

2. COUNTY PERMITS NOT APPLICABLE.

See Attachment

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

Person contacted: _____ Date of contact: _____

Department: _____ Telephone: (____) _____

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

If YES, provide a complete copy of each permit obtained.

See Attachment No. 1

3. STATE/FEDERAL PERMITS AND REQUIREMENTS

a. Check any additional state or federal permits required for your project: **NOT APPLICABLE.**

See Attachment

- 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. 1

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. 1

- d. Have you contacted the California Department of Fish and Game concerning your project? YES NO
If YES, name and telephone number of contact: Sharon Stohrer (916) 358-2030 – Personal Communication
February 23, 2009

4. ENVIRONMENTAL DOCUMENTS

- a. Has any California public agency prepared an environmental document for your project? YES NO
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: _____
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 SWRCB will be preparing the environmental document.**
 I expect that a California public agency other than the State Water Resources Control 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 SWRCB, Division of Water Rights. Processing of your petition cannot proceed until these documents are submitted.

** Note: CEQA requires that the SWRCB, 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 SWRCB, 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 **Not Applicable**

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 See Attachment

Attach **three 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: 3-20-09 Signature: [Handwritten Signature]

**Attachment No. 1
to the Environmental Information for the
Petitions for Change**

Nevada Irrigation District (NID) is filing Petitions for Change (Petitions) for the following three consumptive use and two non-consumptive use water right licenses:

Consumptive Use

<u>Source</u>	<u>License</u>	<u>Application</u>
Jackson Creek, Canyon Creek, Texas Creek, Fall Creek, and Trap Creek	12795	1270
South Fork Deer Creek, and Deer Creek	8808	1615
Bear River	8809	6229

Non-Consumptive Use

<u>Source</u>	<u>License</u>	<u>Application</u>
Middle Yuba River	12796	2275
Jackson Creek, Canyon Creek, Texas Creek, Fall Creek, and Trap Creek	12798	2372

In 1991, licenses were issued on many permits held by NID for sources of water upstream of Spaulding Reservoir, referred to as NID's Upper Division, including Licenses 12795, 12796, and 12798. Licenses 8808 and 8809 were issued in 1964, prior to the Upper Division licensing process. In 2002, Division of Water Rights (Division) staff conducted a licensing inspection for NID's Lower Division permitted water rights. For the past seven years, NID staff and Division staff have worked together in order to accurately identify the use of water under each of the Lower Division water right permits held by NID. As a part of this process, Division staff recommended changes or corrections to three consumptive use licenses and two non-consumptive use, or power, licenses in order to conform these licenses with NID's current facilities and operations. In addition, NID has identified additional changes to the aforementioned Licenses, over and above those changes recommended by Division staff in order to more accurately describe historic and current facilities and operations.

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

NID is filing five Petitions for Change (Petitions) to the aforementioned Licenses to (1) facilitate licensing of the Lower Division Permits; and, (2) identify current facilities accurately; and (3) conform the place of use consistently with NID's other water rights.

The points of diversion and rediversion proposed in each of the Petitions for the three consumptive use and two power water right Licenses held by NID were in place and being used prior to the establishment of California Environmental Quality Act (CEQA) and no construction is proposed. The addition of these proposed facilities to the water rights will simply conform the water rights to NID's actual facilities, consistent with its historic operational practices. This is further described in this attachment to the Environmental Information for the Petition for Change (Environmental Form).

Incidental Power is proposed to be added as a purpose of use to NID's consumptive use Licenses 12795, 8808, and 8809 and existing powerhouses are proposed to be added to the place of use for incidental hydroelectric generation. The addition of these powerhouses and Incidental Power to Licenses 12795, 8808, and 8809 are proposed to accommodate the use of water for power purposes as it is currently conveyed through NID's facilities for consumptive use purposes. The primary objective of NID is to provide a water supply for consumptive use. NID's use of water for power production occurs mostly at times when water is being transported and used for consumptive needs. There are occasions when there is water used for power production and not needed for consumptive uses. For Licenses 12795 and 8808, the proposed place of use also includes conforming the place of use currently described in these two Licenses to include lands that have historically been served pursuant to the Excelsior Railroad Commission Order No. 15926, dated 1926. In addition, NID is proposing to add an existing powerhouse to non-consumptive use water right Licenses 12796 and 12798 in order to clarify operations and correctly identify existing facilities. Other minor changes to the purpose and place of use are further described below in Sections 2 and 3 of this Environmental Form.

2 & 3. COUNTY PERMITS AND STATE/FEDERAL PERMITS AND REQUIREMENTS

All of the proposed changes to the consumptive use and non-consumptive use Licenses described above are authorized under other water rights held by NID. No physical changes or other activities "on the ground" will occur as a result of the proposed changes to any of the Licenses identified above. All of the proposed additional points of diversion, points of rediversion, and places of use are existing NID facilities, and no construction will occur as a result of these petitions. Therefore, no County, State, or Federal permits are required as a result of the proposed changes. The following paragraphs identify the points of diversion, points of rediversion, places of use, and purposes of use proposed to be added to the existing water right Licenses 12795, 8808, 8809, 12796, and 12798.

Points of Diversion

The points of diversion to be added or corrected to License 8808 have been in place for many years; and well before 1970, the year that CEQA was enacted. The addition and clarification of these three points of diversion will clarify and correctly identify the existing points of diversion under water right License 8808. There will be no change in NID's facilities or operations as a result of the addition and correction of these points of diversion. NID will continue to operate its facilities consistent with historic practices. The following paragraphs describe the three proposed points of diversion, the date of construction, and the proposed additions or clarifications to License 8808 referenced by index # to Map No. 4365, dated May 22, 1987, on file with the Division, and by index # to Map No. 5302, accompanying this Petition. In addition, Table 1 of this Environmental Form identifies all of the present and proposed points of diversion and rediversion for each License, including License 8808, by name, source, index #, and proposed change.

