

STATE WATER RESOURCES CONTROL BOARD  
2009 APR -3 AM 8:38  
DIV OF WATER RIGHTS SACRAMENTO

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

Application 8180 Point of Diversion,  Point of Rediversion,  Place of Use,  Purpose of Use  
Permit 5815 License \_\_\_\_\_ 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.

Proposed See Attachment.

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

Present See Attachment.

Proposed See Attachment.

**Purpose of Use**

Present See Attachment.

Proposed See Attachment.

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: See Attachment.

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

(yes/no)

• WATER WILL BE USED FOR Irrigation, Municipal, Industrial, Domestic, Incidental Power 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? N/A  
See Attachment (yes/no)

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

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.

See files at Division of Water Rights, State Water Resources Control Board.

**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 April 3, 2009 at Grass Valley, California

*Trace Seels*

Signature(s)

530-273-6185

Telephone No.

**NOTE: A \$1,000 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.**

*The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demands and cut your energy costs, see our web-site at: <http://waterrights.ca.gov>.*

Additional copies of this form and water rights information can be obtained at [www.waterrights.ca.gov](http://www.waterrights.ca.gov)

**Attachment to Petition for Change  
Permit 5815 (Application 8180)  
held by Nevada Irrigation District**

GENERAL

Permit 5815 is for direct diversion and storage of water from Texas Creek, Clear Creek, Fall Creek, Trap Creek and Rucker Creek for consumptive use purposes within Nevada Irrigation District (NID). The purpose of this Petition for Change (Petition) to NID Permit 5815 is to identify NID's existing facilities where water is used, diverted and rediverted, and conform places of use and purposes of use with NID's other water rights. For Permit 5815, this involves (1) adding Municipal, Industrial, and Incidental Power uses, (2) changing "Incidental Domestic" to "Domestic" use, (3) modifying the place of use, and (4) adding points of rediversion, as identified further below. NID is also filing a Petition for Extension of Time for Permit 5815 to cover the year of maximum beneficial use and a Petition for Change in Distribution of Storage to delete references to reservoirs identified in Permit 5815 that were never constructed and to add Rollins and Combie Reservoirs as places of storage under Permit 5815.

NID has been working cooperatively with the Division of Water Rights (Division) since July 2002 to analyze the use of water and inspect the facilities associated with the following Permits for determining whether licenses should be issued.

<u>Permit</u>	<u>Application</u>
1481	1614
11626	2652B
13770	5193
5815	8180
13772	20017

All of the five (5) above Permits are for consumptive uses. There are also five (5) associated Permits for power purposes, which are currently being reviewed and analyzed for potential licensing. Collectively, these Permits and most of the associated facilities are referred to as NID's Lower Division. The Lower Division primarily encompasses NID's sources of water and facilities located downstream of Spaulding Reservoir. Permits 13770 and 5815 cover sources and facilities upstream of Spaulding Reservoir, but the storage and use of water is downstream of Spaulding Reservoir, so it was included with the Lower Division.

In 1991, licenses were issued on many Permits held by NID for sources of water upstream of Spaulding Reservoir, referred to as the Upper Division. The water rights for the sources of water in the Upper Division include facilities throughout NID, including the Lower Division. This is an important point because all of the facilities downstream of Spaulding Reservoir are authorized facilities pursuant to the Upper Division water rights.

Nevada Irrigation District Permit 5815  
Attachment to Petition for Change

As a result of the extensive and detailed analysis undertaken for the Lower Division, changes or corrections to the Lower Division Permits are required and/or recommended to conform with NID's current facilities and operations. In addition, NID has identified additional changes to the aforementioned Permits, including Permit 5815, over and above those changes recommended by Division staff in order to more accurately describe historic and current facilities and operations.

