, State of Nevada.

Induction Well #41 - SE 1/4 SW 1/4 Section 14, T.15N., R.20E., M.D.B.&M., or at a point from which the SW corner of said Section 14 bears S. 84° 33' 16" w., a distance of 2,108.0 feet situated in Carson City County, State of Nevada.

Carson City Utilities Department Service Area

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

Sections 2, 3, 4, E½ of Section 5, and that portion of the N½ NE¼ of Section 6 which lies within Carson City.

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

The E½ of Township 15 North, Range 19 East, M.D.M.

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

The S½ of Section 34, the S½ of Section 35, those portions of the S½ NE¼ of Section 35 which lie within Carson City, the S½ of Section 36, the NE¼ of Section 36, and those portions of the SW¼ NW¼ of Section 36 which lie within Carson City.

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

Sections 28, 29, 31, 32, 33, 34, 35, the W½ of Section 36, and those portions of the E½ of Section 36 which lie within Carson City.

Lyon County Utilities Department Service Area

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

Section 24, the E½ of Section 25, those portions of the W½ of Section 25 which lie within Lyon County, the portions of the NE¼ and the NE¼ SE¼ of Section 36 which lie within Lyon County.

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

Section 1, the SE¼ SE¼ of Section 2, Sections 11, 12, 13, 14, 19, 20, 23, 24, 26, 27, 28, 29, 30, the N½ of Section 31, the portion of the S½ of Section 31 which lies within Lyon County, the N½ of Section 32, the N½ of Section 33, the N½ of Section 34, and the N½ of Section 35.

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

Sections 3, 4, 5, 6, 7, 8, 9, the N½ of Section 16, Sections 17, 18, 19, and 20.

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

The portion of the S½ of Section 21 which lies within Lyon County, the S½ of Section 22, the portion of the N½ of Section 22 which lies within Lyon County, Section 27, the S½ of Section 28, the NE¼ of Section 28, the portion of the NW¼ of Section 28 which lies within Lyon County, the SE¼ of Section 29, those portions of the SW¼, NW¼, and NE¼ of Section 29 which lie within Lyon County, the portion of the S½ of Section 30 which lies within Lyon County, the S½ of Section 31, the NE¼ of Section 31, the portion of the NW¼ of Section 31 which lies within Lyon County, Sections 32, 33, 34, and 35.

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

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

CARSON WATER SUBCONSERVANCY DISTRICT
777 East William Street, Suite 110A
Carson City, NV 89701
775/887-7450, fax 775/887-7457

May 4, 2011

Lauren Daly
California Department of Fish and Game
1701 Nimbus Road
Rancho Cordova, CA 95670

Re: Lost Lakes - Petition for Change

Dear Ms. Daly,

In the late 1920s, the two Lost Lakes (upper and lower) were constructed to store water in the upper watershed during the winter and spring, then the water would be released in the late summer to irrigate lands in Nevada. The total adjudicated storage through the Federal Alpine Decree for both reservoirs is 219 acre feet. In 2001, the Carson Water Subconservancy District (CWSD) purchased the Lost Lakes water rights as part of a regional process to enhance water resources throughout the entire Carson River Watershed in California and Nevada. CWSD has utilized Lost Lakes water for recreation at the reservoirs, stream flow enhancement, and providing water for municipal and industrial (M&I) uses to Carson City, Nevada. The first two uses are non-consumptive. In providing water to Carson City, CWSD has met all the requirements imposed by the Nevada State Engineer and the Federal Water Master who administers the Alpine Decree.

Although the water is being used in Nevada, CWSD was told by California State Water Resources Control Board that we must submit a 'Petition For Change' because the Point of Rediversion, Place of Use, and Purpose of Use has changed since the original license for the water right was granted. None of the facilities in California are being modified, nor is the diversion season being changed. Since CWSD purchased the water rights we have tried to maximize the water use by keeping the water in the lakes for recreational purposes during the summer, then in the fall we release the water to enhance the flow in the river for fishery purposes, and finally the water is used by Carson City through two induction wells. Water is usually released once the irrigation season is completed.

Recently CWSD submitted an Application for Water Rights (Application #31816) for the Lost Lakes to correct an error in the amount of water that is actually stored in the Lost Lakes compared to the original license awarded. With that application an \$850 fee was paid to the Department of Fish and Game. Since the review of that application can also pertain to the Petition for Change which is the subject of

May 4, 2011

2

Lauren Daly

Re: Lost Lakes Reservoirs - Petition for Change

this letter, we are hoping that California Fish and Game will incorporate the review for this Petition and not charge an additional \$850 fee.

If you have any questions regarding our Petition for Change or our Application of Water Rights for the Lost Lakes, please contact me at 775-887-7456.

Sincerely,

A handwritten signature in cursive script that reads "Edwin D. James".

Edwin D. James
General Manager

EDJ/tl

California Environmental Protection Agency

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.waterboards.ca.gov/waterrights>

ENVIRONMENTAL INFORMATION FOR PETITIONS*

* Required for all petitions, including change petitions, time extension petitions, wastewater change petitions and instream flow dedication petitions.

