

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

DIVISION OF WATER RIGHTS

In the Matter of License 2611 (Application 9114)

USDA FOREST SERVICE TAHOE NATIONAL FOREST

**ORDER APPROVING PETITION FOR CHANGE, 1707 INSTREAM FLOW
DEDICATION, AND ISSUING AMENDED LICENSE**

SOURCE: Blue Canyon Ranger Station Spring

COUNTY: Placer

WHEREAS:

1. The State Water Resources Control Board (State Water Board), Division of Water Rights (Division) issued Water Right License 2611 to United States Forest Service Tahoe National Forest on June 14, 1943, pursuant to Permit 5095.
2. License 2611 authorizes direct diversion of up to 12,000 gallons per day from January 1 to December 31 for domestic use at the Blue Canyon Airport and Fire Guard Station within Section 2, Township 16 North, Range 11 East, Mount Diablo Base and Meridian (MDB&M) in Placer County.
3. On May 14, 2024, licensee submitted a petition to change the purpose of use and the place of use for License 2611 under Water Code section 1707. Licensee proposes to add Fish and Wildlife Preservation and Enhancement and update the place of use to instream flow dedication reach of Blue Canyon Creek and the North Fork of North Fork American River, downstream of the licensed point of diversion. Domestic use is to be removed from License 2611.
4. License 2611 does not include a maximum annual amount limitation. Consistent with current Division practice, the Division must include a maximum annual limitation for water authorized for diversion and use under this right. Division staff has determined and included a quantity limitation of 13.4 acre-feet per year in the amended license.

5. No additional conditions outside of standard license terms are recommended to be included in the amended license issued pursuant to this petition for change of License 2611.
6. The petitioner indicated that there will be no construction or ground disturbance proposed for the dedication of the instream flow. No other water rights exist within the dedicated stream segment between the point of diversion and downstream dedication point. Thus, Division staff believes that the proposed change in the place and purposes of use is consistent with a California Environmental Quality Act (CEQA) Categorical Exemption, Class 8, Actions by Regulatory Agencies for Protection of the Environment, in accordance with California Code of Regulations, title 14, section 15308. The Division will file a Notice of Exemption with the State Clearing House within five days of the issuance of this order.
7. In addition to any obligation the State Water Board may have under CEQA, the State Water Board has an independent obligation to consider the effect of the proposed change on public trust resources and to protect those resources where feasible. (*National Audubon Society v. Superior Court* (1983) 33 Cal.3d 419 [189 Cal.Rptr. 346, 658 P.2d 709].) There is no evidence that the petition will have any adverse impacts on public trust resources.
8. Pursuant to Resolution No. 2012-0029, the State Water Board has delegated authority to the Deputy Director for Water Rights (Deputy Director) to administer the duties required under CEQA and act on change petitions. By memorandum dated April 20, 2023, the Deputy Director has redelegated the authority.

THEREFORE, THE PETITION FOR CHANGE IN THE PURPOSES OF USE AND THE PLACE OF USE FOR LICENSE 2611 IS APPROVED AND AMENDED WATER RIGHT LICENSE 2611 IS ISSUED AS FOLLOWS:

1. The Point of Diversion and Upstream Limit of Instream Flow Dedication:

By California Coordinate System of 1983, Zone 2, North 2,228,588 feet, and East 6,928,261 feet, being within Southwest quarter of the Southeast quarter of Section 2, Township 16 North, Range 11 East, Mount Diablo Base and Meridian (MDB&M).

The Downstream Limit of Instream Flow Dedication:

By California Coordinate System of 1983, Zone 2, North 2,191,427 feet, and East 6,904,910 feet, being within Southwest quarter of the Southwest quarter of Section 6, Township 15 North, Range 11 East, MDB&M.

2. The Purpose of Use and Place of Use:

Fish and Wildlife Preservation and Enhancement within the stream segment downstream of upstream limit to the downstream limit, terminating within Section 6, Township 15 North, Range 11 East, MDB&M.

3. Amended License 2611 includes the following terms:

Modified Licensing Term 5A: The water dedicated under this right shall be limited to 12,000 gallons per day for instream flow dedication from January 1 to December 31 of each year. The maximum amount dedicated for instream use under this right shall not exceed 13.4 acre-feet per year.

Standard Term R: Right holder shall comply with the measuring and monitoring requirements as specified in the terms of this right or any reporting requirements by statute, order, policy, regulation, decision, judgment or probationary designation. The more stringent requirement shall control in each instance where there is a conflict or inconsistency between the requirements. Right holder shall comply with the measuring and monitoring requirements of chapter 2.8, title 23, California Code of Regulations.

4. Amended License 2611 shall include all the current Division standard terms and conditions A through Q as applicable.

STATE WATER RESOURCES CONTROL BOARD

ORIGINAL SIGNED BY:
DEREK WADSWORTH, FOR

*Juliet Christian-Smith, Deputy
Director Division of Water Rights*

Dated: June 26, 2026