



Linda S. Adams
Secretary for
Environmental Protection

State Water Resources Control Board

Division of Water Rights

1001 I Street, 14th Floor • Sacramento, California 95814 • (916) 341-5300
P.O. Box 2000 • Sacramento, California • 95812-2000
Fax: (916) 341-5400 • www.waterrights.ca.gov



Arnold Schwarzenegger
Governor

NOTICE OF PETITIONS TO CHANGE A TERM, THE PLACE OF USE, PURPOSE OF USE, POINTS OF DIVERSION, POINTS OF REDIVERSION, REDISTRIBUTION OF STORAGE AND PETITIONS FOR EXTENSION OF TIME FOR

	APPLICATION	STREAM SYSTEM	CALIFORNIA COUNTY	PETITION FILED:
LICENSE 3723	5169	Little Truckee	Nevada	December 23, 2003
LICENSE 4196	9247	Little Truckee	Sierra & Nevada	December 23, 2003
PERMIT 11605	15673 (Time Extensions)	Little Truckee	Sierra	December 23, 2003 November 1, 1992 October 24, 2006
LICENSE 10180	18006	Prosser Creek	Nevada	December 23, 2003

NOTICE OF APPLICATIONS TO APPROPRIATE WATER BY PERMIT

	APPLICATION	STREAM SYSTEM	CALIFORNIA COUNTY	DATE FILED:
APPLICATION:	31487	Little Truckee	Nevada & Sierra	January 8, 2004
APPLICATION:	31488	Prosser Creek	Nevada	January 8, 2004

Notice is hereby given that the United States Department of Interior, Bureau of Reclamation, Truckee Meadows Water Authority (TWMA), and Washoe County Water Conservation District have filed petitions to change the place of use, purpose of use, points of diversion, points of rediversion, and redistribution of storage for:

- License 3723 (Boca Reservoir) held by the Washoe County Water Conservation District. Water is diverted to Boca Reservoir in Nevada County, California, from the Little Truckee River, which is tributary to the Truckee River.
- Permit 11605 (Stampede Reservoir) held by the Bureau of Reclamation. Water is diverted to Stampede Reservoir in Sierra County, California, from the Little Truckee River, which is tributary to the Truckee River.
- License 4196 (Independence Lake) held by TMWA. Water impounded by Independence Dam is diverted from Independence Lake in Nevada and Sierra Counties, California, which is tributary to Independence Creek thence Little Truckee River thence the Truckee River.
- License 10180 (Prosser Creek Reservoir) held by the Bureau of Reclamation. Water is diverted to Prosser Creek Reservoir in Nevada County, from Prosser Creek, which is tributary to the Truckee River.

As part of the Bureau of Reclamation's petition to change License 10180, it also seeks to change a term of that license. In addition, the Bureau of Reclamation filed two petitions for an extension of time for Permit 11605.

Notice is also given that Bureau of Reclamation has filed Application 31487 for a water right permit to divert water from Little Truckee River tributary to Truckee River in Sierra and Nevada Counties, and Application 31488 for a water right permit to divert water from Prosser Creek tributary to Truckee River in Nevada County. The two applications, the four petitions for change, and the two



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time extension petitions will be treated as one project. Because implementation of the changes proposed in these petitions is predicated on the approval and implementation of the Truckee River Operating Agreement (TROA), the petitioners request that any order by the State Water Resources Control Board (State Water Board) approving the petitions include the following condition:

These changes will not take effect unless the Truckee River Operating Agreement is in effect. All diversions, storage, use of water and operations under these licenses and permit shall be in accordance with the terms contained in this license/permit and the provisions of the Truckee River Operating Agreement.

The Bureau of Reclamation requests that any order approving the water right applications contain a similar condition applicable to the permits it seeks.

The State Water Board will determine whether water right permits should be issued for the two applications and whether the change and time extension petitions should be approved, and if so, whether the permits and licenses should be conditioned to protect the environment, the public interest, and downstream water users. This notice provides a description of the proposed project (see below, under "Environmental Information") and also describes the procedure and time frame for submittal of protests against the applications and petitions. This notice, the petitions, and applications may be viewed at the Division of Water Rights (Division) website at www.waterrights.ca.gov.

All communication regarding the State Water Board's processing of the petitions and applications should be directed to the State Water Board, at the contact listed at the end of this notice. Other communications, however, should be directed to the petitioners and applicants as follows: Any correspondence regarding the petitions should be directed to all of the petitioners at the addresses below. Any telephone communications regarding the petitions filed by the Bureau of Reclamation or Washoe County Water Conservation District should be directed to Martha Kaiser at (916) 978-5259. Martha Kaiser may also be reached via email at MKAIKER@mp.usbr.gov. Any telephone communications regarding the TMWA petition should be directed to Marc Van Camp (MBK Engineers) at (916) 456-4400. Marc Van Camp may also be reached via email at vancamp@mbkengineers.com.

Martha Kaiser
Mid-Pacific Region
US Bureau of Reclamation, (MP-440)
2800 Cottage Way
Sacramento, CA 95825
(916) 978-5259
MKAIKER@mp.usbr.gov

Ms. Lori Williams, General Manager
Truckee Meadows Water Authority
P.O. Box 30013
Reno, NV 89520-3013

Mr. Donald Casazza
Washoe County Water Conservation
District
295 Holcomb Avenue, Suite A
Reno, NV 89502

Mr. Kenneth Parr
US Bureau of Reclamation
705 North Plaza Street
Carson City, NV 89701-4015
KPARR@mp.usbr.gov

Any correspondence regarding the applications or the time extension for Permit 11605 should be directed to the applicant at the following address:

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Martha Kaiser
Mid-Pacific Region
US Bureau of Reclamation, (MP-440)
2800 Cottage Way
Sacramento, CA 95825
(916) 978-5259
MKAISER@mp.usbr.gov

General Description of Project

The Applicant and Petitioners filed two applications, four petitions for changes, and two time extensions to implement TROA. TROA was negotiated pursuant to Title II, Section 205(a) of Public Law 101-618, the Truckee-Carson-Pyramid Lake Water Rights Settlement Act. The purpose of TROA is to improve operational flexibility and efficiency at Truckee River reservoirs while satisfying existing water rights, and to provide multiple benefits that include the following:

- Increase storage for municipal and industrial water supply for the Reno-Sparks area (Truckee Meadows), and the Truckee River Basin in California during drought conditions;
- Increase storage for municipal and industrial water supply for the City of Fernley, re-vegetation of former agricultural lands, and enhancement of water quality effluent-based wetlands near Fernley;
- Enhance conditions for cui-ui and Lahontan cutthroat trout, fish species federally listed as endangered and threatened, respectively;
- Enhance seasonal stream flows,
- Improve water quality in the Truckee River, and
- Maintain reservoir storage at levels to better serve recreational uses.

TROA establishes agreed-upon rules for accounting of water that is stored, released, exchanged, displaced, or spilled at Independence, Stampede, Boca and Prosser Creek Reservoirs. The TROA accounting rules will apply to the TROA parties or new parties storing water pursuant to the terms of TROA. These applications and petitions, and the changes they contain, will not become effective until TROA is approved and implemented.

The purpose of the two new applications is to allow use of the full capacity of the existing Stampede and Prosser Creek Reservoirs, and to allow a year-round diversion season. The four petitions for change to the four existing Truckee River Reservoirs and the two water right applications seek to include the same points of rediversion, redistribution of storage, places of use, and purposes of use, so that water can be exchanged, stored and diverted efficiently to implement TROA. The two time extensions for Permit 11605 (Stampede) seek time for the changes to be implemented and water to be put to full beneficial use. The implementation of the proposed changes requested and of the two new applications are predicated on the approval and implementation of TROA.

When TROA is implemented, all existing water rights will continue to be exercised according to their current priorities, and the Orr Ditch decreed water rights will continue to be exercised and protected.

**Petitions to Change License 3723, Permit 11605, License 4196
and License 10180**

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None of the existing points of diversion and rediversion, places of use, or purposes of use are to be eliminated. The petitions request (1) redistribution of storage within the four reservoirs (Boca, Independence, Stampede, and Prosser Creek); (2) the addition of points of diversion and rediversion; (3) enlarging the place of use to provide for a common place of use under the licenses and permit; and (4) the addition of purposes of use so that the licenses and permit have the same purposes of use, except for Independence Dam and Reservoir which is not used for flood control purposes.

This notice identifies the existing points of diversion and rediversion, the existing places of use, information on the storage quantity, and storage season authorized under the licenses and permit. This notice also identifies all points of diversion and rediversion, redistribution of storage, common place of use, and common purposes of use, which incorporate the proposed changes. Under these proposed changes there will be no change in the storage quantities or storage seasons.

Summary of License 3723 (Application 5169)
(Boca Dam and Reservoir)

County: Nevada
 Source: Little Truckee River tributary to the Truckee River
 Quantity: 40,850 acre-feet per annum (afa)
 Season: About October 1 to about July 1
 Purpose of Use: Irrigation and domestic

Existing Point of Diversion: Boca Dam, within SE ¼, SW ¼, of Section 21, T18N, R17E, MDB&M*

Existing Points of Rediversion for License 3723:

Table A – Existing Points of Rediversion – License 3723							
No.	Rediversion	Bearing	Distance (Feet)	Cor.	Sec.	Twp.	Range
1	Steamboat	N62°04'W	3195	SW	32	19N	18E
2	Coldron	S8°33'W	1520	NW	29	19N	18E
3	Verdi Power	N39°58'W	845	NW	29	19N	18E
4	Washoe Power	N87°35'W	2004	NW	15	19N	18E
5	Highland	N75°16'W	1650	NW	15	19N	18E
6	Hogan	S42°01'W	2485	NW	15	19N	18E
7	Mastin	S42°02'W	5808	NW	13	19N	18E
8	Last Chance	S24°26'W	1840	NW	13	19N	18E
9	Sparks-Capurro	S43°33'E	3750	NW	13	19N	18E
10	Irwin-Mayberry	S84°25'W	3375	NW	20	19N	19E
11-12	Lake Southside	N88°05'W	2620	NW	20	19N	19E
13	Orr with Ext.	N44°40'E	3211	NW	20	19N	19E
14	Indian Flat	N62°28'E	4335	NW	20	19N	19E
15	Reno Power	S26°30'W	1702	NW	15	19N	19E
16	Countryman	S79°15'W	695	NW	15	19N	19E

* All subsequent references to township and range contained in this notice are to Mount Diablo Base & Meridian (MDB&M).

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Table A – Existing Points of Rediversion – License 3723 (continued)							
No.	Rediversion	Bearing	Distance (Feet)	Cor.	Sec.	Twp.	Range
17	Chism	S70°12'W	603	NW	15	19N	19E
18	English Mill	N61°02'W	2595	NW	14	19N	19E
19	Sullivan-Kelly	N60°00'E	3201	NW	14	19N	19E
20	Cochrane	N69°15'E	3640	NW	14	19N	19E
21	Scott Ranch	N64°28'E	5955	NW	14	19N	19E
22	Abbee	S10°05'W	7250	NE	1	19N	19E
23	Perry	S4°30'W	6620	NE	1	19N	19E
24	Eastman	S44°40'W	3108	NE	7	19N	20E
25	North Truckee	S39°28'W	3015	NE	7	19N	20E
26	Sessions	S36°10'W	3030	NE	7	19N	20E
27	Pioneer	S3°25'W	4795	NE	7	19N	20E
28	Stevens	S21°00'E	5405	NE	7	19N	20E
29	Glendale	S22°29'E	5760	NE	7	19N	20E
30	S. Largomarsino	S42°45'W	3918	NE	18	19N	21E
31	N. Largomarsino	S21°30'W	3602	NE	18	19N	21E
32	Groton	N5°50'W	1550	NE	20	19N	21E
33	Sheep Ranch	N17°28'E	2475	NE	20	19N	21E

Existing Place of Use:

Existing place of use authorized under License 3723 within the Washoe County Water Conservation District's service area is located within the following townships and ranges in the State of Nevada:

Township	Range
18N	19E, 20E
19N	18E, 19E, 20E, 21E
20N	19E, 20E

Summary of License 4196 (Application 9247)
(Independence Dam and Reservoir)

Counties: Nevada and Sierra
 Source: Independence Creek tributary to Little Truckee River thence Truckee River
 Quantity: 17,500 afa
 Season: About December 1 to about July 1
 Purpose of Use: Municipal

Existing Point of Diversion: Independence Dam, being N5°45'E-1864.7 feet from SW corner of Section 35, being within Lot 1, Section 35, T19N, R15E

Existing Points of Rediversion:

Existing Points of rediversion authorized in License 4196 for municipal use are:

Table B – Existing Points of Rediversion for License 4196

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Diversion Facility/Treatment Plant	40 Ac. Tract	Section	Township	Range
Steamboat Ditch (Steamboat Canal)	NW ¼ SE ¼	31	19N	18E
Highland Ditch	SW ¼ SE ¼	9	19N	18E
Reno Plant (Idlewild) Ditch – Reno Power Plant & Ditch	SE ¼ NE ¼	16	19N	19E

Existing Place of Use:

The existing place of use authorized under License 4196 includes lands within Township 19N, Ranges 19E and 20E.

Summary of Permit 11605 (Application 15673)
(Stampede Dam and Reservoir)

County: Sierra
 Source: Little Truckee River tributary to the Truckee River
 Quantity: 126,000 acre-feet
 Diversion: Rate: 350 cubic feet per second (cfs)
 Season: January 1 through December 31 for storage and about April 1 through about November 1 for direct diversion
 Purpose of Use: Irrigation, domestic, municipal, industrial, flood control, fish culture, and recreation

Limitation: 126,000 acre-feet per year to storage

Existing Point of Diversion: Stampede Dam. Within NW ¼, NW ¼ Section 28, T19N, R17E.