Before the State Water Resources Control Board (State Water Board) can approve a petition, the State Water Board must consider the information contained in an environmental document prepared in compliance with the California Environmental Quality Act (CEQA). This form is not a CEQA document. If a CEQA document has not yet been prepared, a determination must be made of who is responsible for its preparation. As the petitioner, you are responsible for all costs associated with the environmental evaluation and preparation of the required CEQA documents. Please answer the following questions to the best of your ability and submit any studies that have been conducted regarding the environmental evaluation of your project. If you need more space to completely answer the questions, please number and attach additional sheets.

1. DESCRIPTION OF PROPOSED CHANGES OR WORK REMAINING TO BE COMPLETED

For a petition to change, 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, increase in water diversion and use (up to the amount authorized by the permit), changes in land use, and project operational changes, including changes in how the water will be used. For a petition for extension of time, provide a description of what work has been completed and what remains to be done. Include in your description any of the above elements that will occur during the requested extension period.

Originally the water stored in the two Lost Lakes was released in the late summer to irrigate lands in Nevada. In 2001, CWSD purchased the Lost Lakes water rights as part of a regional process to enhance water resources throughout the entire Carson River Watershed. Over the years CWSD has utilized Lost Lakes water for recreation, stream flow enhancement, and providing water to Carson City in Nevada. In the future Lyon County will also be able to use the water. CWSD is in the process of submitting a Petition for Change to reflect the change in Point of Re-diversion, Place of Use, and Purpose of Use. No construction activity will be associated with the Petition for Change. The water released and used will be done in compliance with the Alpine Decree. Also, all water delivered to Carson City, and in the future to Lyon County, will meet all the requirements imposed by the Nevada State Engineer. CWSD has also submitted an Application to Appropriate Water to correct an error in the original License which underestimated the amount of water stored in the lakes and does not match the amount of water allocated by the Alpine Decree.

See Attachment No. _____

2. COUNTY PERMITS

a. Contact your county planning or public works department and provide the following information:

Person contacted: Brian Peters Date of contact: May 10, 2011

Department: Alpine County Community Development Telephone: (530) 694-2140

County Zoning Designation:

Are any county permits required for your project? YES NO If YES, check appropriate box below:

- Grading permit Use permit Watercourse Obstruction permit Change of zoning
 General plan change Other (explain):
- _____

b. Have you obtained any of the required permits described above? YES NO N/A
If YES, provide a complete copy of each permit obtained.

See Attachment No. _____

3. STATE/FEDERAL PERMITS AND REQUIREMENTS

a. Check any additional state or federal permits required for your project:

- Federal Energy Regulatory Commission U.S. Forest Service Bureau of Land Management
 Soil Conservation Service Dept. of Water Resources (Div. of Safety of Dams) Reclamation Board
 Coastal Commission State Lands Commission Other (specify)
- _____

b. For each agency from which a permit is required, provide the following information:

AGENCY	PERMIT TYPE	PERSON(S) CONTACTED	CONTACT DATE	TELEPHONE NO.

See Attachment No. _____

c. Does your proposed project involve any construction or grading-related activity that has significantly altered or would significantly alter the bed or bank of any stream or lake? YES NO

If YES, explain:

See Attachment No. ____

- d. Have you contacted the California Department of Fish and Game concerning your project? YES
 NO

If YES, name and telephone number of contact:

Lauren Daly (916) 358-2900

4. ENVIRONMENTAL DOCUMENTS

- a. Has any California public agency prepared an environmental document for your project? YES NO
(This application should be exempt from CEQA.)

If YES, submit a copy of the latest environmental document(s) prepared, including a copy of the notice of determination adopted by the California public agency. Public agency:

- b. If NO, check the appropriate box and explain below, if necessary:

- The petitioner is a California public agency and will be preparing the environmental document.*
 I expect that the State Water Board will be preparing the environmental document.**
 I expect that a California public agency other than the State Water Board will be preparing the environmental document.* Public agency:

See Attachment No. ____

* Note: When completed, submit a copy of the final environmental document (including notice of determination) or notice of exemption to the State Water Board, Division of Water Rights. Processing of your petition cannot proceed until these documents are submitted.

** Note: CEQA requires that the State Water Board, as Lead Agency, prepare the environmental document. The information contained in the environmental document must be developed by the petitioner and at the petitioner's expense under the direction of the State Water Board, Division of Water Rights.

5. WASTE/WASTEWATER

- a. Will your project, during construction or operation, (1) generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or (2) cause erosion, turbidity or sedimentation?
 YES NO

If YES, or you are unsure of your answer, explain below and contact your local Regional Water Quality Control Board for the following information (See instruction booklet for address and telephone no.):

See Attachment No. ____

- b. Will a waste discharge permit be required for your project? YES NO

Person contacted: _____ Date of contact: _____

c. What method of treatment and disposal will be used?

See Attachment No. ____

6. ARCHEOLOGY

- a. Have any archeological reports been prepared on this project? YES NO
- b. Will you be preparing an archeological report to satisfy another public agency? YES NO
- c. Do you know of any archeological or historic sites located within the general project area?
 YES NO If YES, explain:

See Attachment No. ____

7. ENVIRONMENTAL SETTING

Attach **two complete sets of color photographs**, clearly dated and labeled, showing the vegetation that exists at the below-listed three locations. For time extension petitions, the photographs should document only those areas of the project that will be impacted during the requested extension period.

- 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.

8. CERTIFICATION

I hereby certify that the statements I have furnished above and in the attachments 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: May 11, 2011

Signature: _____

Edwin D. James
Edwin D. James, General Manager