POINT OF DIVERSION OR REDIVERSION

**Present and Proposed Points of Diversion**

No change in the present points of diversion identified in Permit 5815 is proposed and no additional points of diversion are proposed to be added. The following table describes the present points of diversion using the California Coordinate System in place of the descriptions currently identified in Permit 5815. The descriptions for these points of diversion were obtained by NID staff using GPS equipment and referenced by index # to NID's Map No. 4365, dated May 22, 1987, on file with the Division and shown on Map No. 5305, accompanying this Petition. No change in the location has occurred, simply a different system for describing the location, as requested by Division staff.

Point of Diversion	Map No. 4365 & Map No. 5305 Index #	Description <sup>1</sup>
Texas Creek BSC	9	N 2,276,389 E 6,935,711 SW¼ of SW¼ of Sec. 19, T18N, R12E
Clear Creek BSC	10	N 2,267,489 E 6,934,361 NE ¼ of SE ¼ of Sec. 36, T18N, R11E
Fall Creek BSC	11	N 2,264,689 E 6,935,561 NW¼ of NW¼ of Sec. 6, T17N, R12E
Trap Creek BSC	12	N 2,262,489 E 6,935,411 NW¼ of SW¼ of Sec. 6, T17N, R12E
Rucker Creek BSC	13	N 2,258,373 E 6,939,140 SE¼ of NE¼ of Sec. 7, T17N, R12E

<sup>1</sup> All coordinates are CCS, Zone 2, NAD 83 Datum. All section descriptions are MDB&M.

**Present and Proposed Points of Rediversion**

The present point of rediversion is identified in the following table and described using the California Coordinate System in place of the description currently identified in Permit 5815. Also identified are the proposed points of rediversion. These points reflect existing facilities, where the permitted supplies have been rediverted, but which are not set forth in the Permit. This list contains all of the present and proposed points of rediversion. All points represent existing facilities and no facilities are proposed to be constructed. The descriptions for these points of rediversion were obtained by NID staff using GPS equipment and are referenced by

Nevada Irrigation District Permit 5815  
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index # to NID's Map No. 4365, dated May 22, 1987, on file with the Division and shown on NID's Map No. 5305, accompanying this Petition.

Point of Rediversion	Map No. 4365 & Map No. 5305 Index #	Present PORD or Proposed PORD	Description <sup>1</sup>
Fuller Dam	14	Proposed <sup>2</sup>	N 2,254,499 E 6,943,344 NW¼ of NE¼ of Sec. 17, T17N, R12E
Spaulding Dam	15	Present	N 2,247,689 E 6,945,562 SE¼ of NE¼ of Sec. 20, T17N, R12E
<b>Bear River System</b>			
Drum Afterbay Dam	25	Proposed <sup>2</sup>	N 2,221,238 E 6,908,695 SW¼ of NW¼ of Sec. 17, T16N, R11E
Dutch Flat Afterbay Dam	26	Proposed <sup>2</sup>	N 2,206,167 E 6,889,146 NE¼ of NW¼ of Sec. 34, T16N, R10E
Rollins Dam	27	Proposed <sup>2</sup>	N 2,177,136 E 6,858,710 NE¼ of SE¼ of Sec. 22, T15N, R9E
Bear River Canal	28	Proposed <sup>2</sup>	N 2,176,486 E 6,858,460 SW¼ of SE¼ of Sec. 22, T15N, R9E
Halsey Afterbay Dam	29	Proposed <sup>2</sup>	N 2,111,266 E 6,833,830 NE¼ of NE¼ of Sec. 26, T13N, R8E
Auburn Ravine I	30	Proposed <sup>2</sup>	N 2,089,852 E 6,801,484 NE¼ of NE¼ of Sec. 14, T12N, R7E
Hemphill Canal	31	Proposed <sup>2</sup>	N 2,089,387 E 6,774,459 NW¼ of NE¼ of Sec. 13, T12N, R6E
Combie Dam	32	Proposed <sup>2</sup>	N 2,130,986 E 6,829,160 SW¼ of NW¼ of Sec. 2, T13N, R8E
Orr Creek Dam (Lower Gold Hill Canal)	33	Proposed <sup>2</sup>	N 2,120,103 E 6,811,494 SW¼ of NE¼ of Sec. 18, T13N, R8E
Camp Far West Canal	34	Proposed <sup>2</sup>	N 2,116,817 E 6,802,720 SW¼ of SW¼ of Sec. 13, T13N, R7E
Doty South Canal	35	Proposed <sup>2</sup>	N 2,103,976 E 6,774,044 SW¼ of NE¼ of Sec. 36, T13N, R6E
Wolf-Hannaman Diversion Dam	24	Proposed <sup>2</sup>	N 2,142,355 E 6,789,364 NW¼ of NE¼ of Sec. 28, T14N, R7E
<b>Deer Creek System</b>			
Cascade Canal	16	Proposed <sup>2</sup>	N 2,236,488 E 6,887,061 SW¼ of NW¼ of Sec. 34, T17N, R10E
Scotts Flat Dam	17	Proposed <sup>2</sup>	N 2,227,087 E 6,864,660 NE¼ of NE¼ of Sec. 11, T16N, R9E
Lower Scotts Flat Diversion Dam	18	Proposed <sup>2</sup>	N 2,225,708 E 6,857,784 NW¼ of NE¼ of Sec. 10, T16N, R9E
Tarr Canal	19	Proposed <sup>2</sup>	N 2,185,964 E 6,826,440 SE¼ of SE¼ of Sec. 10, T15N, R8E

