

delineate the entire area entitled to watershed protection, is to delete the condition from the decision. Contrary to the contention of some parties, deletion of the condition is within the scope of the petition for reconsideration and the order granting the petition because it is directly responsive to the issue which the Board undertook to reconsider. The Board is not limited to the precise action that a petition for reconsideration of a decision requests.

Deletion of Condition 19 will not prejudice any of the parties in any real sense. The Bureau states that it will honor the two agreements referred to in the condition whether or not the condition is retained. The counties referred to in the condition are clearly within the area entitled to the benefits of the Watershed Protection Law and, if necessary, can assert their rights independently of any terms in the Bureau's permits. Furthermore, the federal law which authorized the Auburn Project includes the three counties as beneficiaries of the project which are to receive water from project facilities (P.L. 89-161). Placer County has already contracted for as much water as it will need in the foreseeable future and the Bureau has been negotiating contracts with those public agencies in the other counties which have expressed a desire for project water. The agencies have had a period of 12 years since Decision D 893 was adopted within which to contract with the Bureau for water.

The Board's action is not to be construed in any sense as a "repudiation" of the agreements that have been executed