Existing Points of Rediversion:

Existing points of rediversion authorized under Permit 11605 are for:

Truckee Meadows area and numerous points between the following locations:

- a) 1520 feet S8°33'W from NW corner, Sec. 29, T19N, R18E
- b) 5760 feet S22°29'E from NE corner, Sec. 7, T19N, R20E

Newlands Project area and numerous points between Carson Diversion Dam and Sagouspe Diversion Dam, such as Coleman Diversion Dam and others:

- c) Derby Dam – 2725 feet N32°45'E from SW corner, Sec. 19, T20N, R23E
- d) Lahontan Dam - 3850 feet N82°45'E from SW corner, Sec. 33, T19N, R26E
- e) Carson Diversion Dam - 1885 feet N56°30'W from SE corner, Sec. 19, T19N, R27E
- f) Sagouspe Diversion Dam - 3620 feet N43°00'E from SW corner, Sec. 4, T19N, R29E

Existing Place of Use:

The existing place of use authorized under Permit 11605 is as follows:

Truckee Meadows – 26,800 acres within a gross area of 36,340 acres within the following townships and ranges within the State of Nevada.

Township	Range
18N	18E, 19E, 20E, 21E

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19N	18E, 19E, 20E, 21E
20N	18E, 19E, 20E, 21E

Newlands Project – 70,000 acres within a gross area of 107,140 acres within the following townships and ranges within the State of Nevada.

Township	Range
17N	24E, 25E, 26E, 27E, 28E, 29E, 30E, 31E
18N	24E, 25E, 26E, 27E, 28E, 29E, 30E, 31E
19N	24E, 25E, 26E, 27E, 28E, 29E, 30E, 31E
20N	24E, 25E, 26E, 27E, 28E, 29E, 30E, 31E

Summary of License 10180 (Application 18006)
(Prosser Creek Dam and Reservoir)

County: Nevada
 Source: Prosser Creek tributary to Truckee River
 Quantity: 30,000 afa
 Season: April 10 to August 10
 Purpose of Use: Domestic, municipal, industrial, irrigation, fish culture, and recreation.
 Maximum Withdrawal: Maximum withdrawal in any one year is 20,162 acre-feet

Existing Point of Diversion: Prosser Creek Dam, within NW ¼ of SW ¼ of Section 30,
 T18N, R17E

Existing Points of Rediversion:

Existing points of rediversion authorized under License 10180 are:

Truckee Meadows area and numerous points between the following locations:

- a) 1520 feet S8°33'W from NW corner, Sec. 29, T19N, R18E
- b) 5760 feet S22°29'E from NE corner, Sec. 7, T19N, R20E

Newlands Project area and numerous points between Carson Diversion Dam and Sagouspe Diversion Dam, such as Coleman Diversion Dam:

- c) Derby Dam – 2725 feet N32°45'E from SW corner, Sec. 19, T20N, R23E
- d) Lahontan Dam - 3850 feet N82°45'E from SW corner, Sec. 33, T19N, R26E
- e) Carson Diversion Dam - 1885 feet N56°30'W from SE corner, Sec. 19, T19N, R27E
- f) Sagouspe Diversion Dam - 3620 feet N43°00'E from SW corner, Sec. 4, T19N, R29E

Existing Place of Use:

The existing place of use authorized under License 10180 includes 82,000 net acres within 143,480 gross acres, all within the Truckee Meadows and Newlands Project.

Truckee Meadows – 26,800 acres within a gross area of 36,340 acres within the following townships and ranges within the State of Nevada.

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Township	Range
18N	18E, 19E, 20E, 21E
19N	18E, 19E, 20E, 21E
20N	18E, 19E, 20E, 21E

Newlands Project – 70,000 acres within a gross area of 107,140 acres within the following townships and ranges within the State of Nevada.

Township	Range
17N	24E, 25E, 26E, 27E, 28E, 29E, 30E, 31E
18N	24E, 25E, 26E, 27E, 28E, 29E, 30E, 31E
19N	24E, 25E, 26E, 27E, 28E, 29E, 30E, 31E
20N	24E, 25E, 26E, 27E, 28E, 29E, 30E, 31E

Changes Proposed by Petitions

Four petitions have been filed to change the licenses and permit for the purpose of accommodating implementation of the provisions of TROA. To accomplish this, the Petitioners request that additional points of diversion, redistribution, and rediversion be added. In addition, the Petitioners request that these licenses and permit have a common place of use and common purposes of use, with the exception that Independence Dam and Reservoir (License 4196) does not have flood control as a purpose of use. In addition, the Bureau of Reclamation requests that a permit term be eliminated in License 10180 and replaced by operating criteria provided in TROA. And finally, the Bureau of Reclamation filed two time extensions for Permit 11605, and ultimately seeks to extend the time to complete beneficial use of water to the year 2012.

The changes described in the petitions would result in the following points of diversion, redistribution, rediversion, places of use, and purposes of use for License 3723, License 4196, Permit 11605, and changes in the following points of rediversion, places of use, and purposes of use for License 10180:

Proposed Points of Diversion, Redistribution¹, and Rediversion

Points of diversion, redistribution, and rediversion under License 3723, License 4196, and Permit 11605 will be as follows

Proposed Changes to License 3723 - Boca Dam. The existing point of diversion is within SE ¼, SW ¼ Section 21, T18N, R17E under License 3723 (Boca Dam). The Petitioners request that Stampede Dam be added as upstream point of diversion, rediversion and redistribution to storage, and Independence Dam be added as an upstream point of diversion and redistribution of storage for License 3723.

Proposed Changes to Permit 11605 - Stampede Dam. The existing point of diversion is within NW ¼ NW ¼ Section 28, T19N, R17E under Permit 11605 (Stampede Dam). The Petitioners request that a point of rediversion and redistribution of storage be added to Stampede Dam; Independence Dam be added as an upstream point of diversion and redistribution of storage;

¹ Redistribution as used in this petition means that a quantity of water, which would have been or is physically stored in a reservoir under this license (permit) may be stored in another reservoir under this license (permit).

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and that Boca Dam be added as a downstream point of diversion, rediversion and redistribution of storage for Permit 11605.

Proposed Changes to License 4196 - Independence Dam. The existing point of diversion is within Lot 1 Section 35, T19N, R15E under License 4196 (Independence Dam). The Petitioners request a point of rediversion and redistribution of storage be added to Independence Dam; and that Boca Dam and Stampede Dam be added as downstream points of diversion, rediversion and redistribution to storage for License 4196.

Point of diversion under License 10180 will be as follows:

Proposed Changes to License 10180 - Prosser Creek Dam. The existing point of diversion is within NW ¼ of SW ¼ of said Section 30, T18N, R17E under License 10180 (Prosser Dam).

Points of Rediversion for the three licenses and permit:²

Points of rediversion under License 3723, License 4196, License 10180, and Permit 11605 will be as follows:

Table C – Common Points of Rediversion for Licenses, Permit and Applications				
Diversion Facility/Treatment Plant	40 Ac. Tract	Section	Township	Range
Farad Power Flume	S½ Lot 6 NW ¼	30	18N	18E
Fleish Power Ditch & Flume	SE ¼	6	18N	18E
Steamboat Canal	NE ¼ SW ¼	31	19N	18E
Coldron Ditch	SE ¼ NE ¼	30	19N	18E
Verdi Power Ditch & Flume	SE ¼ SE ¼	19	19N	18E
Katz Ditch	SE ¼ SE ¼	19	19N	18E
Washoe Power Ditch & Flume	NW ¼ NE ¼	16	19N	18E
Hogan Ditch	SW ¼ NE ¼	16	19N	18E
Highland Ditch	SW ¼ SE ¼	9	19N	18E
Mastin Ditch	SE ¼ SW ¼	14	19N	18E
Last Chance Ditch	SE ¼ NE ¼	14	19N	18E
Sparks-Capurro Ditch	NW ¼ SE ¼	13	19N	18E
Irwin-Mayberry Ditch	NE ¼ NW ¼	19	19N	19E
Lake Ditch (Lake Southside)	NE ¼ NW ¼	19	19N	19E
South Side Canal	NE ¼ SW ¼	17	19N	19E
Orr Ditch, Orr Extension & Spanish Spring Valley Ditch	NE ¼ SW ¼	17	19N	19E
Indian Flat Ditch	NE ¼ SE ¼	17	19N	19E
Orr Ditch Pump Station	NE ¼ SE ¼	17	19N	19E
Reno Power Ditch & Flume	SE ¼ NE ¼	16	19N	19E
Countryman Ditch	NE ¼ NE ¼	16	19N	19E
Chism Ditch	NE ¼ NE ¼	16	19N	19E
Hayden Ditch or Court Ditch	SE ¼ SE ¼	10	19N	19E
English Mill Ditch & English Mill Tailrace Ditch	NW ¼ SE ¼	10	19N	19E

² Some of the points of rediversion are identified in the U.S. v. Orr Water Ditch Company et al. (U.S. D. Ct. NV. 1944) but may not currently be in use.

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Table C – Common Points of Rediversion for Licenses, Permit and Applications (cont'd)				
Diversion Facility/Treatment Plant	40 Ac. Tract	Section	Township	Range
Idlewild Pump Station	SE ¼ SE ¼	10	19N	19E
Sullivan & Kelly Ditch	NW ¼ SE ¼	11	19N	19E
Cochran Ditch	NW ¼ SE ¼	11	19N	19E
Riverside Mill Ditch & Flume (Claim #10)	NW ¼ SE ¼	11	19N	19E
Scott Ranch Ditch	SW ¼ NW ¼	12	19N	19E
Abbee Ditch	SE ¼ NE ¼	12	19N	19E
Perry Ditch	SE ¼ NE ¼	12	19N	19E
Eastman Ditch	SW ¼ NE ¼	7	19N	20E
No. Truckee Ditch (Glendale Plant)	SW ¼ NE ¼	7	19N	20E
Sessions Ditch	SW ¼ NE ¼	7	19N	20E
Pioneer Ditch	SE ¼ SE ¼	7	19N	20E
Stephens Ditch (Stevens)	SE ¼ SW ¼	8	19N	20E
Glendale Ditch	SE ¼ SW ¼	8	19N	20E
Hidden Valley Induction Well #4	SW ¼ NW ¼	16	19N	20E
Largomarsino-Murphy Ditch (S. Largomarsino)	NW ¼ SE ¼	18	19N	21E
Largomarsino-Noce Ditch (N. Largomarsino)	NE ¼ SE ¼	18	19N	21E
Groton Ditch	NE ¼ SE ¼	17	19N	21E
Sheep Ranch Ditch	NW ¼ SW ¼	16	19N	21E
McCarran North Side Ditch	NE ¼ NW ¼	11	19N	21E
McCarran South Side Ditch	SW ¼ NW ¼	1	19N	21E
Old Ditch	NW ¼ NE ¼	6	19N	22E
Hill Ditch	NW ¼ NE ¼	32	20N	22E
Tracy Power Plant	SE ¼ SW ¼	28	20N	23E
Derby Dam & Truckee Canal	SW ¼	19	20N	23E
Preston Ditch	SE ¼ NW ¼	20	20N	23E
Washburn Ditch	SE ¼ NW ¼	22	20N	23E
Gregory Ditch	SE ¼ SE ¼	14	20N	23E
Wadsworth Power Ditch	NW ¼ SW ¼	13	20N	23E
Herman Ditch	NW ¼ NW ¼	17	20N	24E
Pierson Ditch	NW ¼ SW ¼	9	20N	24E
Fernley	SE ¼ NW ¼	9	20N	24E
Olinghouse No. 1 Ditch	NW ¼ NE ¼	9	20N	24E
Proctor Ditch	SW ¼ NW ¼	3	20N	24E
Fellnagle Ditch	NW ¼ SE ¼	33	21N	24E
Olinghouse No. 2 Ditch	SW ¼ SE ¼	22	21N	24E
Gardella Ditch	NW ¼ SE ¼	22	21N	24E
Olinghouse No. 3 Ditch	SW ¼ NW ¼	15	21N	24E
Indian Ditch (Nixon Ditch)	SW ¼ NE ¼	12	22N	23E

The following existing points of rediversion authorized under License 10180 and Permit 11605 are to be retained:

Truckee Meadows area including numerous points between the following locations:

- a) 1520 feet S8°33'W from NW corner, Sec. 29, T19N, R18E
- b) 5760 feet S22°29'E from NE corner, Sec. 7, T19N, R20E

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Newlands Project area including numerous points between Carson Diversion Dam and Sagsoupe Diversion Dam, such as Coleman Diversion Dam:

- c) Derby Dam – 2725 feet N32°45'E from SW corner, Sec. 19, T20N, R23E
- d) Lahontan Dam - 3850 feet N82°45'E from SW corner, Sec. 33, T19N, R26E
- e) Carson Diversion Dam - 1885 feet N56°30'W from SE corner, Sec. 19, T19N, R27E
- f) Sagsoupe Diversion Dam - 3620 feet N43°00'E from SW corner, Sec. 4, T19N, R29E

Expanded Place of Use:

The following describes the proposed expanded place of use, including the existing place of use, of License 3723 (A5169), Permit 11605 (A15673), License 4169 (A9247), and License 10180 (A18006), and common Place of Use for new applications A031487 and A031488:

Township	Range
13N	17E, 18E
14N	16E, 17E, 18E
15N	16E, 17E, 18E
16N	16E, 17E, 18E
17N	15E, 16E, 17E, 18E, 19E, 20E, 24E, 25E, 26E, 27E, 28E, 29E, 30E, 31E
18N	14E, 15E, 16E, 17E, 18E, 19E, 20E, 21E, 24E, 25E, 26E, 27E, 28E, 29E, 30E, 31E
19N	14E, 15E, 16E, 17E, 18E, 19E, 20E, 21E, 22E, 23E, 24E, 25E, 26E, 27E, 28E, 29E, 30E, 31E
20N	18E, 19E, 20E, 21E, 22E, 23E, 24E, 25E, 26E, 27E, 28E, 29E, 30E, 31E, 32E
21N	18E, 19E, 20E, 21E, 22E, 23E, 24E, 25E, 26E, 29E, 30E, 31E, 32E
22N	20E, 21E, 22E, 23E, 24E
23N	20E, 21E, 22E, 23E, 24E
24N	20E, 21E, 22E, 23E, 24E
25N	20E, 21E, 22E, 23E, 24E
26N	20E, 21E, 22E, 23E, 24E
27N	20E, 21E, 22E, 23E, 24E
28N	23E, 24E

Power use will be authorized at the following power plants under License 3723, License 4196, Permit 11605 and License 10180; however, under License 10180 Stampede power plant will be excluded.