<sup>1</sup> All coordinates are CCS, Zone 2, NAD 83 Datum. All section descriptions are MDB&M.

<sup>2</sup> Permit 5815, paragraph four contains the following term: "It is the intention to use the Bear River within and adjacent to the place of use and all stream channels and water courses within the place of use as main conduits and distributaries which may call for a point of rediversion at any point on such streams and water courses." Therefore, NID is proposing to add these points of rediversion by correction, as recommended by Division staff to clarify existing NID facilities.

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Point of Rediversion	Map No. 4365 & Map No. 5305 Index #	Present PORD or Proposed PORD	Description <sup>1</sup>
Newtown Canal	20	Proposed <sup>2</sup>	N 2,222,399 E 6,837,478 NW¼ of SE¼ of Sec. 12, T16N, R8E
Tunnel Canal	21	Proposed <sup>2</sup>	N 2,216,350 E 6,808,313 NW¼ of SW¼ of Sec. 18, T16N, R8E
China/Union Canal	22	Proposed <sup>2</sup>	N 2,206,453 E 6,782,949 SW¼ of NW¼ of Sec. 29, T16N, R7E
Rattlesnake Diversion Dam	23	Proposed <sup>2</sup>	N 2,189,825 E 6,835,383 NW¼ of NE¼ of Sec. 12, T15N, R8E

As identified in the Environmental Information Form accompanying this Petition, the proposed addition of the points of rediversion identified in the table above clarify and reflect existing NID facilities and correctly identify the actual points of rediversion under Permit 5815. Permit 5815, paragraph four contains the following term: "It is the intention to use the Bear River within and adjacent to the place of use and all stream channels and water courses within the place of use as main conduits and distributaries which may call for a point of rediversion at any point on such streams and water courses." The Division's Lower Division Licensing Inspection Reports for Permit 5815 state, "Staff interprets paragraph four to mean that all points of rediversion used by the Permittee on the extended "complete use" date for the uses authorized may be included in the offer for license without requiring a change petition." Therefore, the points of rediversion identified in the table above are proposed to be added by correction, as they are currently authorized under Permit 5815. The diversion facilities at the listed points of rediversion were constructed many years ago, prior to the enactment of CEQA. The addition of the aforementioned points of rediversion will not change NID's current operations and no construction is proposed. In addition, the above points of rediversion, identified as proposed, are authorized under one or more of NID's existing water rights.

