

OFFICE REPORT

on

Applications - 5169-5170

By John C. Fales

March 19, 1929

Applicant..... L. H. Taylor

~~509 Nevada State Life Bldg., Reno, Nevada~~

Assigned to Washoe County Water Conservation District

Application 5169

Reno Nevada.

5-23-30

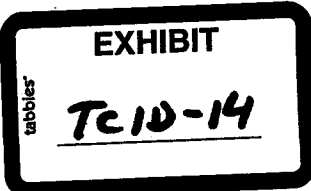
07-66

Amount..... 40,850 A.F.
 Season of Diversion..... October 1st to July 1st
 Purpose..... Irrigation and domestic
 Source..... Little Truckee River. Watershed - Truckee
 Points of Diversion..... To Storage: NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec.4, T18N, R17E
 Rediversion: (1) Lot 21 Sec.31, T19N R18E
 (2) SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec.9 T19N R18E
 (3) SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec.18 T19N R19E
 Place of Use..... As shown in red by attached map. All
 in Nevada.
 Acreage..... 12,215 acres

Application 5170

Amount..... 500 c.f.s.
 Season of Diversion..... January 1st to December 31st
 Purpose..... Power and domestic
 Sources..... (1) Truckee River - Minimum 240 c.f.s.
 (2) Little Truckee River - Minimum 260 c.f.s.
 Points of Diversion..... (1) NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec.32 T18N R17E (At storage dam)
 (2) NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec.16 T18N R17E
 Place of Use..... Lot 10, Sec.31, T18N R18E
 Fall and horsepower..... 190 feet fall and 10,795 horsepower
 Return to Stream..... Truckee River in Lot 9, Sec.31, T18N, R18E

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PROTESTANTS

Against 5169 only.

Steamboat Canal Company, c/o King and Malone
Cladianos Building, Reno, Nevada
Hobart Estate Company, c/o McCutcheon, Olney, Mannon & Greene, Attys.
Balfour Building, San Francisco, California

Against both applications.

U. S. Bureau of Reclamation, c/o A. W. Walker, Sup't.
Fallon, Nevada
Union Ice Company and Boca Mill Company, c/o Lovell & Lovell, Attys.
Russ Building, San Francisco, California
Truckee-Carson Irrigation District, c/o D. S. Stuver, Mgr.
Fallon, Nevada
Crown Willamette Paper Company, c/o Orrick Palmer & Dahlquist, Attys.
Truckee River Power Company, " " " " "
Financial Center Building, San Francisco, California

GENERAL DESCRIPTION OF PROJECT

As indicated by the attached map all storage would be effected within California. Water stored on Little Truckee River would be used with water directly diverted from Truckee River for power generation although no storage is ^{ent} specified in the power application. Water for irrigation would be diverted from Truckee River at the intakes of three existing ditches below the power house. The power project has been cleared by the Federal Power Commission it appearing that same is situated entirely on private land. It appears, however, ^{RB} that applicant lacks right of way and rights of access to the points of diversion as well as right to submerge reservoir lands. Applicant indicates that owners of the three ditches would benefit through consummation of the application.

CHRONOLOGY OF BOTH APPLICATIONS

Filed..... August 25, 1926
In Form..... November 15, 1927
Advertised..... November 26, 1927

ANALYSIS OF PROTESTS

U. S. Bureau of Reclamation claims a right to appropriate 3,000 c.f.s. at an upstream point and 1500 c.f.s. from each of two downstream points by virtue of notices posted in May 1903. State that the completed project will require all available water in Truckee River and tributaries.

The protest by Truckee-Carson Irrigation District is in effect included in the U.S.R.S. protest and appertains to Derby Dam, the lower of the downstream claims to a right to 1500 second feet. Protestants use is for power and irrigation, the irrigation period being from March 1st to December 1st. The district comprises land reclaimed under the Newlands project.