Power Plant	Subdivision	Sec.	Township	Range
Stampede	SW ¼ NW ¼	28	19N	17E
Farad	SE ¼ SE ¼	12	18N	17E
Fleish	NE ¼ SE ¼	30	19N	18E
Verdi	NW ¼ SE ¼	8	19N	18E
Washoe	SW ¼ SW ¼	14	19N	18E

Purposes of Use:

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LICENSE 3723, 9247, 10180, AND PERMIT 11605
APPLICATIONS 31487, 31488

The purposes of use are to be expanded to include the following to facilitate possible changes and exchanges permitted under TROA:

Table F – Common Purposes of Use for Licenses, Permit, and Applications
Municipal
Domestic
Industrial
Irrigation
Stockwatering
Fish Culture
Fish & Wildlife Protection/Enhancement (including wetlands)
Power
Instream Water Quality Enhancement
Recreation
Conservation of Pyramid Lake fishery (as provided in P.L. 101-618)
Flood Control (except for Independence Reservoir, L4196)

Term to be Removed from License 10180 (Prosser Creek Reservoir):

The Petitioners request that the following term in License 10180 be removed and replaced by operating criteria provided in TROA:

The Licensee shall operate Prosser Creek Reservoir in coordination with releases of water from Lake Tahoe in the Truckee River in accordance with the operation schedule contained in the U.S. Bureau of Reclamation, Prosser Creek Reservoir Operation Study, January 14, 1958, and amended July 1, 1958, on file with the Board, or in accordance with any modified operation schedule that may be submitted by the Licensee, and approved by the State Water Resources Control Board after notice and opportunity to be heard has been given to all parties and other interested persons in this proceeding.

The Petitioners request that the following language be used:

The Licensee shall operate Prosser Creek Reservoir in accordance with the Truckee River Operating Agreement, which is on file with the State Water Resources Control Board.

Applications

Description of Application 31487 - Stampede Reservoir

Application 31487 has been filed for the purpose of accommodating implementation of the provisions of the Truckee River Operating Agreement (TROA). This application supplements Permit 11605 (Application 15673).

Application 31487 seeks to appropriate 350 cubic feet per second (cfs) by direct diversion from January 1 to December 31, and up to 226,500 afa by storage from January 1 to December 31. The maximum annual quantity to be appropriated by direct diversion or by storage under Application 31487 is 226,500 afa, in combination with Permit 11605. The maximum annual quantity of storage under this application and Permit 11605 is to be limited to 226,500 afa.

County: Nevada and Sierra Counties

PETITIONS FOR CHANGE FOR: - 13 -
 LICENSE 3723, 9247, 10180, AND PERMIT 11605
 APPLICATIONS 31487, 31488

Source of POD 1 and 2: Little Truckee River tributary to the Truckee River (Sierra and Nevada Counties)

Source of POD 3: Independence Lake tributary to Independence Creek thence the Little Truckee River thence the Truckee River

Point of Diversion: Stampede Dam (POD 1). Within NW ¼, NW ¼, Section 28, T19N, R17E.

Points of Diversion, Redistribution,³ and Rediversion:

Boca Dam (POD 2): Within SE ¼, SW ¼, Section 21, T18N, R17E. (Point of Diversion, Rediversion and Redistribution of Storage)

Independence Dam (POD 3). Within lot 1 Section 35, T19N, R15E. (Point of Diversion and Redistribution of Storage)

Points of Rediversion: Refer to Table C – Common Points of Rediversion for Licenses, Permit, and Applications for the purpose of accommodating implementation of the provisions of TROA.

Place of Use: Refer to Table D – Common Place of Use for Licenses, Permit, and Applications for the purpose of accommodating implementation of the provisions of TROA.

Power use will be at the following power plants: Common power use for Licenses, Permit, Application A031487 and Application 031488. Under License 10180 (Prosser Creek) and Application A031488 for Prosser Creek, the Stampede power plant is excluded.

Table E – Authorized Power Use				
Power Plant	Subdivision	Sec.	Township	Range
Stampede	SW ¼ NW ¼	28	19N	17E
Farad	SE ¼ SE ¼	12	18N	17E
Fleish	NE ¼ SE ¼	30	19N	18E
Verdi	NW ¼ SE ¼	8	19N	18E
Washoe	SW ¼ SW ¼	14	19N	18E

Purposes of Use: Refer to Table F – Common Purposes of Use for Licenses, Permit, and Applications for the purpose of accommodating implementation of the provisions of TROA.

Diversion Season

The requested season is January 1 through December 31 for both direct diversion and diversion to storage.

Description of Application 31488 - Prosser Creek Reservoir

Application 31488 has been filed for the purpose of accommodating implementation of the provisions of the Truckee River Operating Agreement (TROA). This application supplements License 10180 (Application 18006). This application seeks to increase the existing maximum withdrawal in any one year above the 20,162 acre-feet identified in License 10180 for Prosser Reservoir. In addition, the application seeks a storage season from October 1 to August 10, which will authorize storage beyond the April 10 to August 10 season authorized under License 10180.

³ Redistribution as used in this application means that a quantity of water which would have been or is physically stored in a reservoir under this license (permit) may be stored in another reservoir under this license (permit).

PETITIONS FOR CHANGE FOR: - 14 -
 LICENSE 3723, 9247, 10180, AND PERMIT 11605
 APPLICATIONS 31487, 31488

Application 31488 is for storage of 30,000 acre-feet in Prosser Reservoir. The maximum annual quantity of storage under this application and License 10810 is to be limited to 30,000 acre-feet. The storage season requested is October 1 to August 10.

County: Nevada

Source: Prosser Creek tributary to the Truckee River

Point of Diversion

Prosser Creek Dam – within NW ¼, SW ¼, of Section 30, T18N, R17E

Points of Rediversion: Refer to Table C – Common Points of Rediversion for Licenses, Permit, and Applications for the purpose of accommodating implementation of the provisions of TROA.

Place of Use: Refer to Table D – Common Place of Use for Licenses, Permit, and Applications for the purpose of accommodating implementation of the provisions of TROA.

Power use will be at the following power plants:

Power Plant	Subdivision	Sec.	Township	Range
Farad	SE ¼ SE ¼	12	18N	17E
Fleish	NE ¼ SE ¼	30	19N	18E
Verdi	NW ¼ SE ¼	8	19N	18E
Washoe	SW ¼ SW ¼	14	19N	18E

Purposes of Use: Refer to Table F – Common Purposes of Use for Licenses, Permit, and Applications for the purpose of accommodating implementation of the provisions of TROA.

Environmental Information

Summary

In August 2004, pursuant to the National Environmental Policy Act/California Environmental Quality Act (NEPA/CEQA), the U.S. Department of the Interior (Interior) and California Department of Water Resources (CDWR), as co-lead agencies, jointly published a Revised Draft Environmental Impact Statement/Environmental Impact Report (revised DEIS/EIR) for the Draft TROA. TROA, if approved, will implement Section 205 (a) of the Truckee-Carson-Pyramid Lake Water Rights Settlement Act of 1990, Title II of Public Law 101-618 (Settlement Act). The final EIS/EIR is expected to be released in mid to late 2007. The State Water Board may consider the final EIS/EIR in determining whether and how to approve the water rights applications and change petitions submitted to implement TROA. The draft TROA and the revised DEIS/EIR can be viewed at: <http://www.usbr.gov/mp/troa/> or http://cd.water.ca.gov/cnwa/troa_eir.cfm.

TROA Background

The revised DEIS/EIR has evaluated (1) TROA, the proposed action alternative, which is reservoir operations under the October 2003 Draft Agreement; (2) an alternative to the Draft Agreement, the Local Water Supply Alternative (LWSA); (3) a No Action Alternative (No Action); and (4) Current Conditions. The alternatives are based upon conditions assumed to exist in the study area when the annual demand for TMWA's municipal and industrial (M&I) water in the Reno-Sparks metropolitan area (Truckee Meadows) is 119,000 acre-feet. Based on current population

projections, the 119,000 acre-foot demand is projected to occur in the year 2033. Current condition is based on year 2002 data. This document describes the status of study area resources and presents an evaluation of the potential effects of the alternatives on these resources. The study area includes the Lake Tahoe and Truckee River basins in northeastern California and northwestern Nevada, the Truckee Division of the Newlands Project, the Lahontan Reservoir, and the lower Carson River basin in northwestern Nevada. A Draft EIS/EIR based on an earlier draft agreement was prepared and released in February 1998. Since then, ongoing negotiations have substantially modified the proposed agreement, resulting in the need to prepare a revised draft EIS/EIR.

The proposed action is the signing, adoption, and implementation of the Agreement by the Secretary of the Interior (Secretary) and California, including promulgation of TROA as a Federal rule; changing of California water rights permits and licenses to allow water storage, changes, and exchanges provided for in the Agreement; and negotiating contracts with the owners of Credit Water created pursuant to the Agreement for storage of that water in Federal reservoirs.

The primary purpose of the proposed action is to implement Section 205(a) of Public Law (P.L.) 101-618, which directs the Secretary to negotiate an agreement with California and the State of Nevada (Nevada) to increase the operational flexibility and efficiency of certain reservoirs in the Lake Tahoe and Truckee River basins. The proposed action would provide additional opportunities to store water in existing reservoirs to meet future M&I demands in the Truckee Meadows during periods of drought, and enhance spawning flows in the lower Truckee River for the benefit of Pyramid Lake fishes (i.e., federally endangered cui-ui and threatened Lahontan cutthroat trout). In addition, it would satisfy all applicable dam safety and flood control requirements and ensure that water is stored in and released from Truckee River reservoirs to satisfy the exercise of Orr Ditch and Truckee River General Electric decreed water rights and minimize the Secretary's costs associated with operating and maintaining Stampede Reservoir. It would also increase recreational opportunities throughout the Truckee River basin, and improve water quality in the Truckee River.

The proposed action would satisfy the terms, conditions, and contingencies of the Preliminary Settlement Agreement as Modified by the Ratification Agreement (PSA) by changing the operation of Truckee River storage facilities and exercise of Truckee River water rights in order to improve spawning conditions for Pyramid Lake fishes and to provide water to serve Truckee Meadows during drought periods as required by Section 205(a) of Public Law (P.L.) 101-618. The PSA is a 1989 agreement between TMWA's predecessor, Sierra Pacific Power Company, and the Pyramid Lake Paiute Tribe (Pyramid Tribe). TROA's entry into effect would permit certain provisions of P.L. 101-618 to become effective, including the California-Nevada Interstate Allocation (§ 204 of P.L. 101-618) of waters of the Lake Tahoe and Truckee River basins, and the confirmation of the Alpine Decree as part of the interstate allocation for the Carson River basin.

A number of statutory and regulatory procedures must be completed before TROA can be implemented. The NEPA/CEQA process must be completed before any final Agreement can be approved by the Secretary and California. The other mandatory signatory parties – Nevada, Pyramid Tribe, and TMWA – must also approve TROA. To enter into effect, TROA must be promulgated as a Federal regulation and published in the Federal Register. TROA must also be submitted to the U.S. district courts that supervise and administer the Orr Ditch and Truckee River General Electric decrees for approval of any necessary modifications in the provisions of those decrees. The EIS/EIR will also satisfy NEPA/CEQA requirements for new storage contracts. As a responsible agency under CEQA, the State Water Board must consider the environmental effects identified in the final EIS/EIR in determining whether and how to approve any water rights applications or change petitions submitted pursuant to TROA.

If you are not filing a protest, but wish to submit information that indicates the project may cause a

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LICENSE 3723, 9247, 10180, AND PERMIT 11605
APPLICATIONS 31487, 31488

significant effect on the environment, please send this information to Susan Wilson; SWRCB, Division of Water Rights; P.O. Box 2000; Sacramento, CA 95812-2000. This information will be reviewed in accordance with CEQA.

PROTEST SUBMITTAL INFORMATION

Protest Requirements

A person may file a protest based on any of the following factors:

- Interference with prior water rights.
- Adverse environmental impact.
- Not in the public interest.
- Contrary to law.
- Not within the jurisdiction of the State Water Board.

This notice covers various applications to appropriate water, petitions for change, and petitions for extension of time. The protest should specifically identify which application or petition is the subject of the protest.

All protests must clearly describe the objections to approval of the applications or petitions and the factual basis for those objections. There must be a clear link between the proposed project and the objection to its approval. If the objection is based on interference with prior water rights, the protest must describe specifically what injury would result if the application is approved. In addition, the party claiming interference with prior rights must provide specific information describing the basis of the prior right, the date the use began, the quantity of water used, the purpose of use and the place of use. Please note that any water right permits issued or petitions approved by the State Water Board are subject to vested water rights and will include conditions to protect such rights.

If the protest is based on an allegation that the proposed appropriations and proposed petitions would not be within the State Water Board's jurisdiction, would not best conserve the public interest or public trust uses, would have an adverse environmental impact, or would be contrary to law, the protest must be accompanied by a statement of facts supporting the allegation. For example, public interest protests should clearly indicate how the appropriation will affect the public; environmental protests should identify specific impacts, supported by factual information, of the proposed project on plants, animals, fish, erosion, pollution, aesthetics, etc.; public trust protests should identify the navigable waters and public trust values that would be affected by the proposed project and how the project will impact public trust values.

All protests should include a description of any measures that could be taken to resolve the protest. The protest also must indicate the manner in which the protestant served upon the applicant/petitioners a duplicate copy of the protest.

If sufficient information is not submitted, the State Water Board may reject the protest or request that the protestant submit additional information. Protests of a general nature (not project specific) or protests that are inconsistent with constitutional, statutory, or regulatory state law will not be accepted. A request for information or a request that studies be conducted does not constitute a protest.