Cascade Canal (Map Index # 16)

Cascade Canal was originally constructed in 1857 and was subsequently moved slightly upstream (approximately 1600 feet), within the same ¼, ¼, in 1969. The correct description is contained in other Licenses held by NID. It was the intention of NID to correct the location description currently identified in License 8808 during the Upper Division Licensing process, but such correction was, inadvertently, not made. The correction to this point of diversion will not change NID's current operations and no construction is proposed. In addition, the corrected point of diversion is authorized under one or more of NID's existing water rights.

Water Right License for the Proposed Change in Point of Diversion	
License	Application
8808 ^{1/}	1615

Scotts Flat Dam (Map Index # 17)

Scotts Flat Dam was originally constructed in 1948, and enlarged to its current capacity in 1964. As identified in this Petition, Scotts Flat Dam was in place and utilized for NID operations prior to the issuance of License 8808; however, it was not identified as a point of diversion. The addition of this point of diversion will not change NID's current operations and no construction is proposed. In addition, the above point of diversion is authorized under one or more of NID's existing water rights.

Water Right License for the Proposed Change in Point of Diversion	
License	Application
8808 ^{2/}	1615

^{1/} License 8808 currently identifies Cascade Canal as a point of diversion. However, the location description currently identified in the License terms is incorrect. NID proposes to correct the location description currently identified in License 8808.

^{2/} License 8808 does not identify Scotts Flat Dam as a point of diversion. However, Scotts Flat Dam was constructed prior to issuance of License 8808. Facilities upstream and downstream of Scotts Flat Dam, along Deer Creek were identified in the terms for License 8808. NID proposes to add Scotts Flat Dam to clarify existing NID facilities and operations.

Lower Scotts Flat Diversion Dam (D-S Canal) (Map Index # 18)

The Lower Scotts Flat Diversion Dam was constructed by NID in 1928. The Deer Creek Diversion Dam (D-S Canal) is identified as a point of diversion under License 8808. The Deer Creek Diversion Dam (D-S Canal) is known today as the Lower Scotts Flat Diversion Dam. In the original terms for License 8808, the point of diversion for the Deer Creek Diversion Dam was identified at the head of the D-S Canal. During the Upper and Lower Division Licensing processes, the point of diversion for the Lower Scotts Flat Diversion Dam (originally known as the Deer Creek Diversion Dam) was identified at the center of the Lower Scotts Flat Diversion Dam. NID is proposing to correct the name and location description of the Deer Creek Diversion Dam, as it is identified in the current License terms, in order to better clarify existing facilities and conform with other water rights held by NID. The change in name and location of the point of diversion at the Lower Scotts Flat Diversion Dam is for clarification purposes only. In addition, the Division's licensing inspection reports for the Lower Division Licensing process conclude that Lower Scotts Flat Diversion Dam may be added by correction if the head of the D-S Canal was identified as a point of diversion in the original water right terms.

Water Right License for the Proposed Change in Point of Diversion	
License	Application
8808 ³⁷	1615

Points of Rediversion

The points of rediversion to be added or corrected to Licenses 12795, 8808, 8809, 12796, and 12798 all pre-date CEQA, having been in place for many years before 1970. The addition or correction of the points of rediversion will clarify and correctly identify the existing points of rediversion consistently with NID's other water rights. There will be no change in NID operations as a result of the addition or correction of the following points of rediversion; they reflect NID's historic practices.

The following paragraphs describe each individual point of rediversion, the date of construction and proposed addition or clarifications to the applicable License referenced by index # to Map No. 4365, dated May 22, 1987, on file with the Division, and by index #, to Map No. 5302, accompanying the Petition. In addition, Table 1 of this Environmental Form identifies all of the present and proposed points of diversion and rediversion for each License by name, source, index #, and proposed change.

³⁷ Deer Creek Diversion Dam (D-S Canal), known today as Lower Scotts Flat Diversion Dam/D-S Canal is identified as a point of diversion under License 8808. Licensing inspection reports for the Lower Division licensing process conclude and recommend that the name and location description for this point of diversion may be corrected if identified currently in the license terms.

Sawmill Dam (Map Index # 6)

Sawmill Dam was originally constructed in 1880 and was subsequently enlarged to its current capacity of 3,030 AF in 1941. Sawmill Dam was identified as a point of diversion in Licenses 12795 and 12798. In order to accurately identify current NID operations, NID proposes to add Sawmill Dam as a point of rediversion to the Licenses 12795 and 12798. The addition of this point of rediversion will not change NID's current operations and no construction is proposed. In addition, the above point of rediversion is authorized under one or more of NID's existing water rights.

Water Right Licenses for the Proposed Change in Point of Rediversion	
License	Application
12795 ^{4/}	1270
12798 ^{5/}	2372

Bowman Dam (Map Index #7)

~~Bowman Dam was originally constructed in 1869, and subsequently enlarged to its current capacity of 68,510 AF in 1926. Bowman Dam was included as a point of diversion and rediversion during NID's Upper Division Licensing process. However, Bowman Dam was not identified in License 12796 as a point of rediversion, but License 12796 does identify Bowman Dam as a place of storage. In addition, License 12796 currently identifies points of rediversion upstream and downstream of Bowman Dam. License 12796 also identifies an authorized place of use downstream of Bowman Dam. The addition of this point of rediversion is for clarification purposes and will not change NID's current operations and no construction is proposed. In addition, the above point of rediversion is authorized under one or more of NID's existing water rights.~~

Water Right License for the Proposed Change in Point of Rediversion	
License	Application
12796 ^{6/}	2275

