

December 11, 1939

APPLICATION NO. 3150 }
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3255 }
BANKERS COUNTY WATER CONSERVATION DISTRICT
APPLICANT: W. O. BISH }
TRUCKEE-TRUCKEE INVESTIGATION DISTRICT

Bankers County Water Conservation District
Missions Building
Reno, Nevada

Gentlemen:

A press clipping under date of November 21st indicates that the litigation involving the waters of Truckee watershed had in effect been terminated, and that the way is now open for proceeding with the project as proposed. It would appear that appropriate action should be taken upon the above mentioned filings which have been pending before this office for various periods of time dating back a little over ten years.

In order that you may be fully informed of the scope of the applications in their present form, the following brief summary of each is given:

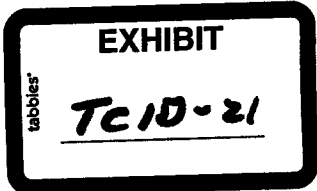
APPLICATION NO. 3150

This application was filed August 20, 1939 by G. A. Tucker, later assigned to L. H. Taylor and still later assigned to Bankers County Water Conservation District. This application provides for the appropriation of 40,000 acre-feet per annum by storage from Little Truckee River to be collected from October 1st to about July 1st of each season for irrigation and domestic purposes. The storage dam specified is to be located within the NW 1/4, Section 4, Township 18 North, Range 17 East, N. 23. & W. According to the plan proposed in the application, the water would flow down Little Truckee River, thence Truckee River and be diverted into the Washburn Canal, the Washburn Canal and Lake at the mouth of cultural benefit of 18,210 acres of land located roughly within Townships 19, 20 and 21 N., Ranges 19, 20 and 21 East, N. 23. & W. in the Spanish Springs Valley. The reservoir proposed has a stated capacity of 40,000 acre-feet.

APPLICATION NO. 3255

This application was filed by W. Wheeler on the same date as the prior application and has passed through the same chain of assignments and is now noted

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in our files in the case of Washoe County Water Conservation District. The application provides for a maximum of 500 cubic feet per second when available from Truckee River at a point located in the NE 1/4 of Section 22, Township 12 North, Range 17 East, S.W. 1/4, and when not available, a maximum amount of 250 cubic feet per second is to be taken from Little Truckee River at a point within the NE 1/4 of Section 13, Township 12 North, Range 17 East, S.W. 1/4. The water is to be used for power and industrial domestic purposes. The place of use is at a power house located in the NE 1/4 of Lot 10 of Section 21, Township 12 North, Range 17 East, S.W. 1/4. After use, the water would be returned to Truckee River in the NE 1/4 of Lot 9 of said Section 21.

Applications 5109 and 5170 have previously been completed and advertised and proper proof of publication has been received and various protests have been filed against both applications.

APPLICATION NO. 5170

This application was filed December 9, 1930 by Truckee-Corcoran Irrigation District of Fallon, Nevada to appropriate water from Warner and Cold Creeks for irrigation and domestic purposes on 27,500 acres of land located in the Fallon project. It is proposed to appropriate by storage a maximum of 15,000 acre-feet per annum to be taken from either or both sources named from January 1st to November 1st of each season. Storage is proposed in Warner Lake. The maximum rate of diversion to storage from Cold Creek to Warner Lake is given as 500 cubic feet per second. The point of diversion on Warner Creek is at the storage dam proposed within the NE 1/4 of Section 13 and the diversion dam on Cold Creek would be located within the NE 1/4 of Section 17, Township 12 North, Range 17 East, S.W. 1/4. A re-diversion from Truckee River into the Truckee Canal would be made within the NE 1/4 of Section 13, Township 12 North, Range 17 East, S.W. 1/4. In Storey County, Nevada. This application has been completed and advertised and proof of publication of the notice has been received. The application is protested by three different parties.

APPLICATION NO. 5109

This application was filed by Washoe County Water Conservation District on January 16, 1930. It is proposed to store and divert 50,000 acre-feet per annum from Little Truckee River at the same point specified in Application 5109 stated above. The storage section is January 1st to November 1st. This water would be allowed to flow from Little Truckee and Truckee Rivers and be re-diverted therefrom through thirty-three canals leading to the area of service which is given as 28,240 acres within the boundaries of Washoe County Water Conservation District. This application has been completed, but advertising has been suspended since 1930. There are no due to the litigation which has held up the development proposed.

Page Three - Shasta County Water Conservation District
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December 8, 1955

proceeds yet filed against this application.

GENERAL COMMENT

If the recent pact allocating the waters of Truckee River will in any essential manner change any of these applications, this office should be promptly advised in order that the applications may be properly amended. Applications 5189 and 6224 stand on our records in the name of the Conservation District, but the area of service given in Application 6108 does not correspond to the boundaries of the Conservation District, a part of the lands specified being within the District, and a portion outside the boundary thereof. If it is proposed to continue these two applications for agricultural purposes, it would appear appropriate that the area of service under each should be made to correspond and should logically be restricted within the lands within the District, in view of the provisions of Regulation 11 of the enclosed rules and regulations of the Division.

Applications 6140 and 6224 provide for a total amount of storage of 10,000 acre-feet per annum, all to be stored within a reservoir of a stated capacity of 40,000 acre-feet. This Division would not consider these two applications for approval for an amount of water storage in excess of the capacity of the reservoir proposed. (It may be here stated that the newspaper clipping before us indicates that the reservoir is to be constructed near Devo, and will have a capacity of 40,000 acre-feet).

If it is proposed to continue the power filing represented by Application 6140, steps should now be taken to secure the necessary easements from the National Power Commission, the Coast Office of which is located in the United Building, Market & Carroll Streets, San Francisco, California.

It is therefore requested that you inform this office at your earliest convenience relative to the above matters, and it is also requested that if the agreement referred to above has been reached to writing that this office be furnished a copy of same. Reference is applied in view of the Truckee-Reno District has been included in this letter in order that the various parties to the alleged agreement may be fully informed of all of the rights indicated and now pending before this office.

Very truly yours

W. H. BRYAN
Acting Deputy in Charge of
Water Rights

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Copy to
N. S. Wallace, Project Manager
Hawlands Project, Millerton, Nevada

- * Sierra Pacific Power Co.
- * 21 E. First Street, Reno, Nevada
- * Cooke & Stephens, Attorneys,
Reno, Nevada