Procedure for Submitting Protests

Protests should be submitted on standard protest forms which are available from the Division's website at www.waterrights.ca.gov/forms/ or upon request, in writing or by telephone, from the

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LICENSE 3723, 9247, 10180, AND PERMIT 11605
APPLICATIONS 31487, 31488

Division. A pamphlet that provides additional information relating to water rights and the procedure for filing protests is also available on the website or by mail. Any requests or the submittal of the completed protest form should be directed to the individual listed as the contact person at the end of this notice. **A copy of the completed protest form must also be mailed to the applicant or petitioner.**

Protest Submittal Deadline

Protests submitted in response to this notice must be received by the Division by close of business (5:00 P.M.) on, April 2, 2007, the **60th** day after the date of this notice (the close of the protest period). Protests may be submitted by any of the following methods:

1. Mailed to Division of Water Rights; P. O. Box 2000; Sacramento, CA 95812-2000
2. Faxed to the Division at (916) 341-5400
3. Emailed to the engineer listed below under the heading "Contact Person"
4. Hand-delivered to the Division office located at 1001 "I" Street, 14th Floor, Sacramento, CA

If you choose to fax or email the protest due to the constraints of the noticing period, the fax or email must be followed by timely delivery of an original signed copy, either personally or by mail, to the Division in order for the protest to be accepted. The State Water Board will respond to all protests within 60 days of the final day to file a protest. **Protests not submitted by the close of the protest period will be subject to rejection.**

For good cause, the State Water Board may grant an extension of time to file a protest. It is the protestant's responsibility to contact the engineer listed below as "Contact Person" to request the extension prior to the end of the protest period.

Resolution of Protests

The applicant or petitioner will have 30 days to respond to a protest once it is accepted by the Division. The protestant and the applicant or petitioner shall make a good faith effort to resolve the protest within 180 days from the close of the protest period.

This is a "major project" (the proposed diversion is greater than 3 cubic feet per second by direct diversion or greater than 200 acre-feet per year by storage) as defined by section 1348 of the Water Code. Therefore, any protest issues not resolved by the applicant or petitioner or by provisions of section 1335 of the Water Code will be decided by the State Water Resources Control Board following an evidentiary hearing.

CONTACT PERSON

To obtain additional information regarding this project, or to obtain copies of protest forms, or general information pamphlets, please leave a message for Susan Wilson by phone at (916) 341-5310 or by electronic mail at swilson@waterboards.ca.gov. Division staff will respond to the telephone and e-mail inquiries in the order they are received. Information and protest forms are also available at the Division's website: www.waterrights.ca.gov/forms/.

Date of Notice: **January 30, 2007**

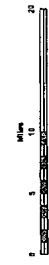
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RECLAMATION
The Nation's Water

- Place of Use
- Existing Place of Use
- Truckee Basin
- Little Truckee River Watershed
- National Wildlife Refuge
- Indian Reservation
- County
- City
- Truckee Canal
- Truckee River
- Major Road
- Dam
- Points of Diversion

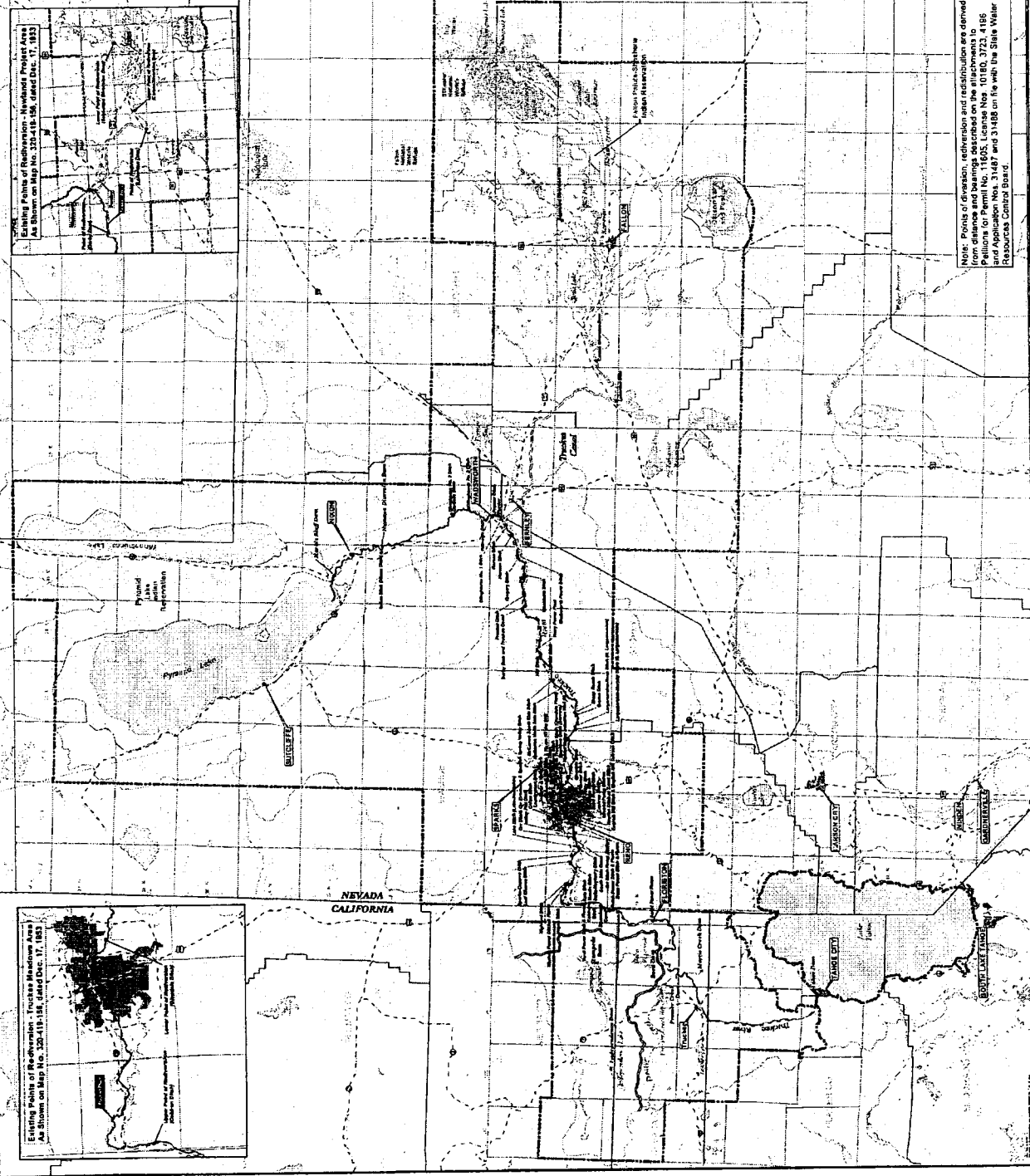
Map No. 320-205-189A-1
 Date July 24, 2006
 California Civil Rights Act, Chapter 24, Section 20.0007



United States
 Department of the Interior
 Bureau of Reclamation, Mid-Pacific Region
 Truckee River Operating Agreement
 Washoe Project, California - Nevada
 Place of Use

Water Right Permit No. 11605 (Stampede),
 License Nos. 10160 (Prosser), 3723 (Boca)
 held by Washoe County Water Conservation
 District (and 4196 Waterpans) held by
 Truckee River Operating Agreement
 Application Nos. 31487 (Stampede) and
 31488 (Prosser)

Date July 24, 2006
 Map No. 320-205-189A-1



Existing Points of Diversion - Nevada Project Area
 As Shown on Map No. 320-205-189, dated Dec. 17, 1933

Existing Points of Diversion - Truckee Watershed Area
 As Shown on Map No. 320-205-189, dated Dec. 17, 1933

Note: Points of diversion, rediversion and redistribution are derived
 from the Nevada Project Area and Truckee Watershed Area
 Maps on Maps No. 11605, License Nos. 10160, 3723, 4196
 and Application Nos. 31487 and 31488 on file with the State Water
 Resources Control Board.

BDCA

2005 DEC -5 AM 11:33

PETITION FOR CHANGE
(WATER CODE 1700)

Application 5169 Point of Diversion, Point of Rediversion, Place of Use, Purpose of Use
Permit License 3723 Statement or Other

I (we) hereby petition for change(s) noted above and shown on the accompanying map and described as follows:

Point of Diversion or Rediversion (Give coordinate distances from section corner or other ties as allowed by Cal CR 715, and the 40-acre subdivision in which the present & proposed points lie.)
Present See Attachment and Exhibits 1 and 2
Proposed See Attachment and Exhibits 1 and 2

Place of Use (If irrigation then state number of acres to be irrigated within each 40-acre tract.)
Present See Attachment and Exhibit 3
Proposed See Attachment and Exhibit 3

Purpose of Use
Present See Attachment and Exhibit 4
Proposed See Attachment and Exhibit 4

Does the proposed use serve to preserve or enhance wetlands habitat, fish and wildlife resources, or recreation in or on the water (See WC 1707)? No
(yes/no)

- GIVE REASON FOR PROPOSED CHANGE: The proposed changes are to allow water changes transfers and exchanges in accordance with TROA.
- WILL THE OLD POINT OF DIVERSION OR PLACE OF USE BE ABANDONED? No
(yes/no)
- WATER WILL BE USED FOR See Attachment and Exhibit 4 PURPOSES.

I (we) have access to the proposed point of diversion or control the proposed place of use by virtue of? See attachment
(ownership, lease verbal or written agreement)

Are there any persons taking water from the stream between the old point of return flow and the new point of return flow? _____
(yes/no)

If by lease or agreement, state the name and address of party(s) from whom access has been obtained. Attach additional pages if needed.

Give name and address of any person(s) taking water from the stream between the present point of diversion or rediversion and the proposed point of diversion or rediversion, as well as any other person(s) known to you who may be affected by the proposed change.

THIS CHANGE DOES NOT INVOLVE AN INCREASE IN THE AMOUNT OF THE APPROPRIATION OR SEASON OF USE.
I (we) declare under penalty of perjury that the above is true and correct to the best of my (our) knowledge and belief.

Dated 12/7/03, 2003 at RENO NV, California

[Signature] Telephone No. 775-322-4139
Signature(s)

NOTE: A \$100 filing fee made payable to the State Water Resources Control Board and a \$850 fee made payable to the Department of Fish and Game must accompany a petition for change.

ATTACHMENT

Petition for Change Application 5169 - License 3723

General

License 3723 (Application 5169) for Boca Dam and Reservoir is held by the Washoe County Water Conservation District (District). The United States constructed and holds legal title to Boca Dam and Reservoir. The District operates and maintains Boca Dam and Reservoir and holds the license for all water storage rights at Boca Reservoir. Access by the District to Boca Reservoir is through a contract for storage of non-project water (Bureau of Reclamation Contract No. 4-07-20-W1177). This petition is one of a group of four petitions, which are being filed to allow changes and exchanges of water under the Truckee River Operating Agreement (TROA). The petitioners request that these petitions be treated as a single project with a combined single notice.

Additions of points of diversion, redistribution¹ and rediversion, places of use and purposes of use identified in this petition are only for the purpose of accommodating implementation of the provisions of TROA.

Water stored in this Reservoir pursuant to future permits issued by the Nevada State Engineer under Nevada Law and recognized pursuant to the provisions of California Water Code Sections 1231 and 1232 shall not be considered as water stored pursuant to the provisions of this license.

Condition

Because implementation of the changes proposed in this petition is predicated on the approval and implementation of TROA, the applicant requests that the order by the State Water Resources Control Board (SWRCB) approving this petition include the following condition:

“These changes will not take effect unless the Truckee River Operating Agreement is in effect. All diversions, storage, use of water and operations under this license shall be in accordance with the provisions contained in this license and the Truckee River Operating Agreement.”

¹ Redistribution as used in this petition means that a quantity of water which would have been or is physically stored in a reservoir under this license (permit) may be stored in another reservoir under this license (permit).

Existing Points of Diversion and Rediversion under the License

The existing point of diversion as authorized in License 3723 is Boca Dam and is described in Exhibit 1A. License 3723 authorizes multiple points of rediversion as described in Exhibit 2A. This point of diversion and the points of rediversion are shown on Map No. 320-419-156 dated December 17, 1953, on file with License 3723. This petition does not propose to eliminate any existing points of diversion or rediversion.

Points of Diversion, Redistribution and Rediversion to be Added

Points of diversion, redistribution and rediversion are being added to authorize and facilitate changes and exchanges under TROA. This petition requests the addition of Stampede Dam as an additional point of diversion, redistribution, and rediversion. This petition also requests the addition of Independence Dam as an additional point of diversion and redistribution. These are described in Exhibit 1B and shown on Map No. 320-208-189A filed with this petition. The points of rediversion to be added are described in Exhibit 2B and shown on Map No. 320-208-189A and filed with this petition; they are located between Independence Dam and Pyramid Lake.

*map 320-208-189A-1
Stampede Dam
map 8/14/2006
S/W*

Existing Place of Use under the License

Irrigation use will continue in the existing place of use described in License 3723. The existing place of use is described in Exhibit 3A and shown on Map No. 320-419-156, dated December 17, 1953, on file with License 3723.

Expanded Place of Use to be Added

The existing place of use is to be expanded to include the additional areas of use within the townships described in Exhibit 3B and shown on Map No. 320-208-189A filed with this petition.
320-208-189A-1

Existing Purposes of Use under the License

The existing purposes of use are described in Exhibit 4A.

Purposes of Use to be Added

The purposes of use are to be expanded to include those uses described in Exhibit 4B.

EXHIBIT 1A

Existing Point of Diversion under the License

Boca Dam. N83° 41' E - 1899.62 feet from SW corner of Section 21, being within SE 1/4, SW 1/4 Section 21, T18N, R17E.*

EXHIBIT 1B

Points of Diversion, Redistribution and Rediversion to be Added

The existing point of diversion under the license is to be retained and added as a point of rediversion.

Boca Dam. N83° 41' E - 1899.62 feet from SW corner of Section 21, being within SE 1/4, SW 1/4 Section 21, T18N, R17E.* (Add as a point of Rediversion.)

Stampede Dam. S10° 24' E - 480 feet from NW corner of Section 28, being within NW 1/4, NW 1/4 Section 28, T19N, R17E.* (Add as a point of Diversion, Redistribution, and Rediversion.)

Independence Dam. N5° 45'E - 1864.7 feet from SW corner of Section 35, being within Lot 1 Section 35, T19N, R15E.* (Add as a point of Diversion and Redistribution.)

* All references to township and range on this page are to Mount Diablo Base & Meridian (MDB&M).