*Per NID
letter
dated
5/14/09
KMG*

Spaulding Dam (Map Index # 15)

~~Spaulding Dam was originally constructed by PG&E in 1912, enlarged in 1917 and again in 1919 to its present capacity. Spaulding Dam was in place and used for NID operations prior to the licensing of Licenses 12796 and 12798; however, it was not identified as a point of rediversion. In addition, Licenses 12796 and 12798 also authorize a place of use downstream of the point of rediversion proposed to be added. The addition of this point of rediversion will not change NID's current operations and no construction is proposed. In addition, the above point of rediversion is authorized under one or more of NID's existing water rights.~~

Water Right Licenses for the Proposed Change in Point of Rediversion	
License	Application
12796	2275
12798	2372

^{4/} Sawmill Dam is identified as a point of diversion under License 12795. In order to clarify existing NID operations, NID proposes to add Sawmill Dam by correction as a point of rediversion under License 12795.

^{5/} Sawmill Dam is identified as a point of diversion under License 12798. In order to clarify existing NID operations, NID proposes to add Sawmill Dam by correction as a point of rediversion under License 12798.

^{6/} License 12796 currently authorizes Bowman Reservoir as a place of storage. In addition, points of rediversion and facilities located upstream and downstream of Bowman Dam are identified under License 12796. Therefore, the addition of Bowman Dam by correction as a point of rediversion will clarify existing NID facilities.

Drum Afterbay Dam (Map Index # 25)

Drum Afterbay Dam was constructed by PG&E in 1968. License 12795 does not identify Drum Afterbay Dam as a point of rediversion. However, this facility was constructed prior to the issuance of License 12795. Facilities upstream and downstream of this location, along the Bear River, are currently identified in the license terms under License 12795. The addition of this point of rediversion will not change NID's current operations and no construction is proposed. In addition, the above point of rediversion is authorized under one or more of NID's existing water rights.

Water Right License for the Proposed Change in Point of Rediversion	
License	Application
12795 ^{7/}	1270

Dutch Flat Afterbay Dam (Map Index # 26)

Dutch Flat Afterbay Dam was constructed in 1965. License 12795 does not identify Dutch Flat Afterbay Dam as a point of rediversion. However, this facility was constructed prior to the issuance of License 12795. Facilities upstream and downstream of this location, along the Bear River, were identified in the license terms under License 12795. The addition of this point of rediversion will not change NID's current operations and no construction is proposed. In addition, the above point of rediversion is authorized under one or more of NID's existing water rights.

Water Right License for the Proposed Change in Point of Rediversion	
License	Application
12795 ^{8/}	1270

Halsey Afterbay Dam (Map Index # 29)

Halsey Afterbay Dam was constructed by PG&E in 1916. Halsey Afterbay Dam was in place and used for NID operations prior to the licensing of License 8809; however, it was not identified as a point of rediversion. The addition of this point of rediversion will not change NID's current operations and no construction is proposed. In addition, the above point of rediversion is authorized under one or more of NID's existing water rights.

Water Right License for the Proposed Change in Point of Rediversion	
License	Application
8809	6229

^{7/} License 12795 does not identify Drum Afterbay Dam as a point of rediversion. However, this facility was constructed prior to the issuance of License 12795 and facilities upstream and downstream of this location, along the Bear River, are currently identified in the terms for License 12795. NID proposes to add this point of rediversion to clarify existing NID facilities and operations.

^{8/} License 12795 does not identify Dutch Flat Afterbay Dam as point of rediversion. However, this facility was constructed prior to the issuance of License 12795 and facilities upstream and downstream of this location, along the Bear River, are currently identified in the terms for License 12795. NID proposes to add this point of rediversion to clarify existing NID facilities and operations.

Auburn Ravine I (Map Index # 30)

Auburn Ravine I was originally constructed in 1853. Auburn Ravine I was in place and used for NID operations prior to the licensing of License 8809; however, it was not identified as a point of rediversion. The addition of this point of rediversion will not change NID's current operations and no construction is proposed. In addition, the above point of rediversion is authorized under one or more of NID's existing water rights.

Water Right License for the Proposed Change in Point of Rediversion	
License	Application
8809	6229

Hemphill Canal (Map Index # 31)

Hemphill Canal was constructed in 1933. Hemphill Canal was in place and used for NID operations prior to the licensing of License 8809; however, it was not identified as a point of rediversion. The addition of this point of rediversion will not change NID's current operations and no construction is proposed. In addition, the above point of rediversion is authorized under one or more of NID's existing water rights.

Water Right License for the Proposed Change in Point of Rediversion	
License	Application
8809	6229

Camp Far West Canal (Map Index # 34)

Camp Far West Canal was constructed in 1880. Camp Far West Canal was in place and used for NID operations prior to the licensing of License 8809; however, it was not identified as a point of rediversion. The addition of this point of rediversion will not change NID's current operations and no construction is proposed. In addition, the above point of rediversion is authorized under one or more of NID's existing water rights.

Water Right License for the Proposed Change in Point of Rediversion	
License	Application
8809	6229

Doty South Canal (Map Index # 35)

Doty South Canal was constructed in 1949. Doty South Canal was in place and used for NID operations prior to the licensing of License 8809; however, it was not identified as a point of rediversion. The addition of this point of rediversion will not change NID's current operations and no construction is proposed. In addition, the above point of rediversion is authorized under one or more of NID's existing water rights.

Water Right License for the Proposed Change in Point of Rediversion	
License	Application
8809	6229

Tarr Canal (Map Index # 19)

The Tarr Canal was constructed in 1859. The Tarr Canal was in place and used for NID operations prior to the licensing of License 8808; however, it was not identified as a point of rediversion. The addition of this point of rediversion will not change NID's current operations and no construction is proposed. In addition, the above point of rediversion is authorized under one or more of NID's existing water rights.