The joint answer to these protests alleges that the total area to be benefited under the Newlands project has been decreased since 1903 and about half thereof is now irrigated. The probable ultimate requirement is 477,652 A.F. Sixty percent of the area is now irrigated after 22 years functioning by the project and irrigation of the entire balance is problematical. Shows by tabulations that in only two years out of twenty-five did the total yield of the Carson and Truckee Rivers fall below the ultimate requirement and that the preceding years to these two years were years of super normal yield. Also shows by tabulation that during the driest known year 54,568 A.F. passed Derby Dam.

Further points out that the power use proposed under Application 5170 cannot injure protestants as water would be returned above their diversions.

Boca Mill Company owns a large tract riparian to Little Truckee River and claims all the flow thereof is reasonably needed for use thereon. Union Ice Company harvests ice from its ice pond which is supplied by Little Truckee River.

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The answer states that not to exceed 100 acres have ever been irrigated by protestants and that such irrigation has ceased. The maximum irrigable is 200 acres. When at its maximum ice harvesting consumed only an inconsequential portion of the yield and ice harvesting has been discontinued. Admits protestant's right to water for power generation below the ice pond for domestic power supply in Boca and that protestants control the point of diversion and land on which the power ditch is situated. Applicant will secure necessary rights of way by purchase after the applications are approved.

Crown Willamette Paper Company owns a plant at Floriston situated on land riparian to Truckee River. State they have used 700 second feet continuously since 1898 for power to run their mill.

The answer alleges that in all but two years out of twenty-seven of recorded flow the excess over 700 second feet passing Floriston was greater than the storage desired by applicant. Points out that storage of the surplus only is proposed and that no interference with the low flow is intended. Also that all water used for power would be returned to the River above the paper company's plant and below the point of diversion to irrigation use.

Truckee River Power Company's protest refers to their three power plants between point of return of power water by applicant and point of rediversion for irrigation use. The rights are claimed to date from as early as 1899 in one case.

The answer shows that the Power Company has five plants in operation none of which use over 400 second feet. Two of them are evidently below the rediversion to irrigation use. States that no water will be diverted when the natural flow at Floriston does not exceed 400 second feet.

Steamboat Canal Company claims a right to 90 second feet used since 1867 on 4,145 acres in Truckee Meadows. Will not object if period of diversion to storage is limited to from December 1st to March 1st. This protest is against Application 5169 only.

In answering this protest applicant recognizes certain rights as decreed by court as vested. Admits there are numerous other rights which are also recognized.

Hobart Estate Company bases its protest on claimed ownership of the dam site and a portion of the reservoir. This protest is against Application 5169 only.

The answer states that reservoir lands will be acquired after the application is approved.

SUMMARY OF INFORMATION AVAILABLE AND DESIRED

A recommended decree by the Master in Chancery in the case of U.S. v. Orr Water Ditch Company, et al, would decree the yield of the River at Truckee Meadows in such a way that storage of 53,650 A.F. for the benefit of 35,348 acres is covered by decree. The tabulation of this decree shows the priority and acreage of all such decreed rights in detail. Apparently the U.S.R.S. has compiled full data on flow of and use from the source over a term of 27 years and abundant information required for decision is available.