EXHIBIT 2A

Existing Points of Rediversion under the License

Existing points of rediversion to be retained are as follows:

No.	Diversion	Bearing	Distance	Cor.	Sec.	Twp.*	Range*
1	Steamboat	N 62°04'W	3195	SW	32	19N	18E
2	Coldron	S 8°33'W	1520	NW	29	19N	18E
3	Verdi Power	N 39°58'W	845	NW	29	19N	18E
4	Washoe Power	N 87°35'W	2004	NW	15	19N	18E
5	Highland	N 75°16'W	1650	NW	15	19N	18E
6	Hogan	S 42°01'W	2485	NW	15	19N	18E
7	Mastin	S 42°02'W	5808	NW	13	19N	18E
8	Last Chance	S 24°26'W	1840	NW	13	19N	18E
9	Sparks-Capurro	S 43°33'E	3750	NW	13	19N	18E
10	Irwin-Mayberry	S 84°25'W	3375	NW	20	19N	19E
11-12	Lake Southside	N 88°05'W	2620	NW	20	19N	19E
13	Orr with Ext.	N 44°40'E	3211	NW	20	19N	19E
14	Indian Flat	N 62°28'E	4335	NW	20	19N	19E
15	Reno Power	S 26°30'W	1702	NW	15	19N	19E
16	Countryman	S 79°15'W	695	NW	15	19N	19E
17	Chism	S 70°12'W	603	NW	15	19N	19E
18	English Mill	N 61°02'W	2595	NW	14	19N	19E
19	Sullivan-Kelly	N 60°00'E	3201	NW	14	19N	19E
20	Cochrane	N 69°15'E	3640	NW	14	19N	19E
21	Scott Ranch	N 64°28'E	5955	NW	14	19N	19E
22	Abbee	S 10°05'W	7250	NE	1	19N	19E
23	Perry	S 4°30'W	6620	NE	1	19N	19E
24	Eastman	S 44°40'W	3108	NE	7	19N	20E
25	North Truckee	S 39°28'W	3015	NE	7	19N	20E
26	Sessions	S 36°10'W	3030	NE	7	19N	20E
27	Pioneer	S 3°25'W	4795	NE	7	19N	20E
28	Stevens	S 21°00'E	5405	NE	7	19N	20E
29	Glendale	S 22°29'E	5760	NE	7	19N	20E
30	S. Largomarsino	S 42°45'W	3918	NE	18	19N	21E
31	N. Largomarsino	S 21°30'W	3602	NE	18	19N	21E
32	Groten	N 5°50'W	1550	NE	20	19N	21E
33	Sheep Ranch	N 17°28'E	2475	NE	20	19N	21E

* All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

EXHIBIT 2B

Points of Rediversion to be Added

The existing points of rediversion under the license are to be retained. Numerous points of rediversion to be added under the license are described below² :

Diversion Facility/Treatment Plant	40 Ac. Tract	Section	Township*	Range*
Farad Power Flume	S ½ Lot 6 NW¼	30	18N	18E
Fleish Power Ditch & Flume	SE ¼	6	18N	18E
Steamboat Canal	NE ¼ SW ¼	31	19N	18E
Coldron Ditch	SE ¼ NE ¼	30	19N	18E
Verdi Power Ditch & Flume	SE ¼ SE ¼	19	19N	18E
Katz Ditch	SE ¼ SE ¼	19	19N	18E
Washoe Power Ditch & Flume	NW ¼ NE ¼	16	19N	18E
Hogan Ditch	SW ¼ NE ¼	16	19N	18E
Highland Ditch	SW ¼ SE ¼	9	19N	18E
Mastin Ditch	SE ¼ SW ¼	14	19N	18E
Last Chance Ditch	SE ¼ NE ¼	14	19N	18E
Sparks-Capurro Ditch	NW ¼ SE ¼	13	19N	18E
Irwin-Mayberry Ditch	NE ¼ NW ¼	19	19N	19E
Lake Ditch (Lake-Southside)	NE ¼ NW ¼	19	19N	19E
South Side Canal	NE ¼ SW ¼	17	19N	19E
Orr Ditch, Orr Extension & Spanish Spring Valley Ditch	NE ¼ SW ¼	17	19N	19E
Indian Flat Ditch	NE ¼ SE ¼	17	19N	19E
Orr Ditch Pump Station	NE ¼ SE ¼	17	19N	19E
Reno Power Ditch & Flume	SE ¼ NE ¼	16	19N	19E
Countryman Ditch	NE ¼ NE ¼	16	19N	19E
Chism Ditch	NE ¼ NE ¼	16	19N	19E
Hayden Ditch or Court Ditch	SE ¼ SE ¼	10	19N	19E
English Mill Ditch & English Mill Tailrace Ditch	NW ¼ SE ¼	10	19N	19E
Idlewild Pump Station	SE ¼ SE ¼	10	19N	19E
Sullivan & Kelly Ditch	NW ¼ SE ¼	11	19N	19E
Cochran Ditch	NW ¼ SE ¼	11	19N	19E
Riverside Mill Ditch & Flume (Claim #10)	NW ¼ SE ¼	11	19N	19E

* All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

² Some of the points of rediversion are identified in the U.S. v. Orr Water Ditch Company, et al. (U.S. D. Ct. NV.1944) but may not currently be in use.

Diversion Facility/Treatment Plant	40 Ac. Tract	Section	Township*	Range*
Scott Ranch Ditch	SW ¼ NW ¼	12	19N	19E
Abbee Ditch	SE ¼ NE ¼	12	19N	19E
Perry Ditch	SE ¼ NE ¼	12	19N	19E
Eastman Ditch	SW ¼ NE ¼	7	19N	20E
No. Truckee Ditch (Glendale Plant)	SW ¼ NE ¼	7	19N	20E
Sessions Ditch	SW ¼ NE ¼	7	19N	20E
Pioneer Ditch	SE ¼ SE ¼	7	19N	20E
Stephens Ditch (Stevens)	SE ¼ SW ¼	8	19N	20E
Glendale Ditch	SE ¼ SW ¼	8	19N	20E
Hidden Valley Induction Well #4	SW ¼ NW ¼	16	19N	20E
Largomarsino-Murphy Ditch (S. Largomarsino)	NW ¼ SE ¼	18	19N	21E
Largomarsino-Noce Ditch (N. Largomarsino)	NE ¼ SE ¼	18	19N	21E
Groton Ditch	NE ¼ SE ¼	17	19N	21E
Sheep Ranch Ditch	NW ¼ SW ¼	16	19N	21E
McCarran North Side Ditch	NE ¼ NW ¼	11	19N	21E
McCarran South Side Ditch	SW ¼ NW ¼	1	19N	21E
Old Ditch	NW ¼ NE ¼	6	19N	22E
Hill Ditch	NW ¼ NE ¼	32	20N	22E
Tracy Power Plant	SE ¼ SW ¼	28	20N	23E
Derby Dam & Truckee Canal	SW ¼	19	20N	23E
Preston Ditch	SE ¼ NW ¼	20	20N	23E
Washburn Ditch	SE ¼ NW ¼	22	20N	23E
Gregory Ditch	SE ¼ SE ¼	14	20N	23E
Wadsworth Power Ditch	NW ¼ SW ¼	13	20N	23E
Herman Ditch	NW ¼ NW ¼	17	20N	24E
Pierson Ditch	NW ¼ SW ¼	9	20N	24E
Fernley ³	SE ¼ NW ¼	9	20N	24E
Olinghouse No. 1 Ditch	NW ¼ NE ¼	9	20N	24E
Proctor Ditch	SW ¼ NW ¼	3	20N	24E
Fellnagle Ditch	NW ¼ SE ¼	33	21N	24E
Olinghouse No. 2 Ditch	SW ¼ SE ¼	22	21N	24E
Gardella Ditch	NW ¼ SE ¼	22	21N	24E
Olinghouse No. 3 Ditch	SW ¼ NW ¼	15	21N	24E
Indian Ditch (Nixon Ditch)	SW ¼ NE ¼	12	22N	23E

* All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

³ Proposed future point of redirection to be constructed.

EXHIBIT 3A

Existing Place of Use under the License

Existing place of use authorized under the license within the Washoe County Water Conservation District's existing service area are located within the following townships and ranges within the State of Nevada:

Township*	Range*
18N	19 & 20E
19N	18, 19, 20 & 21E
20N	19 & 20E

EXHIBIT 3B

Expanded Place of Use to be Added

The following list provides the proposed expanded place of use, including the existing place of use of License 3723 (A5169), License 4196 (A9247), License 10180 (A18006) and Permit 11605 (A15673) as shown on Map No. ~~320-208-189A~~ and filed with this petition:

320-208-189A-1

Township*	Range*	Township*	Range*
13N	17 & 18E	25N	20 - 24E
14N	16 - 18E	26N	20 - 24E
15N	16 - 18E	27N	20 - 24E
16N	16 - 18E	28 N	23 & 24E
17N	15 - 20E, 24 - 31E		
18N	14 - 21E, 24 - 31E		
19N	14 - 31E		
20N	18 - 32E		
21N	18 - 26E, 29 - 32E		
22N	20 - 24E		
23N	20 - 24E		
24N	20 - 24E		

*New Map
5/10
8/14/2006*

* All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

Power use will be at the following power plants located as follows:

Power Plant	Subdivision	Sec.	Township *	Range *
Stampede	SW 1/4 NW 1/4	28	19N	17E
Farad	SE 1/4 SE 1/4	12	18N	17E
Fleish	NE 1/4 SE 1/4	30	19N	18E
Verdi	NW 1/4 SE 1/4	8	19N	18E
Washoe	SW 1/4 SW 1/4	14	19N	18E

* All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

EXHIBIT 4A

Existing Purposes of Use under the License

Existing purposes of use authorized under License 3723 are the following:

Irrigation
Domestic

EXHIBIT 4B

Purposes of Use to be Added

The existing purposes of use under License 3723 are to be retained. The purposes of use to be added because of the possible changes and exchanges under TROA and in accordance with the terms and conditions of TROA are the following:

Municipal
Industrial
Stockwatering
Fish Culture
Conservation of Pyramid Lake fishery (as provided in P.L. 101-618)
Fish & Wildlife Protection/Enhancement (including wetlands)
Power
Instream Water Quality Enhancement
Recreation
Flood Control

ENVIRONMENTAL INFORMATION
FOR PETITIONS

(THIS IS NOT A CEQA DOCUMENT)

APPLICATION NO. 5169

PERMIT NO. 5286

LICENSE NO. 3723

The following information will aid in the environmental review of your change petition as required by the California Environmental Quality Act (CEQA). IN ORDER FOR YOUR CHANGE PETITION TO BE ACCEPTED AS COMPLETED, ANSWERS TO THE QUESTIONS LISTED BELOW MUST BE COMPLETED TO THE BEST OF YOUR ABILITY. Failure to answer all questions may result in your change petition being returned to you, causing delays in processing. If you need more space, attach additional sheets. Additional information may be required from you to amplify further or clarify the information requested in this form.

DISCRPTION OF CHANGES TO PROJECT

1. Provide a description of the proposed changes to your project, including but not limited to, type of construction activity, structures existing or to be built, area to be graded or excavated, changes in land use, and project operational changes, including changes in how the water will be used.

This petition for Boca Dam and Reservoir is one of a group of four petitions, which are being filed to allow ^{changes} ~~transfers~~ and exchanges of water under the Truckee River Operating Agreement (TROA). The petitioners request that these petitions be treated as a single project with a combined single notice. Additions of points of diversion and rediversion, places of use and purposes of use identified in this petition are only for the purpose of accommodating implementation of the provisions of TROA.

GOVERNMENTAL REQUIREMENTS

Before a final decision can be made on your change petition, we must consider the information contained in an environmental document prepared in compliance with the requirements of CEQA. If an environmental document has been prepared for your proposed changes by another agency, we must consider it. If one has not been prepared, a determination must be made as to who is responsible for the preparation of the environmental document for your change petition. The following questions are designed to aid us in that determination.

2. Contact your county planning or public works department for the following information:
- a. Person contacted N/A Date of contact _____
Department _____ Telephone () _____
 - b. Assessor's Parcel No. _____
 - c. County Zoning Designation _____
 - d. Are any county permits required for your proposed changes? _____
If yes, check appropriate space below:
_____ Grading Permit, _____ Use Permit, _____ Watercourse
Obstruction Permit, _____ Change of Zoning, _____ General Plan
Change, Other (explain): _____
 - e. Have you obtained any of the required permits described above? No
If yes, provide a complete copy of each permit obtained.

3. Are any additional state or federal permits required for your proposed changes? _____ (i.e., from Federal Energy Regulatory Commission, U.S. Forest Service, Bureau of Land Management, Soil Conservation Service, Department of Water Resources (Division of Safety of Dams), Reclamation Board, Coastal Commission, State Lands Commission, etc.) For each agency from which a permit is required provide the following information:

Permit type _____
Person (s) contacted _____ Agency _____
Date of contact _____ Telephone () _____

4. Has any public agency prepared an environmental document for any aspect of your proposed changes? No

If so, please submit a copy of the latest environmental document (s) prepared, including a copy of the notice of determination adopted by the public agency. If not, explain below whether you expect that a public agency other than the State Water Resources Control Board will be preparing an environmental document for your change petition or whether the applicant, if it is a California public agency, will be preparing the environmental document for your change petition:

An Environmental Impact Statement/Environmental Impact Report (EIS/EIR) is being prepared to analyze the potential effects of TROA. A revised DEIS/EIR is being prepared jointly by the Department of Interior, as represented by Reclamation, U.S. Fish and Wildlife Service, and Bureau of Indian Affairs, and the State of California, as represented by Department of Water Resources.

Note: When completed, please submit a copy of the final environmental document (including notice of determination) or notice of exemption to the State Water Resources Control Board. Processing of your change petition cannot proceed until such documents are submitted.

5. Will your proposed changes, during construction or operation, generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or cause erosion, turbidity or sedimentation? NO If so, explain: _____

If yes or you are unsure of your answer, contact your local Regional Water Quality Control Board for the following information (See attachment for address and telephone number):

Will a waste discharge permit be required for your petition? _____

Person contacted _____ Date of contact _____

What method of treatment and disposal will be used? _____

6. Have any archeological reports been prepared on this project, or will you be preparing an archeological report to satisfy another public agency? _____

Do you know of any archeological or historic sites located within the general project area?