PLACE OF USE

**Present and Proposed Places of Use**

The present place of use covered by Permit 5815 includes Irrigation of 167,789 acres and includes Incidental Domestic uses within the boundaries of Nevada and Placer Counties, as shown on NID Map No. 1020, dated December 24, 1940, on file with the Division.

The proposed place of use conforms the place of use shown on Map No. 1020 to include lands entitled to service pursuant to the Excelsior Railroad Commission Order No. 15926 governing service to the Excelsior Water and Power Company, dated 1926. As identified in the Division's Lower Division Licensing Inspection Reports, those areas not currently authorized in the place of use for Permit 5815 are areas that could be served by other water rights held by NID. However, as requested by Division staff, NID proposed to conform the existing place of use currently identified in Permit 5815 to conform to other water rights held by NID. No increase in

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the net acreage identified in Permit 5815 is proposed. The proposed change involves conforming the gross place of use to the current NID Service Area. A portion of the Excelsior Railroad Commission lands are covered under other water rights held by NID; however, NID proposes to conform the place of use under Permit 5815 to include the Excelsior Railroad Commission lands and other boundary modifications, which are covered under other water rights held by NID, as recommended by Division staff. In addition, NID proposed to add several powerhouses to the authorized places of use for Permit 5815 in order to describe the location where water, otherwise being used for consumptive use, passes through the powerhouses as an Incidental Power use. No construction is proposed as a result of this Petition, as these powerhouses are existing facilities and are authorized under other water rights held by NID. As further described in the attached Environmental Information Form, NID is currently in the process of replacing the existing Combie North Powerhouse with a more efficient unit. This upgrade includes the addition of a new spillway from the powerhouse to the Bear River, approximately 150 feet downstream of Combie Dam, to generate electricity under NID's water rights for non-consumptive power use, during periods when water is, or would have otherwise spilled at Combie Dam. No additional modifications to the other powerhouses identified in this Petition are proposed. With the addition of these powerhouse facilities to NID's places of use for Permit 5815 and with the addition of Incidental Power as a purpose of use to Permit 5815, NID will continue to use its water and to operate its facilities consistent with historic practices. NID map No. 5305, accompanying this Petition, illustrates the proposed places of use.

Specifically, the proposed places of use for Permit 5815 is described as follows:

Irrigation uses on 35,077 acres within the NID Service Area;

Municipal\*, Industrial\*, and Domestic\* uses within the NID Service Area;

Incidental Power\* uses at the following powerhouses referenced by index # to NID's Map No. 4365, dated May 22, 1987, on file with the Division, shown on NID's Map No. 5305, accompanying this Petition, together with place of use descriptions:

Powerhouse Name	Map No. 4365 & Map No. 5305 Index #	Description <sup>1</sup>
Spaulding # 3 (RIM) Powerhouse	37	NE $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec. 16, T17N, R12E
Deer Creek System		
Spaulding # 2 Powerhouse	39	NE $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 20, T17N, R12E
Deer Creek Powerhouse	40	SE $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec. 34, T17N, R10E
Scotts Flat Powerhouse	41	NE $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 11, T16N, R9E

\* Proposed to be added by Petition.