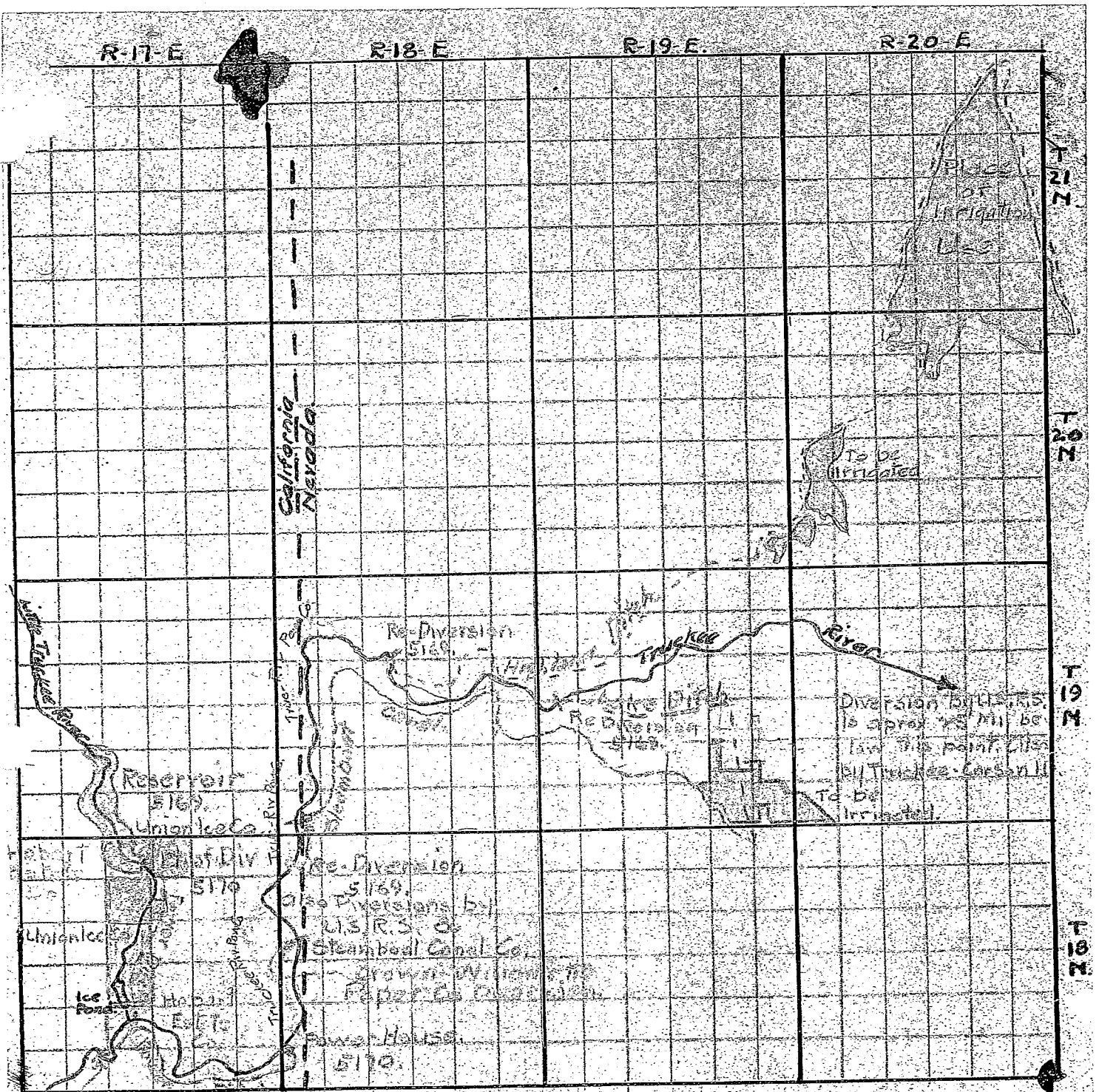
RECOMMENDATION

Applicant should be immediately advised as to the necessity of securing at least tentative rights of way prior to action on the application and advised at the same time to negotiate for withdrawal of certain of the protests on the basis of allegations contained in the answers. The writer believes a hearing will be necessary and such hearing will logically be held at Sacramento as being readily accessible to all concerned.

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JCF:MP
MAY 10 1930 E.N.B.
OK/Ents.

John C. Sales
Assistant Hydraulic Engineer



Prop Div 5170
 Diversion by U.S.R.R.
 approx 7.5 mi. above
 this point

*Map to Accompany Office Report
 On Applications 5169-5170
 March 19-1929*

John C. Poles

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