Yes If so, explain: See EIS/EIR being prepared for TROA.

ENVIRONMENTAL SETTING

7. Attach THREE COMPLETE SETS of color photographs, clearly dated and labeled, showing the vegetation currently existing at the following locations:

Plant communities potentially affected by the action proposed by the petition is not anticipated to adversely affect plant communities at Boca Dam and Reservoir.

- a. Along the stream channel immediately downstream from the proposed point(s) of diversion
- b. Along the stream channel immediately upstream from the proposed point(s) of diversion
- c. At the place(s) where the water is to be used

Note: It is very important that you submit no less than three complete sets of photographs as required above. If less than three sets are submitted, processing of your change petition will be delayed until you furnish the remaining sets!

8. From the list given below, mark or circle the general plant community types which best describe those which occur within your project area (Note: See footnote denoted by * under Question 11 below):

Tree Dominated Communities

Subalpine Conifer
Red Fir
Lodgepole Pine
Mixed Conifer
 Sierran Mixed Conifer
 White Fir
 Klamath Mixed Conifer
Douglas-Fir
Jeffrey Pine
Ponderosa Pine
Eastside Pine
Redwood
Pinyon-Juniper
Juniper
Aspen
Closed-Cone Pine-Cypress
Montane Hardwood-Conifer
Montane Hardwood
Valley Foothill Hardwood
 Blue Oak Woodland
 Valley Oak Woodland
 Coastal Oak Woodland
Valley Foothill Hardwood-Conifer
 Blue Oak-Digger Pine
Eucalyptus
Montane Riparian
Valley Foothill Riparian
Desert Riparian
Palm Oasis
Joshua Tree

Shrub Dominated Communities

Alpine Dwarf-Shrub
Low Sage
Bitterbrush
Sagebrush
Montane Chaparral
Mixed Chaparral
Chamise-Redshank Chaparral
Coastal Scrub
Desert Succulent Shrub
Desert Wash
Desert Scrub
Alkali Desert Scrub

Herbaceous Dominated Communities

Annual Grassland
Perennial Grassland
Wet Meadow
Fresh Emergent Wetland
Saline Emergent Wetland
Pasture

Aquatic Communities

Riverine
Lacustrine
Estuarine
Marine

Developed Communities

Cropland
Orchard-Vineyard
Urban

Literature source: Mayer, K.E., and W.F. Laudenslayer, Jr., (eds). 1988. A Guide to Wildlife Habitats of California. California Department of Forestry and Fire Protection, Sacramento. 166 pp. (Note: You may view a copy of this document at our public counter at the address given

at the top of this form or you may purchase a copy by calling the California Department of Fish and Game, Wildlife Habitat Relationships (WHR) Program at (916) 653-7203).

9. Provide below an estimate of the type, number, and size (trunk/stem diameter at chest height) of trees and large shrubs that are planned to be removed or destroyed due to implementation of the proposed changes. Consider all aspects of your change petition, including changes in diversion structures, water distribution and use facilities, and changes in the place of use due to additional water development.

None

FISH AND WILDLIFE CONCERNS

10. Identify the typical species of fish which occur in the source(s) from which you propose to divert water and discuss whether or not any of these fish species or their habitat has been or would be affected by your proposed changes. (Note: See footnote denoted by * under Question 11 below):

Fish species in the project area and potentially affected by
this petition will be fully described in the Revised Draft
EIS/EIR. TROA is anticipated to increase the likelihood of
meeting reservoir and stream flow objectives and thereby, maintain
more constant monthly habitat conditions for fish species.

11. Identify the typical species of riparian and terrestrial wildlife in the area and discuss whether or not any of these species and/or their habitat has been or would be affected by your proposed changes through construction of additional water diversion and distribution works and/or changes in land use in the place of water use. (Note: See footnote denoted by * below):

Wildlife species in the project area and potentially affected
by this petition will be fully described in the Revised EIS/EIR.
No diversion structures or distribution works are proposed by

this petition, nor will the places of water use be affected
by this petition. The action proposed by this petition is not
anticipated to adversely affect wildlife or wildlife habitat.
TROA is anticipated to increase the likelihood of meeting reservoir
and stream flow objectives and thereby, maintain more constant
riparian habitat conditions for wildlife.

*Note: The purposes of Question 10 and 11 are to provide a preliminary assessment of the presence of typical plant and animal species in the area and whether these species might be affected by your proposed changes. Detailed site surveys to quantify populations of specific species or determine the presence of rare or endangered species may be required at a later date. It is very important that you answer these questions accurately. If you are unable to obtain appropriate answers from your local California Department of Fish and Game biologists (See attachment for address and telephone number) or you do not have adequate information or expertise to complete your answers, you should hire a fishery consultant and/or a wildlife consultant to review your project and prepare suitable answers for you. For information on available qualified fishery or wildlife consultants near you, consult your local telephone directory yellow pages under Environmental and Ecological Services, or call the California Environmental Protection Agency, Registered Environmental Assessor (REA) Program, at (916) 324-6881 or the University of California, Cooperative Extension Service (See your local telephone directory white pages).

12. Do your proposed changes involve any construction or grading-related activity which has significantly altered or would significantly alter the bed or bank of any stream or lake? No

If so, explain: _____

CERTIFICATION

I hereby certify that the statements I have furnished above and in the attached exhibits 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 11/7/03

Signature [Signature]

Independence

2005 DEC -5 AM 11:33

PETITION FOR CHANGE
(WATER CODE 1700)

Application Point of Diversion, Point of Rediversion, Place of Use, Purpose of Use
Permit 9247 License 4196 Statement or Other _____

I (we) hereby petition for change(s) noted above and shown on the accompanying map and described as follows:

Point of Diversion or Rediversion (Give coordinate distances from section corner or other ties as allowed by Cal CR 715, and the 40-acre subdivision in which the present & proposed points lie.)
Present See Attachment and Exhibits 1 and 2

Proposed See Attachment and Exhibits 1 and 2

Place of Use (If irrigation then state number of acres to be irrigated within each 40-acre tract.)
Present See Attachment and Exhibit 3

Proposed See Attachment and Exhibit 3

Purpose of Use
Present See Attachment and Exhibit 4

Proposed See Attachment and Exhibit 4

Does the proposed use serve to preserve or enhance wetlands habitat, fish and wildlife resources, or recreation in or on the water (See WC 1707)? No
(yes/no)

• GIVE REASON FOR PROPOSED CHANGE: The proposed changes are to allow water changes transfers and exchanges in accordance with TROA.

• WILL THE OLD POINT OF DIVERSION OR PLACE OF USE BE ABANDONED? No
(yes/no)

• WATER WILL BE USED FOR See Attachment and Exhibit 4 PURPOSES.

I (we) have access to the proposed point of diversion or control the proposed place of use by virtue of? ownership
(ownership, lease verbal or written agreement)

Are there any persons taking water from the stream between the old point of return flow and the new point of return flow? _____
(yes/no)

If by lease or agreement, state the name and address of party(s) from whom access has been obtained. Attach additional pages if needed.

Give name and address of any person(s) taking water from the stream between the present point of diversion or rediversion and the proposed point of diversion or rediversion, as well as any other person(s) known to you who may be affected by the proposed change.

THIS CHANGE DOES NOT INVOLVE AN INCREASE IN THE AMOUNT OF THE APPROPRIATION OR SEASON OF USE.
I (we) declare under penalty of perjury that the above is true and correct to the best of my (our) knowledge and belief.

Dated December 11 2003 at RENO, NEVADA
Ken A. Williams 775-834-8110
Signature(s) Telephone No.

NOTE: A \$100 filing fee made payable to the State Water Resources Control Board and a \$850 fee made payable to the Department of Fish and Game must accompany a petition for change.

ATTACHMENT

Petition for Change Application 9247 - License 4196

General

License 4196 (Application 9247) for Independence Dam is held by Truckee Meadows Water Authority. This petition is one of a group of four petitions, which are being filed to allow changes and exchanges of water under the Truckee River Operating Agreement (TROA). The petitioners request that these petitions be treated as a single project with a combined single notice.

Additions of points of diversion, redistribution¹ and rediversion, places of use and purposes of use identified in this petition are only for the purpose of accommodating implementation of the provisions of TROA.

Water stored in this Reservoir pursuant to future permits issued by the Nevada State Engineer under Nevada Law and recognized pursuant to the provisions of California Water Code Sections 1231 and 1232 shall not be considered as water stored pursuant to the provisions of this license.

Condition

Because implementation of the changes proposed in this petition is predicated on the approval and implementation of TROA, the applicant requests that the order by the State Water Resources Control Board (SWRCB) approving this petition include the following condition:

"These changes will not take effect unless the Truckee River Operating Agreement is in effect. All diversions, storage, use of water and operations under this license shall be in accordance with the provisions contained in this license and the Truckee River Operating Agreement."

Existing Points of Diversion and Rediversion under the License

The existing point of diversion described in License 4196 is Independence Dam, which is described in Exhibit 1A. License 4196 authorizes points of rediversion as described in Exhibit 2A. This point of diversion and the points of rediversion are shown on a map dated February 7, 1938, on file with License 4196. This petition does not propose to eliminate any existing points of diversion or rediversion.

¹ Redistribution as used in this petition means that a quantity of water which would have been or is physically stored in a reservoir under this license (permit) may be stored in another reservoir under this license (permit).

Points of Diversion, Redistribution and Rediversion to be Added

Points of diversion, redistribution and rediversion are being added to authorize and facilitate changes and exchanges under TROA. This petition requests the addition of Stampede Dam and Boca Dam as additional points of diversion, redistribution and rediversion, which are described in Exhibit 1B and shown on Map No. 320-208-189A¹ filed with this petition. The points of rediversion to be added are described in Exhibit 2B and are shown on Map No. 320-208-189A¹ filed with this petition; they are located between Independence Dam and Pyramid Lake.

Existing Place of Use under the License

Water stored in Independence Dam under License 4196 is identified to be used in the City of Reno and the City of Sparks as shown on the official map entitled Independence Lake Project dated February 7, 1938, in conformance with the Order of June 30, 1955. The existing place of use is described in Exhibit 3A.

Expanded Place of Use under the License

The current place of use is proposed to be expanded to include the areas of use within the townships described in Exhibit 3B and areas shown on Map No. 320-208-189A filed with this petition.

Existing Purpose of Use under the License

The existing purpose of use is described in Exhibit 4A.

Purposes of Use to be Added

The purposes of use are to be expanded to include those uses described in Exhibit 4B.

EXHIBIT 1A

Existing Point of Diversion under the License

Independence Dam. N5° 45' E - 1864.7 feet from SW corner of Section 35, being within Lot 1 Section 35, T19N, R15E*

EXHIBIT 1B

Points of Diversion, Redistribution and Rediversion to be Added

The existing point of diversion under the license is to be retained.

Stampede Dam. S10° 24' E - 480 feet from NW corner of Section 28, being within NW 1/4 NW 1/4 Section 28, T19N, R17E. (Add as point of diversion, redistribution and rediversion.)

Boca Dam. N83° 41' E - 1899.62 feet from SW corner of Section 21, being within SE 1/4 SW 1/4 Section 21, T18N, R17E. (Add as point of diversion, redistribution and rediversion.)

* All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

EXHIBIT 2A

Existing Points of Rediversion under the License

Existing Points of rediversion authorized in the license for municipal use are as follows:

Diversion Facility / Treatment Plant	40 Ac. Tract	Section	Township*	Range*
Steamboat Ditch (Steamboat Canal)	NW ¼ SE ¼	31	19N	18E
Highland Ditch	SW ¼ SE ¼	9	19N	18E
Reno Plant (Idlewild) Ditch – Reno Power Plant & Ditch	SE ¼ NE ¼	16	19N	19E

EXHIBIT 2B

Points of Rediversion to be Added

The existing points of rediversion under the license are to be retained. Numerous points of rediversion to be added under the license are described below²:

Diversion Facility/Treatment Plant	40 Ac. Tract	Section	Township*	Range*
Farad Power Flume	S ½ Lot 6 NW¼	30	18N	18E
Fleish Power Ditch & Flume	SE ¼	6	18N	18E
Steamboat Canal	NE ¼ SW ¼	31	19N	18E
Coldron Ditch	SE ¼ NE ¼	30	19N	18E
Verdi Power Ditch & Flume	SE ¼ SE ¼	19	19N	18E
Katz Ditch	SE ¼ SE ¼	19	19N	18E
Washoe Power Ditch & Flume	NW ¼ NE ¼	16	19N	18E
Hogan Ditch	SW ¼ NE ¼	16	19N	18E
Highland Ditch	SW ¼ SE ¼	9	19N	18E
Mastin Ditch	SE ¼ SW ¼	14	19N	18E
Last Chance Ditch	SE ¼ NE ¼	14	19N	18E

* All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

² Some of the points of rediversion are identified in the U.S. v. Orr Water Ditch Company, et al. (U.S. D. Ct. NV. 1944) but may not currently be in use.