Water Right License for the Proposed Change in Point of Rediversion	
License	Application
8808	1615

China/Union Canal (Map Index #22)

The China/Union Canal was constructed in 1852. The China Ditch was in place and used for NID operations and identified as a point of diversion under License 8808; however, it was not identified as a point of rediversion. In the late 1960s, the point of diversion for the China Ditch was abandoned and the lower portion of the China Ditch was consolidated with the Union Canal to form the present China/Union Canal. NID is proposing to delete the China Ditch currently identified as a point of diversion under License 8808 and add the China/Union Canal as a point of rediversion under License 8808 to correctly identify existing facilities and operations. The addition of this point of rediversion will not change NID's current operations and no construction is proposed. In addition, the above point of rediversion is authorized under one or more of NID's existing water rights.

Water Right License for the Proposed Change in Point of Rediversion	
License	Application
8808 ^{9/}	1615

Rattlesnake Diversion Dam (Map Index # 23)

The Rattlesnake Diversion Dam was constructed by NID in 1928. The Rattlesnake Diversion Dam was in place and used for NID operations prior to the licensing of License 8808; however, it was not identified as a point of rediversion. The addition of this point of rediversion will not change NID's current operations and no construction is proposed. In addition, the above point of rediversion is authorized under one or more of NID's existing water rights.

Water Right License for the Proposed Change in Point of Rediversion	
License	Application
8808	1615

All of the proposed points of rediversion described above are authorized under other water rights held by NID. They reflect the current operations of NID and no construction will occur as a result of these points of rediversion being added to any of the Licenses identified above. All of the proposed points of rediversion are existing NID facilities, and no new construction will occur as a result of these Petitions. Therefore, no County, State, or Federal permits are required as a result of these proposed changes.

^{9/} The China Ditch and the Union Canal were consolidated in the late 1960's. NID proposes to add the China/Union Canal as a point of rediversion to correctly identify existing facilities.

Place of Use

NID proposes to conform the place of use identified in Licenses 8808, 8809, 12795, 12796, and 12798 to those lands, and/or powerhouses that have historically received or used water through NID facilities. As described above, the addition of the proposed places of use will clarify and correctly identify the actual uses and facilities under one or more of NID's water right Licenses. There will be no change in NID operations as a result of conforming the place of use to current practices. For Licenses 8808 and 12795, the proposed additional place of use also includes lands that have historically been served pursuant to the Excelsior Railroad Commission Order No. 15926, dated 1926. The proposed addition of Incidental Power, under the three consumptive use Licenses, requires the addition of several powerhouses to NID's authorized place of use. Bowman Powerhouse is proposed to be added to two non-consumptive use Licenses in order to clarify NID operations. All of the powerhouses proposed to be added to the consumptive use and non-consumptive use Licenses were constructed prior to the enactment of CEQA, except Bowman, Combie North, Combie South, Rollins, Wise #2, and Scotts Flat Powerhouses. Those six (6) powerhouses were constructed after November 23, 1970, and in accordance with CEQA. For the powerhouses owned by NID, the appropriate environmental documentation was filed with the State Clearinghouse. For Wise #2, a PG&E powerhouse, PG&E filed the appropriate environmental documentation. The following paragraphs describe the proposed places of use under each water right License. In addition, the proposed additional powerhouses, date of construction for each powerhouse and, if applicable, State Clearinghouse filing number are described below for each water right License.

License 12795

As described in the Petition for License 12795, the proposed place of use will include Irrigation on 35,077 acres net within the NID Service Area, and Municipal, Industrial, and Domestic uses all within the Service Area of NID, as shown on NID Map No. 5302, accompanying the Petition. No increase in the net acreage identified in License 12795 is proposed. The proposed change involves conforming the gross place of use to the current NID Service Area. This involves adding the Excelsior Railroad Commission lands, a portion of which are covered under other water rights held by NID. NID proposes to conform the place of use under License 12795 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, Incidental Power is proposed to be added as a purpose of use to License 12795; and powerhouses are proposed to be added to the place of use in order to describe the location of incidental hydroelectric generation. The proposed additional powerhouses are further described below and identified on Table 2 of this Environmental Form, and are shown on NID Map No. 5302 accompanying the Petition.

License 8808

As described in the Petition for License 8808 the proposed place of use will include Irrigation on 8,000 acres net within the NID Deer Creek Service Area, and Municipal, Industrial, and Domestic uses, all within the Deer Creek Service Area of NID, as shown on NID Map No. 5302, accompanying the Petition. No increase in the net acreage identified in License 8808 is proposed. The proposed change involves conforming the gross place of use to the current NID Deer Creek Service Area. This involves adding the Excelsior Railroad Commission lands, a portion of which are covered under other water rights held by NID. NID proposes to conform the place of use under License 8808 to include the Excelsior Railroad Commission lands and other boundary modifications, which are covered under other water rights held by NID. In addition, Incidental Power is proposed to be added as a purpose of use under License 8808. Powerhouses are proposed to be added to the place of use in order to describe the location of incidental hydroelectric generation. The proposed additional powerhouses are further described below and identified on Table 2 of this Environmental Form, and are shown on NID Map No. 5302 accompanying the Petition.

License 8809

As described in the Petition for License 8809, the proposed place of use will include Irrigation on 8,000 acres net within the NID Bear River Service Area, and Municipal, Industrial, and Domestic uses all within the NID Bear River Service Area, as shown on NID Map No. 5302, accompanying the Petition. No change in the net acreage identified in License 8809 is proposed. The proposed change involves conforming the gross place of use currently identified in License 8809 to the current NID Bear River Service Area. In addition, Incidental Power is proposed to be added as a purpose of use to License 8809. Powerhouses are proposed to be added to the place of use in order to describe the location of incidental hydroelectric generation. The proposed additional powerhouses are further described below and identified on Table 2 of this Environmental Form, and are shown on NID Map No. 5302 accompanying the Petition.