Nevada Irrigation District Permit 5815  
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Powerhouse Name	Map No. 4365 & Map No. 5305 Index #	Description <sup>1</sup>
<b>Bear River System</b>		
Spaulding # 1 Powerhouse	38	NE <sup>1</sup> / <sub>4</sub> of SE <sup>1</sup> / <sub>4</sub> Sec. 20, T17N, R12E
Drum #1 Powerhouse	42	NE <sup>1</sup> / <sub>4</sub> of NW <sup>1</sup> / <sub>4</sub> Sec. 17, T16N, R11E
Drum # 2 Powerhouse	42	NE <sup>1</sup> / <sub>4</sub> of NW <sup>1</sup> / <sub>4</sub> Sec. 17, T16N, R11E
Dutch Flat # 1 Powerhouse	43	SE <sup>1</sup> / <sub>4</sub> of SE <sup>1</sup> / <sub>4</sub> Sec. 27, T16N, R10E
Dutch Flat # 2 Powerhouse	44	SE <sup>1</sup> / <sub>4</sub> of SE <sup>1</sup> / <sub>4</sub> Sec. 27, T16N, R10E
Chicago Park Powerhouse	45	NW <sup>1</sup> / <sub>4</sub> of SE <sup>1</sup> / <sub>4</sub> Sec. 6, T15N, R10E
Rollins Powerhouse	46	SE <sup>1</sup> / <sub>4</sub> of SE <sup>1</sup> / <sub>4</sub> Sec. 22, T15N, R9E
Combie North Powerhouse	48	SW <sup>1</sup> / <sub>4</sub> of NW <sup>1</sup> / <sub>4</sub> Sec. 2, T13N, R8E
Halsey Powerhouse	49	NW <sup>1</sup> / <sub>4</sub> of NW <sup>1</sup> / <sub>4</sub> Sec. 25, T13N, R8E
Wise #1 Powerhouse	50	NW <sup>1</sup> / <sub>4</sub> of SW <sup>1</sup> / <sub>4</sub> Sec. 16, T12N, R8E
Wise #2 Powerhouse	50	NW <sup>1</sup> / <sub>4</sub> of SW <sup>1</sup> / <sub>4</sub> Sec. 16, T12N, R8E

<sup>1</sup> All of the above descriptions are based on the Mount Diablo Base and Meridian (MDB&M) and are shown on NID Map No. 5305, accompanying this Petition.

PURPOSE OF USE

The purposes of use presently authorized by Permit 5815 include Irrigation and Incidental Domestic. Consistent with NID's efforts to conform the purposes and places of use covered by its water rights to the Division's current definitions of use and its historic and continuing uses, NID proposes that the purpose of use under Permit 5815 include the following:

Irrigation, Municipal\*, Industrial\*, Domestic\*, and Incidental Power\*.

GIVE REASON FOR PROPOSED CHANGE

These changes primarily reflect the need to conform Permit 5815 to the current purposes and places of use, and to make changes consistent with current definitions. During the Lower Division licensing process, changes or corrections to five (5) consumptive use Permits and five (5) non-consumptive use or power Permits were recommended/required by Division staff in order to conform these Permits with NID's current facilities and operations and to reflect the Division's currently used definitions and terminology. During the past seven years, NID staff and Division staff have identified the amounts and terms for licensing Permit 5815. NID is filing this petition to (1) facilitate licensing of the Lower Division Permits, (2) accurately identify facilities where the permitted quantities are currently used, (3) conform the places of use and purposes of use with NID's other water rights, and (4) to include in the place of use lands that

\* Proposed to be added by Petition.

Nevada Irrigation District Permit 5815  
Attachment to Petition for Change

have historically been served pursuant to the Excelsior Railroad Commission Order No. 15926, dated 1926.

The points of diversion that are proposed to be added to Permit 5815 by this Petition, and further identified in the attached Environmental Information Form, were constructed and in use prior to the enactment of CEQA. No construction is required as a result of this Petition; and no changes to NID operations will occur. The addition of these proposed facilities will clarify NID's current facilities and allow NID to continue to operate consistently with historic practices.