Diversion Facility/Treatment Plant	40 Ac. Tract	Section	Township*	Range*
Sparks-Capurro Ditch	NW ¼ SE ¼	13	19N	18E
Irwin-Mayberry Ditch	NE ¼ NW ¼	19	19N	19E
Lake Ditch (Lake-Southside)	NE ¼ NW ¼	19	19N	19E
South Side Canal	NE ¼ SW ¼	17	19N	19E
Orr Ditch, Orr Extension & Spanish Spring Valley Ditch	NE ¼ SW ¼	17	19N	19E
Indian Flat Ditch	NE ¼ SE ¼	17	19N	19E
Orr Ditch Pump Station	NE ¼ SE ¼	17	19N	19E
Reno Power Ditch & Flume	SE ¼ NE ¼	16	19N	19E
Countryman Ditch	NE ¼ NE ¼	16	19N	19E
Chism Ditch	NE ¼ NE ¼	16	19N	19E
Hayden Ditch or Court Ditch	SE ¼ SE ¼	10	19N	19E
English Mill Ditch & English Mill Tailrace Ditch	NW ¼ SE ¼	10	19N	19E
Idlewild Pump Station	SE ¼ SE ¼	10	19N	19E
Sullivan & Kelly Ditch	NW ¼ SE ¼	11	19N	19E
Cochran Ditch	NW ¼ SE ¼	11	19N	19E
Riverside Mill Ditch & Flume (Claim #10)	NW ¼ SE ¼	11	19N	19E
Scott Ranch Ditch	SW ¼ NW ¼	12	19N	19E
Abbee Ditch	SE ¼ NE ¼	12	19N	19E
Perry Ditch	SE ¼ NE ¼	12	19N	19E
Eastman Ditch	SW ¼ NE ¼	7	19N	20E
No. Truckee Ditch (Glendale Plant)	SW ¼ NE ¼	7	19N	20E
Sessions Ditch	SW ¼ NE ¼	7	19N	20E
Pioneer Ditch	SE ¼ SE ¼	7	19N	20E
Stephens Ditch (Stevens)	SE ¼ SW ¼	8	19N	20E
Glendale Ditch	SE ¼ SW ¼	8	19N	20E
Hidden Valley Induction Well #4	SW ¼ NW ¼	16	19N	20E
Largomarsino-Murphy Ditch (S. Largomarsino)	NW ¼ SE ¼	18	19N	21E
Largomarsino-Noce Ditch (N. Largomarsino)	NE ¼ SE ¼	18	19N	21E
Groton Ditch	NE ¼ SE ¼	17	19N	21E
Sheep Ranch Ditch	NW ¼ SW ¼	16	19N	21E
McCarran North Side Ditch	NE ¼ NW ¼	11	19N	21E

* All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

Diversion Facility/Treatment Plant	40 Ac. Tract	Section	Township*	Range*
McCarran South Side Ditch	SW ¼ NW ¼	1	19N	21E
Old Ditch	NW ¼ NE ¼	6	19N	22E
Hill Ditch	NW ¼ NE ¼	32	20N	22E
Tracy Power Plant	SE ¼ SW ¼	28	20N	23E
Derby Dam & Truckee Canal	SW ¼	19	20N	23E
Preston Ditch	SE ¼ NW ¼	20	20N	23E
Washburn Ditch	SE ¼ NW ¼	22	20N	23E
Gregory Ditch	SE ¼ SE ¼	14	20N	23E
Wadsworth Power Ditch	NW ¼ SW ¼	13	20N	23E
Herman Ditch	NW ¼ NW ¼	17	20N	24E
Pierson Ditch	NW ¼ SW ¼	9	20N	24E
Fernley ³	SE ¼ NW ¼	9	20N	24E
Olinghouse No. 1 Ditch	NW ¼ NE ¼	9	20N	24E
Proctor Ditch	SW ¼ NW ¼	3	20N	24E
Fellnagle Ditch	NW ¼ SE ¼	33	21N	24E
Olinghouse No. 2 Ditch	SW ¼ SE ¼	22	21N	24E
Gardella Ditch	NW ¼ SE ¼	22	21N	24E
Olinghouse No. 3 Ditch	SW ¼ NW ¼	15	21N	24E
Indian Ditch (Nixon Ditch)	SW ¼ NE ¼	12	22N	23E

* All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

³ Proposed future point of redirection to be constructed.

EXHIBIT 3A

Existing Place of Use under the License

The existing place of use authorized under the license includes lands within Townships 19N, Ranges 19E and 20E* as shown on the official map dated February 7, 1938, in conformance with the Order of June 30, 1955.

EXHIBIT 3B

Expanded Place of Use to be Added

The following list provides the proposed expanded place of use, including the existing place of use of License 3723 (A5169), License 4196 (A9247), License 10180 (A18006), and Permit 11605 (A15673) as show on Map No. 320-208-189A¹ and filed with this petition:

<u>Township*</u>	<u>Range*</u>
13N	17 & 18E
14N	16 - 18E
15N	16 - 18E
16N	16 - 18E
17N	15 - 20E, 24 - 31E
18N	14 - 21E, 24 - 31E
19N	14 - 31E
20N	18 - 32E
21N	18 - 26E, 29 - 32E
22N	20 - 24E
23N	20 - 24E
24N	20 - 24E
25N	20 - 24E
26N	20 - 24E
27N	20 - 24E
28N	23 & 24E

* All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

Power use will be at the power plants located as follows:

Power Plant	Subdivision	Sec.	Township	Range
Stampede	SW ¼ NW ¼	28	19N	17E
Farad	SE ¼ SE ¼	12	18N	17E
Fleish	NE ¼ SE ¼	30	19N	18E
Verdi	NW ¼ SE ¼	8	19N	18E
Washoe	SW ¼ SW ¼	14	19N	18E

* All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

EXHIBIT 4A

Existing Purpose of Use under the License

The existing purpose of use authorized under this license is municipal.⁴

EXHIBIT 4B

Purposes of Use to be Added

The existing purposes of use under License 4196 are to be retained. The purposes of use for License 4196 are to be expanded because of the possible changes and exchanges under TROA to include the following:

- Domestic
- Industrial
- Irrigation
- Stockwatering
- Fish Culture
- Fish & Wildlife Protection/Enhancement (including wetlands)
- Power
- Instream Water Quality Enhancement
- Recreation
- Conservation of Pyramid Lake fishery (as provided in P.L. 101-618)

⁴ License 2607 is a separate license for power purposes.

State of California
State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. Box 2000, Sacramento, CA 95812-2000
Info: (916) 341-5300, FAX: (916) 341-5400, Web: <http://www.waterrights.ca.gov>

**ENVIRONMENTAL INFORMATION
FOR PETITIONS**

(THIS IS NOT A CEQA DOCUMENT)

APPLICATION NO. 9247

PERMIT NO. 5392

LICENSE NO. 4196

The following information will aid in the environmental review of your change petition as required by the California Environmental Quality Act (CEQA). IN ORDER FOR YOUR CHANGE PETITION TO BE ACCEPTED AS COMPLETED, ANSWERS TO THE QUESTIONS LISTED BELOW MUST BE COMPLETED TO THE BEST OF YOUR ABILITY. Failure to answer all questions may result in your change petition being returned to you, causing delays in processing. If you need more space, attach additional sheets. Additional information may be required from you to amplify further or clarify the information requested in this form.

DISCRPTION OF CHANGES TO PROJECT

1. Provide a description of the proposed changes to your project, including but not limited to, type of construction activity, structures existing or to be built, area to be graded or excavated, changes in land use, and project operational changes, including changes in how the water will be used.

This petition for Independence Dam is one of a group of four
petitions which are being filed to allow ^{changes}~~transfers~~ and exchanges
of water under the Truckee River Operating Agreement (TROA). The
petitioners request that these petitions be treated as a single
project with a combined single notice. Additions of points of
diversion and rediversion, places of use and purposes of use
identified in this petition are only for the purpose of
accommodating implementation of the provisions of TROA.

GOVERNMENTAL REQUIREMENTS

Before a final decision can be made on your change petition, we must consider the information contained in an environmental document prepared in compliance with the requirements of CEQA. If an environmental document has been prepared for your proposed changes by another agency, we must consider it. If one has not been prepared, a determination must be made as to who is responsible for the preparation of the environmental document for your change petition. The following questions are designed to aid us in that determination.

2. Contact your county planning or public works department for the following information:
- a. Person contacted N/A Date of contact _____
Department _____ Telephone () _____
 - b. Assessor's Parcel No. _____
 - c. County Zoning Designation _____
 - d. Are any county permits required for your proposed changes? _____
If yes, check appropriate space below:
_____ Grading Permit, _____ Use Permit, _____ Watercourse
Obstruction Permit, _____ Change of Zoning, _____ General Plan
Change, Other (explain): _____
 - e. Have you obtained any of the required permits described above? No
If yes, provide a complete copy of each permit obtained.

3. Are any additional state or federal permits required for your proposed changes? _____ (i.e., from Federal Energy Regulatory Commission, U.S. Forest Service, Bureau of Land Management, Soil Conservation Service, Department of Water Resources (Division of Safety of Dams), Reclamation Board, Coastal Commission, State Lands Commission, etc.) For each agency from which a permit is required provide the following information:

Permit type _____
Person (s) contacted _____ Agency _____
Date of contact _____ Telephone () _____

4. Has any public agency prepared an environmental document for any aspect of your proposed changes? No

If so, please submit a copy of the latest environmental document (s) prepared, including a copy of the notice of determination adopted by the public agency. If not, explain below whether you expect that a public agency other than the State Water Resources Control Board will be preparing an environmental document for your change petition or whether the applicant, if it is a California public agency, will be preparing the environmental document for your change petition:

An Environmental Impact Statement/Environmental Impact Report (EIS/EIR is being prepared to analyze the potential effects of TROA. A revised DEIS/EIR is being prepared jointly by the Department of Interior, as represented by Reclamation, U.S. Fish and Wildlife Service, and Bureau of Indian Affairs, and the State of California, as represented by Department of Water Resources.

Note: When completed, please submit a copy of the final environmental document (including notice of determination) or notice of exemption to the State Water Resources Control Board. Processing of your change petition cannot proceed until such documents are submitted.

5. Will your proposed changes, during construction or operation, generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or cause erosion, turbidity or sedimentation? NO If so, explain: _____

If yes or you are unsure of your answer, contact your local Regional Water Quality Control Board for the following information (See attachment for address and telephone number):

Will a waste discharge permit be required for your petition? _____

Person contacted _____ Date of contact _____

What method of treatment and disposal will be used? _____

6. Have any archeological reports been prepared on this project, or will you be preparing an archeological report to satisfy another public agency? _____

Do you know of any archeological or historic sites located within the general project area?

Yes If so, explain: See EIS/EIR being prepared for TROA.

ENVIRONMENTAL SETTING

7. Attach **THREE COMPLETE SETS** of color photographs, clearly dated and labeled, showing the vegetation currently existing at the following locations:

Plant communities potentially affected by the petition will be fully described in the EIS/EIR. The action proposed by this petition is not anticipated to adversely affect plant communities at Independence Dam.

- a. Along the stream channel immediately downstream from the proposed point(s) of diversion
- b. Along the stream channel immediately upstream from the proposed point(s) of diversion
- c. At the place(s) where the water is to be used

Note: It is very important that you submit no less than three complete sets of photographs as required above. If less than three sets are submitted, processing of your change petition will be delayed until you furnish the remaining sets!

8. From the list given below, mark or circle the general plant community types which best describe those which occur within your project area (Note: See footnote denoted by * under Question 11 below):

Tree Dominated Communities

Subalpine Conifer
Red Fir
Lodgepole Pine
Mixed Conifer
 Sierran Mixed Conifer
 White Fir
 Klamath Mixed Conifer
Douglas-Fir
Jeffrey Pine
Ponderosa Pine
Eastside Pine
Redwood
Pinyon-Juniper
Juniper
Aspen
Closed-Cone Pine-Cypress
Montane Hardwood-Conifer
Montane Hardwood
Valley Foothill Hardwood
 Blue Oak Woodland
 Valley Oak Woodland
 Coastal Oak Woodland
Valley Foothill Hardwood-Conifer
 Blue Oak-Digger Pine
Eucalyptus
Montane Riparian
Valley Foothill Riparian
Desert Riparian
Palm Oasis
Joshua Tree

Shrub Dominated Communities

Alpine Dwarf-Shrub
Low Sage
Bitterbrush
Sagebrush
Montane Chaparral
Mixed Chaparral
Chamise-Redshank Chaparral
Coastal Scrub
Desert Succulent Shrub
Desert Wash
Desert Scrub
Alkali Desert Scrub

Herbaceous Dominated Communities

Annual Grassland
Perennial Grassland
Wet Meadow
Fresh Emergent Wetland
Saline Emergent Wetland
Pasture

Aquatic Communities

Riverine
Lacustrine
Estuarine
Marine

Developed Communities

Cropland
Orchard-Vineyard
Urban

Literature source: Mayer, K.E., and W.F. Laudenslayer, Jr., (eds). 1988. A Guide to Wildlife Habitats of California. California Department of Forestry and Fire Protection, Sacramento. 166 pp. (Note: You may view a copy of this document at our public counter at the address given

at the top of this form or you may purchase a copy by calling the California Department of Fish and Game, Wildlife Habitat Relationships (WHR) Program at (916) 653-7203).

9. Provide below an estimate of the type, number, and size (trunk/stem diameter at chest height) of trees and large shrubs that are planned to be removed or destroyed due to implementation of the proposed changes. Consider all aspects of your change petition, including changes in diversion structures, water distribution and use facilities, and changes in the place of use due to additional water development.

None

FISH AND WILDLIFE CONCERNS

10. Identify the typical species of fish which occur in the source(s) from which you propose to divert water and discuss whether or not any of these fish species or their habitat has been or would be affected by your proposed changes. (Note: See footnote denoted by * under Question 11 below):

Fish species in the project area and potentially affected by this petition will be fully described in the Revised Draft EIS/EIR.

TROA is anticipated to increase the likelihood of meeting reservoir and stream flow objectives and thereby, maintain more constant monthly habitat conditions for fish species.

11. Identify the typical species of riparian and terrestrial wildlife in the area and discuss whether or not any of these species and/or their habitat has been or would be affected by your proposed changes through construction of additional water diversion and distribution works and/or changes in land use in the place of water use. (Note: See footnote denoted by * below):

Wilflife species in the project area and potentially affected by this petition will be fully described in the Revised Draft EIS/EIR. No diversion structures or distribution works are

proposed by this petition, nor will the places of water use
be affected by this petition. The action proposed by this
petition is not anticipated to adversely affect wildlife or
wildlife habitat. TROA is anticipated to increase the likelihood
of meeting reservoir and stream flow objectives and thereby,
maintain more constant riparian habitat conditions for wildlife.