Licenses 12796 and 12798

As described in the Petitions for Licenses 12796 and 12798, the proposed place of use will include the addition of Bowman Powerhouse, further described below. The current and proposed places of use are identified on Table 2 of this Environmental Form and shown on NID Map No. 5302 accompanying the Petitions.

Powerhouses

The following powerhouses are proposed to be added to one or more of NID's water right Licenses, as further described below. All of the powerhouses proposed to be added were constructed prior to the enactment of CEQA except Bowman, Combie North, Combie South, Rollins, Wise #2 and Scotts Flat Powerhouses. Those six powerhouses were constructed after November 23, 1970, and in compliance with CEQA. For NID owned powerhouses, the

appropriate environmental documentation was filed with the State Clearinghouse. For Wise #2, a PG&E powerhouse, PG&E filed the appropriate environmental documentation. There will be no change in NID operations as a result of the proposed addition of these powerhouses to NID's Licenses. The following paragraphs describe each individual powerhouse, the date of construction and, if applicable, the State Clearinghouse filing number for each water right License. These powerhouses are referenced by index # to Map No. 4365, dated May 22, 1987, on file with the Division, and by index # to Map No. 5302, accompanying these Petitions. In addition, Table 2 identifies the current and proposed powerhouses to be added to NID's consumptive use and non-consumptive use water right Licenses.

Bowman Powerhouse (Map Index # 36)

Bowman Powerhouse was constructed in 1986. NID, as the lead agency, filed the appropriate environmental documentation with the State Clearinghouse (SC # 81052504). Bowman Powerhouse was constructed prior to the issuance of water right Licenses 12795, 12796, and 12798; however it was not identified as a place of use. However, Spaulding # 3 (RIM) Powerhouse, downstream of Bowman Powerhouse, is identified as a place of use under Licenses 12796 and 12798. The addition of Bowman Powerhouse under the aforementioned water right Licenses will clarify existing NID operations and facilitate the licensing of the Lower Division water right Permits held by NID. The addition of this powerhouse to the place of use of the water right Licenses will not change NID's operations and no construction is proposed. In addition, Bowman Powerhouse is authorized under one or more of NID's existing water rights.

Bowman Powerhouse Proposed to be Added to the following Water Right Licenses	
License	Application
12795	1270
12796	2275
12798	2372

Spaulding # 3 (RIM) Powerhouse (Map Index # 37)

Spaulding # 3 (RIM) Powerhouse was constructed by PG&E in 1929. The proposed addition of Incidental Power to consumptive use License 12795 requires the addition of Spaulding #3 (RIM) Powerhouse to NID's place of use under License 12795. The addition of this powerhouse to the place of use for License 12795 will not change NID's current operations and no construction is proposed. In addition, Spaulding # 3 Powerhouse is authorized under one or more of NID's existing water rights.

Spaulding # 3 Powerhouse Proposed to be Added to the following Water Right License	
License	Application
12795	1270

Spaulding # 2 Powerhouse (Map Index # 39)

Spaulding # 2 Powerhouse was constructed by PG&E in 1928. The proposed addition of Incidental Power to consumptive use License 12795 requires the addition of Spaulding #2 Powerhouse to NID's place of use under water right License 12795. The addition of this powerhouse to the place of use for water right License 12795 will not change NID's current operations and no construction is proposed. In addition, Spaulding # 2 Powerhouse is authorized under one or more of NID's existing water rights.

Spaulding # 2 Powerhouse Proposed to be Added to the following Water Right License	
License	Application
12795	1270

Deer Creek Powerhouse (Map Index # 40)

Deer Creek Powerhouse was constructed by PG&E in 1908. The proposed addition of Incidental Power to consumptive use License 12795 requires the addition of Deer Creek Powerhouse to NID's place of use under water right License 12795. The addition of this powerhouse to the place of use for water right License 12795 will not change NID's current operations and no construction is proposed. In addition, Deer Creek Powerhouse is authorized under one or more of NID's existing water rights.

Deer Creek Powerhouse Proposed to be Added to the following Water Right License	
License	Application
12795	1270

Scotts Flat Powerhouse (Map Index #41)

Scotts Flat Powerhouse was constructed in 1984. NID complied with CEQA, and as the lead agency, filed the appropriate environmental documentation with the State Clearinghouse (SC # 81122802). The proposed addition of Incidental Power to consumptive use Licenses 12795 and 8808 requires the addition of Scotts Flat Powerhouse to NID's place of use under Licenses 12795 and 8808. The addition of this powerhouse to the place of use for water right Licenses 12795 and 8808 will not change NID's current operations and no construction is proposed. In addition, Scotts Flat Powerhouse is authorized under one or more of NID's existing water rights.

Scotts Flat Powerhouse Proposed to be Added to the following Water Right Licenses	
License	Application
12795	1270
8808	1615

Spaulding # 1 Powerhouse (Map Index # 38)

Spaulding # 1 Powerhouse was constructed by PG&E in 1917. The proposed addition of Incidental Power to consumptive use License 12795 requires the addition of Spaulding # 1 Powerhouse to NID's place of use under License 12795. The addition of this powerhouse to the place of use for License 12795 will not change NID's current operations and no construction is

Spaulding # 1 Powerhouse Proposed to be Added to the following Water Right License	
License	Application
12795	1270

proposed. In addition, Spaulding # 1 Powerhouse is authorized under one or more of NID's existing water rights.