Municipal, Industrial, and Domestic are proposed to be added as purposes of use to Permit 5815. Incidental Power is proposed to be added as a purpose of use; and existing powerhouses are proposed to be added to the places of use under NID's consumptive use Permit 5815 to accommodate the dual use of water as it is conveyed through NID's facilities - consumptive use with power generation incidental thereto. The primary objective of NID is to provide a water supply for consumptive use. NID also holds water rights for power production, for those times when water used for power generation is in excess of its consumptive requirements. NID will also file petitions to add Incidental Power and existing powerhouses to its consumptive water rights Permits 1481, 11626, 13770, and 13772. In addition, NID is proposing to add lands served pursuant to the Excelsior Railroad Commission Order No. 15926, dated 1926, to the place of use under Permit 5815 and to conform the NID Service Area of Map 1020 to the place of use under other water rights held by NID, as recommended by Division staff.

#### OWNERSHIP AND ACCESS

No points of diversion are proposed to be added to Permit 5815. Access to the place of use for the delivery of water for consumptive use is by virtue of ownership of the conveyance system or as a condition of service to NID's customers in accordance with NID's rules and regulations. Access to the places of use of water for hydroelectric generation is obtained through NID's Federal Energy Regulatory Commission (FERC) License, or by virtue of ownership, or in the cases of access to PG&E powerhouses, by virtue of a written agreement between NID and PG&E

#### RETURN FLOW

The addition of Incidental Power to the purpose of use and the aforementioned powerhouses to the places of use for Permit 5815 will not change NID's operations and no construction is proposed as a result of this Petition. The proposed addition of these powerhouses to Permit 5815 will clarify NID's existing facilities to conform with NID's other water rights. As previously identified, NID is currently replacing its existing Combie North Powerhouse. This upgrade will not affect the historic practice of conveying water through Combie North Powerhouse for Incidental Power generation; and therefore, there will be no change in the return flow as a result of the addition of this, or other powerhouse facilities to Permit 5815.

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>

STATE WATER RESOURCES CONTROL BOARD  
2009 APR -3 AM 8:38  
DIVISION OF WATER RIGHTS  
SACRAMENTO

**PETITION FOR CHANGE IN DISTRIBUTION OF STORAGE**

Change in Point of Diversion for a Portion of the Water  
(WATER CODE 1700)

Application 8180 Permit 5815 License \_\_\_\_\_ Statement or Other \_\_\_\_\_

I (we) request permission to change the amounts to be stored in each reservoir as set forth in paragraph 4 of this permit or license to amounts in each reservoir as follows:

- Reservoir No. 1 See Attachment
- Reservoir No. 2 See Attachment
- Reservoir No. 3 See Attachment
- Reservoir No. 4 \_\_\_\_\_

- WILL ANY RESERVOIR NAMED IN THE ORIGINAL APPLICATION BE ABANDONED? Yes  
(yes/no)
- WILL THE CHANGE IN DISTRIBUTION OF STORAGE INVOLVE A CHANGE IN PURPOSE OF USE? Yes  
(yes/no?)
- If so, 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?)

I (we) have access to the additional land to be flooded by virtue of See Attachment  
(ownership, lease verbal or written agreement)

If by lease or agreement, state the name and address to party(s) from whom access has been obtained.  
See Attachment

Give name and address of any person(s) taking water from the stream between the upper and lower reservoirs.  
See files at the State Water Resources Control Board Division of Water Rights.

**THIS CHANGE DOES NOT INVOLVE AN INCREASE IN THE AMOUNT OF THE APPROPRIATION**

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

Dated: April 3, 2009 at Grass Valley, California  
[Signature] ( 530 ) 273-6185  
Signature(s) Telephone No.

**NOTE: A \$1,000 filing fee, for for each Application listed, made payable to the State Water Resources Control Board and an \$850 fee made payable to the Department of Fish and Game must accompany a petition for change.**

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

**Attachment to the Petition for Change  
in Distribution of Storage for  
Permit 5815 (Application 8180)  
held by Nevada Irrigation District**

GENERAL

In 2002, Division staff conducted a licensing inspection for Nevada Irrigation District's (NID) Permit 5815 and its other unlicensed water rights. During the past seven years, NID staff and Division staff have identified the amounts and terms for licensing Permit 5815. The purpose of this Petition for Change in Distribution of Storage (Petition) to NID's Permit 5815 is to (1) facilitate licensing, and (2) accurately identify existing facilities. NID is also filing a Petition for Change to Permit 5815 in order to identify NID's existing facilities where water is used and to conform the places of use and purposes of use with NID's other water rights. A Petition for Extension of Time will also be filed by NID for Permit 5815 to cover the year of maximum beneficial use. Following approval of these changes, NID anticipates that a License will be issued pursuant to Permit 5815.

