

IN THE OFFICE OF THE STATE WATER RIGHTS BOARD
OF THE STATE OF CALIFORNIA

1 IN THE MATTER OF APPLICATION No. 15673 BY)
THE UNITED STATES OF AMERICA, DEPARTMENT)
2 OF THE INTERIOR, BUREAU OF RECLAMATION,)
REGION 4, SALT LAKE CITY, UTAH, TO APPROPRIATE) ANSWER TO PROTEST
3 FOR IRRIGATION, FLOOD CONTROL AND RECREATION) OF
PURPOSES 350 c.f.s. BY DIRECT DIVERSION AND) CALIFORNIA DEPARTMENT
4 126,000 ACRE-FEET PER ANNUM BY STORAGE FROM) OF FISH AND GAME
LITTLE TRUCKEE RIVER, TRIBUTARY TO TRUCKEE)
5 RIVER)

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7 I, Palmer B. DeLong, declare that I am the Acting
8 Regional Director of Region 4, Bureau of Reclamation, United States of
9 America Department of the Interior, the Applicant in the above-captioned
10 matter, and in answer to the Protest of the California Department of Fish
11 and Game allege as follows, to-wit:

- 12 1. The Applicant alleges that there is unappropriated water
13 available for appropriation under Application No. 15673 for irrigation,
14 flood control and recreational purposes from Little Truckee River.
- 15 2. That the application was made for the proposed Washoe Project
16 now authorized by the Congress of the United States, Public Law 858, 84th
17 Congress, August 1, 1956. When the proposed Washoe Project plan was first
18 submitted to the State of California for review and comments, Protestant
19 requested that a continuous flow of 12 cubic feet per second be maintained
20 downstream from Stampede Dam. Subsequent studies by the Applicant revealed
21 that this flow would be very detrimental to power production, but that a
22 minimum flow of 6 cubic feet per second below the dam could be provided
23 without seriously affecting power production. In discussions between
24 representatives of the Applicant and the Protestant, it was agreed that the
25 Applicant would base its studies on the presumption that a minimum release
26 of 6 cubic feet per second would be maintained at Stampede Dam and a mini-
27 mum flow of 12 cubic feet per second in the Little Truckee River at Boca
28 Reservoir would be maintained. These minimum flows were used in the final
29 operation studies of the Applicant for the project plan presented in House
30 Document No. 181, 84th Congress, 1st Session, July 14, 1955. Evidence of
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EXHIBIT

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TC10-91

1 the Applicant's proposal in this respect is found in the penultimate
2 paragraph on page 79 of House Document No. 181. This paragraph states
3 in part that:

4 "A minimum flow of about 6 second-feet at the dam with a
5 minimum flow of 12 second-feet into Boca Reservoir could
6 be maintained, if found to be justified, without serious
7 curtailment of power production."

8 Approval of these flows was made by the Protestant in the Comments of
9 California State Agencies in the first paragraph on page 208 of House
10 Document No. 181. This states in part that:

11 "The Bureau does state that a minimum flow of 6 cubic feet
12 per second at the dam with a minimum flow of 12 cubic feet
13 per second into Boca Reservoir could be maintained without
14 serious curtailment of power production. Such a release
15 formula would permit them to take advantage of the natural
16 runoff between the two reservoirs. They have furnished us
17 with the results of a water study which shows that in most years
18 it would be necessary to release 10 to 12 cubic feet per second
19 from July to February to maintain this schedule. As most of
20 the drainage area is in the upper portion of this section of
21 the stream, we believe that the total stream flow will be
22 suitable for spawning fish in most years. We have, therefore,
23 indicated that such a schedule of releases will be acceptable
24 even though it is not entirely satisfactory to the Department
25 of Fish and Game."

26 3. That the Applicant is preparing a revised coordinated opera-
27 tion study of project reservoirs to include a reservoir on Prosser Creek.
28 This new reservoir will permit greater continuous releases from Lake Tahoe
29 to improve and maintain fish life in the Truckee River immediately below
30 the Lake. The proposed inclusion of the reservoir in the Washoe Project
31 is largely the result of the request by the Protestant that some provision
32 be made for fisheries in that portion of the stream. The revised study
includes the fishery release from Stampede Reservoir discussed above. It
is not in a reproducible form, but the Protestant may examine it at any time.

4. In further answer to the Protest the Applicant alleges that
there is unappropriated water in Little Truckee River available for appro-
priation for irrigation, flood control and recreational purposes and that

1 it is such unappropriated water that the Applicant seeks to appropriate
2 under Application No. 15673.

3 THE UNITED STATES OF AMERICA

4 By *William B. McLaughlin*
5 Acting Regional Director,
6 Region 4
7 Bureau of Reclamation
8 Department of the Interior
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