Drum # 1 Powerhouse (Map Index # 42)

Drum # 1 Powerhouse was constructed by PG&E in 1913. The proposed addition of Incidental Power to consumptive use License 12795 requires the addition of Drum # 1 Powerhouse to NID's place of use under License 12795. The addition of this powerhouse to the place of use for License 12795 will not change NID's current operations and no construction is proposed. In addition, Drum # 1 Powerhouse is authorized under one or more of NID's existing water rights. The Drum # 1 and Drum # 2 Powerhouses are located within a single building; and therefore, are referenced using a single index number on the map accompanying these Petitions.

Drum # 1 Powerhouse Proposed to be Added to the following Water Right License	
License	Application
12795	1270

Drum # 2 Powerhouse (Map Index # 42)

Drum # 2 Powerhouse was constructed by PG&E in 1924. The proposed addition of Incidental Power to consumptive use License 12795 requires the addition of Drum # 2 Powerhouse to NID's place of use under License 12795. The addition of this powerhouse to the place of use for License 12795 will not change NID's current operations and no new construction is proposed. In addition, Drum # 2 Powerhouse is authorized under one or more of NID's existing water rights. As previously identified, the Drum # 1 and Drum # 2 Powerhouses are located within a single building; and therefore, are referenced using a single index number on the map accompanying these Petitions.

Drum # 2 Powerhouse Proposed to be Added to the following Water Right License	
License	Application
12795	1270

Dutch Flat # 1 Powerhouse (Map Index # 43)

Dutch Flat # 1 Powerhouse was constructed by PG & E in 1943. The proposed addition of Incidental Power to consumptive use License 12795 requires the addition of Dutch Flat # 1 Powerhouse to NID's place of use under License 12795. The addition of this powerhouse to the place of use for License 12795 will not change NID's current operations and no construction is proposed. In addition, Dutch Flat # 1 Powerhouse is authorized under one or more of NID's existing water rights.

Dutch Flat # 1 Powerhouse Proposed to be Added to the following Water Right License	
License	Application
12795	1270

Dutch Flat # 2 Powerhouse (Map Index # 44)

Dutch Flat # 2 Powerhouse was constructed in 1965. The proposed addition of Incidental Power to consumptive use License 12795 requires the addition of Dutch Flat # 2 Powerhouse to NID's place of use under License 12795. The addition of this powerhouse to the place of use for License 12795 will not change NID's current operations and no construction is proposed. In addition, Dutch Flat # 2 Powerhouse is authorized under one or more of NID's existing water rights.

Dutch Flat # 2 Powerhouse Proposed to be Added to the following Water Right License	
License	Application
12795	1270

Chicago Park Powerhouse (Map Index # 45)

Chicago Park Powerhouse was constructed in 1965. The proposed addition of Incidental Power to consumptive use License 12795 requires the addition of Chicago Park Powerhouse to NID's place of use under License 12795. The addition of this powerhouse to the place of use for License 12795 will not change NID's current operations and no construction is proposed. In addition, Chicago Park Powerhouse is authorized under one or more of NID's existing water rights.

Chicago Park Powerhouse Proposed to be Added to the following Water Right License	
License	Application
12795	1270

Rollins Powerhouse (Map Index # 46)

Rollins Powerhouse was constructed in 1980. NID complied with CEQA, and as the lead agency, filed the appropriate environmental documentation with the State Clearinghouse (SC # 77062754). The proposed addition of Incidental Power to consumptive use License 12795 requires the addition of Rollins Powerhouse to NID's place of use under License 12795. The addition of this powerhouse to the place of use for License 12795 will not change NID's current operations and no construction is proposed. In addition, Rollins Powerhouse is authorized under one or more of NID's existing water rights.

Rollins Powerhouse Proposed to be Added to the following Water Right License	
License	Application
12795	1270

Combie North Powerhouse (Map Index # 48)

The Combie North Hydroelectric Project was constructed and developed in 1988 under a categorical exemption from CEQA under the provisions of Public Resources Code and the Code of California Regulations as a Class 28 exempt project, since it was installed on an existing NID facility, had an installed capacity of less than 5 MW, and did not alter the flow regime in the Combie North Aqueduct. (See California Public Resources Code Section 21084, and Section 15328 of the California Code of Regulations (14 CCR 15328.)) As lead agency, NID filed an Application for the Combie North Aqueduct Hydroelectric Project

Combie North Powerhouse Proposed to be Added to the following Water Right License	
License	Application
12795	1270

– FERC Project #7731. The Application included an Environmental Report (Exhibit E) which was approved by the Federal Energy Regulatory Commission, the US Fish and Wildlife Service and the California Department of Fish and Game. The proposed addition of Incidental Power to consumptive use License 12795 requires the addition of Combie North Powerhouse to NID’s place of use under water right License 12795. The addition of this powerhouse to the place of use for License 12795 will not change NID’s current operations. In addition, Combie North Powerhouse is authorized under one or more of NID’s existing water rights.

Combie South Powerhouse (Map Index # 47)

Combie South Powerhouse was constructed in 1984. NID complied with CEQA and as lead agency, filed the appropriate environmental documentation with the State Clearinghouse (SC # 81052505). The proposed addition of Incidental Power to consumptive use License 12795 requires the addition of Combie South Powerhouse to NID’s place of use under License 12795. The addition of this powerhouse to the place of use for License 12795 will not change NID’s current operations and no construction is proposed. In addition, Combie South Powerhouse is authorized under one or more of NID’s existing water rights.