STORAGE FACILITIES

**Present and Proposed Storage Facilities**

The present places of storage currently identified in Permit 5815 are listed in the table below, including the associated reservoir capacities. No change to the present and existing place of storage, Scotts Flat Reservoir is proposed. The remaining two currently identified places of storage, Anthony House Reservoir and Parker Reservoir were never constructed; and thus, are proposed to be deleted from Permit 5815. Also identified are the proposed places of storage, which are existing facilities. This list constitutes all of the present and proposed places of storage for Permit 5815 and no facilities are proposed to be constructed.

Storage Reservoir	Present or Proposed Place of Storage	Reservoir Storage Capacity (AF)
Scotts Flat Reservoir	Present	48,547
Anthony House Reservoir	Present <sup>1</sup>	Not Constructed
Parker Reservoir	Present <sup>1</sup>	Not Constructed
Rollins Reservoir	Proposed <sup>2</sup>	65,988
Combie Reservoir	Proposed <sup>2</sup>	5,555

As previously identified, Permit 5815 currently identifies Scotts Flat, Anthony House and Parker Reservoirs as places of storage. NID proposes to add its existing Rollins and Combie Reservoirs to Permit 5815 and delete Anthony House and Parker Reservoirs. As identified in the

<sup>1</sup> Anthony House and Parker Reservoirs were never constructed and therefore, NID is proposing to delete these two places of storage from the Permit 5815.

<sup>2</sup> Proposed to be added by Petition.

table, and in the Environmental Information Form accompanying this Petition, the proposed addition of the places of storage clarify existing NID operations and correctly identify the existing storage facilities under Permit 5815. The proposed storage facilities were constructed prior to the establishment of CEQA. The addition of the aforementioned places of storage will not change NID's current operations and no construction is proposed. In addition, the above places of storage, identified as proposed, are authorized under one or more of NID's existing water rights.

#### PURPOSE OF USE

NID is filing a Petition for Change in order to identify NID's existing facilities where water is used, diverted and rediverted, and to conform the places of use and purposes of use with NID's other water rights. The proposed addition of Rollins and Combie Reservoirs as places of storage does not necessitate the proposed addition of Municipal, Industrial, Domestic, or Incidental Power to the purposes of use under Permit 5815; however, NID is proposing to add the aforementioned purposes of use to conform Permit 5815 to the other water rights held by NID, as recommended by Division staff. All of the aforementioned Petitions to be filed by NID for Permit 5815 are to facilitate the licensing process, and will not result in changes to NID's existing facilities or operations.

#### ACCESS AND OWNERSHIP

The proposed places of storage to Permit 5815 are existing facilities owned and operated by NID and no storage facilities are proposed to be constructed. Access to the places of use for the delivery of water for consumptive use is by virtue of ownership.

State of California  
State Water Resources Control Board  
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STATE WATER RESOURCES CONTROL BOARD  
2009 APR -3 AM 8:39  
DIV OF WATER RIGHTS  
SACRAMENTO

## PETITION FOR EXTENSION OF TIME

**WATER USERS:**

Application 8180 Permit 5815

Water Code section 1396 requires an applicant to exercise due diligence in developing a water supply for beneficial use. The State Water Resources Control Board (State Water Board), in considering requests for extension of time, will review the facts presented to determine whether there is good cause for granting an extension of time to complete the project. Where diligence in completing the project is not fully substantiated, the State Water Board may set the matter for hearing to determine the facts upon which to base formal action relating to the permit. Formal action may involve:

1. Revoking the permit for failure to proceed with due diligence in completing the project.
2. Issuing a license for the amount of water heretofore placed to beneficial use under the terms of the permit.
3. Granting a reasonable extension of time to complete construction work and/or full beneficial use of water.

The time previously allowed in your permit within which to complete construction work and/or use of water has either expired or will expire shortly.

Please check below the action you wish taken on this permit.

- The project has been abandoned and I request revocation of the permit.

\_\_\_\_\_  
Signature

- Full use of water has been made, both as to amount and season, and I request license be issued.

\_\_\_\_\_  
Signature

- The project is not yet complete. I request the State Water Board's consideration of the following petition for an extension of time.

### PETITION FOR EXTENSION OF TIME If START of construction has been delayed

Complete items 1, 2, and 3. NOT APPLICABLE. SEE ATTACHMENT.

1. What has been done since permit was issued toward commencing construction?

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

2. Estimate date construction work will begin. \_\_\_\_\_

3. Reasons why construction work was not begun within the time allowed by the permit.

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

**Attachment  
to Petition for Extension of Time for  
Permit 5815 (Application 8180)  
held by Nevada Irrigation District**

The purpose of this Petition for Extension of Time (Petition) is to facilitate the licensing process for Permit 5815. The time to complete full and beneficial use under Permit 5815 expired on December 1, 1966. Through the licensing process, 1986 was found to be the year of maximum irrigated acreage. Thus, this Petition is required to cover the use of water upon this maximum irrigated acreage during the interim period, when analysis and other required licensing work was being performed by the Division of Water Rights (Division) and Nevada Irrigation District (NID) staff. In addition, NID is filing a Petition for Change to NID's Permit 5815 to identify existing facilities where water is used and to conform the places of use and purposes of use with NID's other water rights and a Petition for Change in Distribution of Storage to add its existing Combie and Rollins Reservoirs as places of storage under Permit 5815.

NID has been working cooperatively with the Division since July 2002 to analyze the use of water and inspect the facilities associated with the following five (5) consumptive use Permits for determining whether licenses should be issued.

<u>Permit</u>	<u>Application</u>
1481	1614
11626	2652B
13770	5193
5815	8180
13772	20017

There are also five (5) associated Permits for power purposes, which are currently being reviewed and analyzed for potential licensing. Collectively, these Permits and most of the associated facilities are referred to as the Lower Division. The Lower Division primarily encompasses NID's sources of water and facilities located downstream of Spaulding Reservoir. Permits 13770 and 5815 cover sources and facilities upstream of Spaulding Reservoir, but the storage and use of water is downstream of Spaulding Reservoir, so they were included with the Lower Division.

The purpose of this Petition is to facilitate the licensing process. All construction work is complete and no construction is proposed in connection with this Petition. NID has ongoing water conservation and water use efficiency programs to improve agricultural and urban water use. NID has adopted an Urban Water Management Plan and an Agriculture Water Management Plan which identifies currently implemented and planned water conservation projects and programs. Current water conservation measures within NID include, but are not limited to an ongoing maintenance program to gunite or pipe canal sections, volumetric flow metering of all service connections, and performing periodic leak detection audits on the treated water systems. In addition, NID provides water conservation

Nevada Irrigation District Permit 5815  
Attachment to Petition for Extension of Time

materials to urban and agriculture customers and promotes urban and agricultural water conservation management at the customer level. NID continues to engage in processes to proactively improve urban and agricultural water management and water conservation. In most cases, the quantity of water conserved for each project listed above is not known and would be difficult or impossible to estimate due to the complexity of the projects involved and the complexity of the water delivery system. Full and beneficial use has been made of the water appropriated under Permit 5815. Following the processing of this and other related Petitions, NID requests that a License be issued for Permit 5815.