Combie South Powerhouse Proposed to be Added to the following Water Right License	
License	Application
12795	1270

Sh
9/2/09

Halsey Powerhouse (Map Index # 49)

Halsey Powerhouse was constructed by PG&E in 1916. The proposed addition of Incidental Power to consumptive use Licenses 12795 and 8809 requires the addition of Halsey Powerhouse to NID’s place of use under Licenses 12795 and 8809. The addition of this powerhouse to the place of use for Licenses 12795 and 8809 will not change NID’s current operations and no construction is proposed. In addition, Halsey Powerhouse is authorized under one or more of NID’s existing water rights.

Halsey Powerhouse Proposed to be Added to the following Water Right Licenses	
License	Application
12795	1270
8809	6229

Wise # 1 Powerhouse (Map Index # 50)

Wise # 1 Powerhouse was constructed by PG&E in 1917. The proposed addition of Incidental Power to consumptive use Licenses 12795 and 8809 requires the addition of Wise # 1 Powerhouse to NID’s place of use under Licenses 12795 and 8809. The addition of this powerhouse to the place of use for Licenses 12795 and 8809 will not change NID’s current operations and no construction is proposed. In addition, Wise # 1 Powerhouse is authorized under one or more of NID’s existing water rights. The Wise # 1 and Wise # 2 Powerhouses are located within a single building; and therefore, are referenced under a single index number on the map accompanying these Petitions.

Wise # 1 Powerhouse Proposed to be Added to the following Water Right Licenses	
License	Application
12795	1270
8809	6229

Wise # 2 Powerhouse (Map Index # 50)

Wise # 2 Powerhouse was constructed by PG&E in 1986 and incorporated into the existing Drum-Spaulding FERC Project #2310. As the lead agency, PG&E filed the appropriate environmental documentation for the construction of the Wise #2 Powerhouse (FERC Order - 32 FERC ¶ 62, 311). The proposed addition of Incidental Power to consumptive use Licenses 12795 and 8809 requires the addition of Wise # 2 Powerhouse to NID's place of use under Licenses 12795 and 8809. The addition of this powerhouse to the place of use for Licenses 12795 and 8809 will not change NID's current operations and no construction is proposed. In addition, Wise # 2 Powerhouse is authorized under one or more of NID's existing water rights. As previously identified, the Wise # 1 and Wise # 2 Powerhouses are located within a single building; and therefore, are referenced under a single index number on the map accompanying these Petitions.

Wise # 2 Powerhouse Proposed to be Added to the following Water Right Licenses	
License	Application
12795	1270
8809	6229

All of the proposed powerhouses described above are authorized places of use under other water rights held by NID. NID water moving through these powerhouses is the historic practice; no construction or other ground disturbing activity, nor any operational changes, will occur as a result of the proposed places of use being added to any of the Licenses identified above. All of the proposed powerhouses are existing facilities, and no construction will occur as a result of these Petitions. Therefore, no County, State, or Federal permits are required as a result of these proposed changes.

Purpose of Use

In order to describe the current uses of water and to conform to the Division's current definitions of use, NID proposes to add the following purposes of use to the three consumptive use Licenses as further described below. No change in the present purpose of use for the two non-consumptive use Licenses is requested.

License 12795 – Irrigation, Municipal, Industrial*, Domestic, and Incidental Power*

NID proposes to eliminate "Mining" and add "Industrial" as a purpose of use in order to conform to the current definition of use as recommended by Division staff. In addition, to reflect the addition of the powerhouses described above and in Table 2, NID proposes to add "Incidental Power" as a purpose of use and powerhouses to the place of use, for License 12795 in order to identify where water will be used for incidental hydroelectric generation.

* Proposed to be added by Petition.

License 8808 – Irrigation, Municipal*, Industrial*, Domestic, and Incidental Power*

NID proposes to add “Municipal” and “Industrial” as purposes of use under License 8808; and since NID proposes to add Scotts Flat Powerhouse to the place of use under License 8808, identified above and in Table 2, NID proposes to add “Incidental Power” as a purpose of use.

License 8809 – Irrigation, Municipal*, Industrial*, Domestic, and Incidental Power*

NID proposes to replace “Agriculture” with “Irrigation” in order to conform to the current definitions of use as recommended by Division staff. NID proposes to add “Municipal” and “Industrial” and “Incidental Power” as purposes of use under water right License 8809 for the same reasons as described above for Licenses 12795 and 8808.

All of the purposes of use described above are authorized under other water rights held by NID. No construction or other ground disturbing activities or operational changes will occur as a result of these purposes of use being added to any of the Licenses identified above. Therefore, no County, State, or Federal permits are required as a result of these proposed changes in purposes of use.

4. ENVIRONMENTAL DOCUMENTS

In 1991, licenses were issued on many permits held by NID for facilities upstream of Spaulding Reservoir, referred to as the Upper Division. It was NID’s intention during the Upper Division licensing process to include the environmental review and secure regulatory approval from the Division for all downstream points of diversion, points of rediversion, places of use, and purposes of use under all NID permits, both Upper and Lower Division, including those described in these Petitions. Through inadvertence, the Lower Division water rights were not specifically identified for action by the Division. To ensure that these Petitions are processed in conformance with CEQA, NID, as the lead agency for the Lower Division licensing, will prepare the required environmental documentation.

7. ENVIRONMENTAL SETTING

Photographs of the present and proposed points of diversion and points of rediversion are included with Division staff’s reports of inspection for the Upper Division and Lower Division licensing processes. An aerial video was taken during the Division’s field inspection showing portions of the present and proposed places of use, which is in the Division’s files.

Table 1

Attachment to the Environmental Information for the Petitions for Change Form

Nevada Irrigation District

Name ID	Map 4365 Index # and Map 5302 Index #	CU Points of Diversion/Rediversion on Licenses (Applications)			Non-CU Points of Diversion/Rediversion on Licenses (Applications)	
		L 12795 (1270)	L 8808 (1615)	L 8809 (6229)	L 12796 (2275)	L 12798 (2372)
		Jackson Creek, Canyon Creek, Texas Creek, Fall Creek, and Trap Creek (DD + ST)	S. Fork Deer Creek, Deer Creek (DD)	Bear River (DD)	M. Yuba River (ST)	Jackson Creek, Canyon Creek, Texas Creek, Fall Creek, and Trap Creek (DD + ST)
Jackson Meadows	1	N	N	N	Y	N
Milton Diversion Dam (POD, PORD)	2	N	N	N	Y, Y	N
Wilson Creek MBC	3	N	N	N	N	N
Jackson Lake Dam	4	Y	N	N	N	Y
Faucherie Lake Dam	5	Y	N	N	N	Y
Sawmill Dam (POD, PORD)	6	Y, N ^P	N	N	N	Y, N ^P
Bowman Dam (POD, PORD)	7	Y, Y	N	N	Y	Y, Y
BSC Diversion Dam (POD, PORD)	8	Y, Y	N	N	Y	Y, Y
Texas Creek BSC	9	Y	N	N	N	Y
Clear Creek BSC	10	N	N	N	N	N
Fall Creek BSC	11	Y	N	N	N	Y
Trap Creek BSC	12	Y	N	N	N	Y
Rucker Creek BSC	13	N	N	N	N	N
Fuller Lake	14	Y	N	N	Y	Y
Spaulding Dam	15	Y	N	N	Y, N	Y, N
Bear River System						
Drum Afterbay Dam	25	N ^P	N	N	N	N
Dutch Flat Afterbay Dam	26	N ^P	N	N	N	N
Rollins Dam	27	Y	N	N	N	N
Bear River Canal	28	Y	N	N	N	N
Halsey Afterbay Dam	29	Y	N	N ^P	N	N
Auburn Ravine I	30	Y	N	N ^P	N	N
Hemphill Canal	31	Y	N	N ^P	N	N
Combie Dam	32	Y	N	N	N	N
Orr Creek Dam (Lower Gold Hill Canal)	33	Y	N	N	N	N
Camp Far West Canal	34	Y	N	N ^P	N	N
Doty South Canal	35	Y	N	N ^P	N	N
Wolf-Hannaman Diversion Dam (Little Wolf Creek)	24	Y	N	N	N	N
Deer Creek System						
Cascade Canal	16	Y	N ^C	N	N	N
Scotts Flat Dam	17	Y	N ^P	N	N	N
Lower Scotts Flat Diversion Dam (D-S Canal)	18	Y	N ^C	N	N	N
Tarr Canal	19	Y	N ^P	N	N	N
Newtown Canal	20	Y	Y	N	N	N
Tunnel Canal	21	Y	Y	N	N	N
China/Union Canal	22	Y	N ^P	N	N	N
Rattlesnake Diversion Dam	23	Y	N ^P	N	N	N
China Canal	-	N	Y ^B	N	N	N

Notes:

- Y-- Included in License/Application
- Y^D- Included in License/Application; Delete
- N*- Not on License/Application; Not Needed
- N^P - Not on License/Application; Add by Petition
- N^C - Not on License/Application; Add by Correction

POD = Identified in red
 PORD = Identified in blue

DD = Direct Diversion authorized under License
 ST = Collection to Storage authorized under License

Table 2

Attachment to the Environmental Information for the Petitions for Change Form

Nevada Irrigation District

Place of Use Powerhouse	Map 4365 index #	PG & E or NID Facilities	Licenses (Applications)				
			Consumptive Use			Non-Consumptive Use	
			L. 12795 (1270) Jackson Creek, Canyon Creek, Texas Creek, Fall Creek, and Trap Creek (DD + ST)	L. 8808 (1615) S. Fork Deer Creek, Deer Creek (DD)	L. 8809 (6229) Bear River (DD)	L. 12796 (2275) M. Yuba River (ST)	L. 12798 (2372) Jackson Creek, Canyon Creek, Texas Creek, Fall Creek, and Trap Creek (DD + ST)
Bowman Powerhouse	36	NID	N ^P	N	N	N ^P	N ^P
Spaulding # 3 (RIM) Powerhouse	37	PG & E	N ^P	N	N	Y	Y
Deer Creek System							
Spaulding # 2 Powerhouse	39	PG & E	N ^P	N	N	N	N
Deer Creek Powerhouse	40	PG & E	N ^P	N	N	N	N
Scotts Flat Powerhouse	41	NID	N ^P	N ^P	N	N	N
Bear River System							
Spaulding # 1 Powerhouse	38	PG & E	N ^P	N	N	N	N
Drum #1 Powerhouse	42	PG & E	N ^P	N	N	N	N
Drum # 2 Powerhouse	42	PG & E	N ^P	N	N	N	N
Dutch Flat # 1 Powerhouse	43	PG & E	N ^P	N	N	N	N
Dutch Flat # 2 Powerhouse	44	NID	N ^P	N	N	N	N
Chicago Park Powerhouse	45	NID	N ^P	N	N	N	N
Rollins Powerhouse	46	NID	N ^P	N	N	N	N
Combie North Powerhouse	48	NID	N ^P	N	N	N	N
Combie South Powerhouse	47	NID	X ^N	N	N	N	N
Halsey Powerhouse	49	PG & E	N ^P	N	N ^P	N	N
Wise #1 Powerhouse	50	PG & E	N ^P	N	N ^P	N	N
Wise #2 Powerhouse	50	PG & E	N ^P	N	N ^P	N	N

Notes:

Y= Included in License/Applications

N= Not on License/Application; Not Needed

N^P= Not on License/Application; Add by Petition

DD = Direct Diversion authorized under License

ST = Collection to Storage authorized under License