*Note: The purposes of Question 10 and 11 are to provide a preliminary assessment of the presence of typical plant and animal species in the area and whether these species might be affected by your proposed changes. Detailed site surveys to quantify populations of specific species or determine the presence of rare or endangered species may be required at a later date. It is very important that you answer these questions accurately. If you are unable to obtain appropriate answers from your local California Department of Fish and Game biologists (See attachment for address and telephone number) or you do not have adequate information or expertise to complete your answers, you should hire a fishery consultant and/or a wildlife consultant to review your project and prepare suitable answers for you. For information on available qualified fishery or wildlife consultants near you, consult your local telephone directory yellow pages under Environmental and Ecological Services, or call the California Environmental Protection Agency, Registered Environmental Assessor (REA) Program, at (916) 324-6881 or the University of California, Cooperative Extension Service. (See your local telephone directory white pages).

- 12. Do your proposed changes involve any construction or grading-related activity which has significantly altered or would significantly alter the bed or bank of any stream or lake? No
If so, explain: _____

CERTIFICATION

I hereby certify that the statements I have furnished above and in the attached exhibits 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 12/11/03 Signature Lou L. Williams

Stemide

PETITION FOR CHANGE
(WATER CODE 1700)

2005 DEC -5 AM 11:33

Point of Diversion, Point of Rediversion, Place of Use, Purpose of Use
Application 15673 Permit 11605 License _____ Statement or Other _____

I (we) hereby petition for change(s) noted above and shown on the accompanying map and described as follows:

Point of Diversion or Rediversion (Give coordinate distances from section corner or other ties as allowed by Cal CR 715, and the 40-acre subdivision in which the present & proposed points lie.)

Present See Attachment and Exhibits 1 and 2

Proposed See Attachment and Exhibits 1 and 2

Place of Use (If irrigation then state number of acres to be irrigated within each 40-acre tract.)

Present See Attachment and Exhibit 3

Proposed See Attachment and Exhibit 3

Purpose of Use

Present See Attachment and Exhibit 4

Proposed See Attachment and Exhibit 4

Does the proposed use serve to preserve or enhance wetlands habitat, fish and wildlife resources, or recreation in or on the water (See WC 1707)? No
(yes/no)

• GIVE REASON FOR PROPOSED CHANGE: The proposed changes are to allow water changes transfers and exchanges in accordance with TROA.

• WILL THE OLD POINT OF DIVERSION OR PLACE OF USE BE ABANDONED? No
(yes/no)

• WATER WILL BE USED FOR See Attachment and Exhibit 4 PURPOSES.

I (we) have access to the proposed point of diversion or control the proposed place of use by virtue of? ownership
(ownership, lease verbal or written agreement)

Are there any persons taking water from the stream between the old point of return flow and the new point of return flow? _____
(yes/no)

If by lease or agreement, state the name and address of party(s) from whom access has been obtained. Attach additional pages if needed.

Give name and address of any person(s) taking water from the stream between the present point of diversion or rediversion and the proposed point of diversion or rediversion, as well as any other person(s) known to you who may be affected by the proposed change.

THIS CHANGE DOES NOT INVOLVE AN INCREASE IN THE AMOUNT OF THE APPROPRIATION OR SEASON OF USE.

I (we) declare under penalty of perjury that the above is true and correct to the best of my (our) knowledge and belief.

Dated DEC 19, 2005 at Sacramento, California

(916) 978-5200

Signature(s)

Telephone No.

NOTE: A \$100 filing fee made payable to the State Water Resources Control Board and a \$850 fee made payable to the Department of Fish and Game must accompany a petition for change.

ATTACHMENT

Petition for Change Application 15673 - Permit 11605

General

Permit 11605 (Application 15673) for Stampede Reservoir is held by the United States, Bureau of Reclamation (Reclamation). This petition is one of a group of four petitions, which are being filed to allow changes and exchanges of water under the Truckee River Operating Agreement (TROA). The petitioners request that these petitions be treated as a single project with a combined single notice.

Additions of points of diversion, redistribution¹ and rediversion, places of use and purposes of use identified in this petition are only for the purpose of accommodating implementation of the provisions of TROA.

Water stored in this Reservoir pursuant to future permits issued by the Nevada State Engineer under Nevada Law and recognized pursuant to the provisions of California Water Code Sections 1231 and 1232 shall not be considered as water stored pursuant to the provisions of this permit.

Condition

Because implementation of the changes proposed in this petition is predicated on the approval and implementation of TROA, the applicant requests that the order by the State Water Resources Control Board (SWRCB) approving this petition include the following condition:

“These changes will not take effect unless the Truckee River Operating Agreement is in effect. All diversions, storage, use of water and operations under this permit or license shall be in accordance with the provisions contained in this permit or license and the Truckee River Operating Agreement.”

Existing Points of Diversion and Rediversion under the Permit

The existing point of diversion described in Permit 11605 is Stampede Dam as described in Exhibit 1A. The existing points of rediversion are described in Exhibit 2A. This point of Diversion and the points of rediversion are shown on Map No. 320-419-156, dated

¹ Redistribution as used in this petition means that a quantity of water which would have been or is physically stored in a reservoir under this license (permit) may be stored in another reservoir under this license (permit).

December 17, 1953 filed with Permit 11605. This petition does not propose to eliminate any existing points of diversion or rediversion.

Point(s) of Diversion, Redistribution and Rediversion to be Added

Points of diversion, redistribution and rediversion are being added to authorize and facilitate changes and exchanges under TROA. Boca Dam is to be added as a point of diversion, point of rediversion, and a point of redistribution; while Independence Dam is to be added as a point of diversion and redistribution. These points are described in Exhibit 1B and shown on Map No. 320-208-189A and filed with this petition. Points of rediversion to be added are described in Exhibit 2B and shown on Map No. 320-208-189A¹ and filed with this petition; they are located between Independence Dam and Pyramid Lake.

Existing Place of Use under the Permit

Project water stored in Stampede Reservoir under Permit 11605 is identified to be used in the Truckee Meadows and Newlands Project as shown on Map No. 320-419-156, dated December 17, 1953, on file with Permit 11605. The existing place of use is described in Exhibit 3A.

Expanded Place of Use to be Added

The existing place of use is proposed to be expanded to include the areas of use within the townships described in Exhibit 3B and shown on Map No. 320-208-189A¹ and filed with this petition.

320-208-189A¹

Existing Purposes of Use under the Permit

Under Permit 11605, project water in Stampede Reservoir was originally intended to be used for irrigation, flood control, and recreation purposes. In 1971, domestic, municipal, industrial, and fish culture were added as purposes of use under Permit 11605. Soon after the reservoir was built, the Secretary of the Interior (Secretary), in order to satisfy an obligation under the Endangered Species Act and a trust responsibility to the Pyramid Lake Paiute Tribe, declared that Stampede project water was to be used only for the conservation of threatened Lahonton cutthroat trout and endangered cui-ui of Pyramid Lake. The United States District Court for the District of Nevada upheld the Secretary's decision. The Ninth Circuit Court of Appeals affirmed the decision of the lower court. The existing purposes of use are described in Exhibit 4A.

Purposes of Use to be Added

Project water stored in Stampede Reservoir shall be used for conservation of Pyramid Lake fishery (as provided in P.L. 101-618) and for such other uses as are provided in TROA and in accordance with the terms and conditions of TROA. The purposes of use to be added are described in Exhibit 4B.

EXHIBIT 1A

Existing Point of Diversion under the Permit

Stampede Dam. S10° 24' E - 480 feet from NW corner of Section 28, being within NW 1/4, NW 1/4 Section 28, T19N, R17E.*

EXHIBIT 1B

Point of Diversion, Redistribution and Rediversion to be Added

The existing point of diversion under the permit is to be retained and added as a point of rediversion.

Stampede Dam. S10° 24' E - 480 feet from NW corner of Section 28, being within NW 1/4, NW 1/4 Section 28, T19N, R17E.* (Add as Point of rediversion.)

Boca Dam. N83° 41' E - 1899.62 feet from SW corner of Section 21, being within SE 1/4, SW 1/4 Section 21, T18N, R17E. (Add as Point of ~~Diversion~~, Redistribution and Rediversion.)

Independence Dam. N5° 45'E - 1864.7 feet from SW corner of Section 35, being within Lot 1 Section 35, T19N, R15E. (Add as Point of Diversion and Redistribution.)

* All references to township and range on this page are to Mount Diablo Base & Meridian (MDB&M).

EXHIBIT 2A

Existing Points of Rediversion under the Permit

Existing points of rediversion authorized under the permit for irrigation, domestic, municipal, industrial, flood control, fish culture, and recreation are as follows:

Truckee Meadows area and numerous points between the following points:

- a) 1520 feet S8° 33' W from NW corner, Sec. 29, T19N, R18E*
- b) 5760 feet S22° 29'E from NE corner, Sec. 7, T19N, R20E

Newlands Project area and numerous points between the Carson Diversion Dam and Sagouspe Diversion Dam, such as the Coleman Diversion Dam and others:

- c) Derby Dam - 2725 feet N32° 45'E from SW corner, Sec. 19, T20N, R23E
- d) Lahontan Dam - 3850 feet N82° 45'E from SW corner, Sec. 33, T19N, R26E
- e) Carson Diversion Dam - 1885 feet N 56° 30'W from SE corner, Sec. 19, T19N, R27E
- f) Sagouspe Diversion Dam - 3620 feet N43° 00'E from SW corner, Sec. 4, T19N, R29E

EXHIBIT 2B

Points of Rediversion to be Added

Existing points of rediversion under the permit are to be retained. Numerous points of rediversion to be added are described below²:

Diversion Facility/Treatment Plant	40 Ac. Tract	Section	Township*	Range*
Farad Power Flume	S ½ Lot 6 NW¼	30	18N	18E
Fleish Power Ditch & Flume	SE ¼	6	18N	18E
Steamboat Canal	NE ¼ SW ¼	31	19N	18E
Coldron Ditch	SE ¼ NE ¼	30	19N	18E
Verdi Power Ditch & Flume	SE ¼ SE ¼	19	19N	18E
Katz Ditch	SE ¼ SE ¼	19	19N	18E
Washoe Power Ditch & Flume	NW ¼ NE ¼	16	19N	18E
Hogan Ditch	SW ¼ NE ¼	16	19N	18E
Highland Ditch	SW ¼ SE ¼	9	19N	18E
Mastin Ditch	SE ¼ SW ¼	14	19N	18E
Last Chance Ditch	SE ¼ NE ¼	14	19N	18E

* All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

² Some of the points of rediversion are identified in the U.S. vs. Orr Water Ditch Company, et al. (U.S. D. Ct. NV.1944) but may not currently be in use.

Diversion Facility/Treatment Plant	40 Ac. Tract	Section	Township*	Range*
Sparks-Capurro Ditch	NW ¼ SE ¼	13	19N	18E
Irwin-Mayberry Ditch	NE ¼ NW ¼	19	19N	19E
Lake Ditch (Lake-Southside)	NE ¼ NW ¼	19	19N	19E
South Side Canal	NE ¼ SW ¼	17	19N	19E
Orr Ditch, Orr Extension & Spanish Spring Valley Ditch	NE ¼ SW ¼	17	19N	19E
Indian Flat Ditch	NE ¼ SE ¼	17	19N	19E
Orr Ditch Pump Station	NE ¼ SE ¼	17	19N	19E
Reno Power Ditch & Flume	SE ¼ NE ¼	16	19N	19E
Countryman Ditch	NE ¼ NE ¼	16	19N	19E
Chism Ditch	NE ¼ NE ¼	16	19N	19E
Hayden Ditch or Court Ditch	SE ¼ SE ¼	10	19N	19E
English Mill Ditch & English Mill Tailrace Ditch	NW ¼ SE ¼	10	19N	19E
Idlewild Pump Station	SE ¼ SE ¼	10	19N	19E
Sullivan & Kelly Ditch	NW ¼ SE ¼	11	19N	19E
Cochran Ditch	NW ¼ SE ¼	11	19N	19E
Riverside Mill Ditch & Flume (Claim #10)	NW ¼ SE ¼	11	19N	19E
Scott Ranch Ditch	SW ¼ NW ¼	12	19N	19E
Abbee Ditch	SE ¼ NE ¼	12	19N	19E
Perry Ditch	SE ¼ NE ¼	12	19N	19E
Eastman Ditch	SW ¼ NE ¼	7	19N	20E
No. Truckee Ditch (Glendale Plant)	SW ¼ NE ¼	7	19N	20E
Sessions Ditch	SW ¼ NE ¼	7	19N	20E
Pioneer Ditch	SE ¼ SE ¼	7	19N	20E
Stephens Ditch (Stevens)	SE ¼ SW ¼	8	19N	20E
Glendale Ditch	SE ¼ SW ¼	8	19N	20E
Hidden Valley Induction Well #4	SW ¼ NW ¼	16	19N	20E
Largomarsino-Murphy Ditch (S. Largomarsino)	NW ¼ SE ¼	18	19N	21E
Largomarsino-Noce Ditch (N. Largomarsino)	NE ¼ SE ¼	18	19N	21E
Groton Ditch	NE ¼ SE ¼	17	19N	21E
Sheep Ranch Ditch	NW ¼ SW ¼	16	19N	21E
McCarran North Side Ditch	NE ¼ NW ¼	11	19N	21E
McCarran South Side Ditch	SW ¼ NW ¼	1	19N	21E
Old Ditch	NW ¼ NE ¼	6	19N	22E
Hill Ditch	NW ¼ NE ¼	32	20N	22E
Tracy Power Plant	SE ¼ SW ¼	28	20N	23E
Derby Dam & Truckee Canal	SW ¼	19	20N	23E
Preston Ditch	SE ¼ NW ¼	20	20N	23E

* All reference to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

Diversion Facility/Treatment Plant	40 Ac. Tract	Section	Township*	Range*
Washburn Ditch	SE ¼ NW ¼	22	20N	23E
Gregory Ditch	SE ¼ SE ¼	14	20N	23E
Wadsworth Power Ditch	NW ¼ SW ¼	13	20N	23E
Herman Ditch	NW ¼ NW ¼	17	20N	24E
Pierson Ditch	NW ¼ SW ¼	9	20N	24E
Fernley ³	SE ¼ NW ¼	9	20N	24E
Olinghouse No. 1 Ditch	NW ¼ NE ¼	9	20N	24E
Proctor Ditch	SW ¼ NW ¼	3	20N	24E
Fellnagle Ditch	NW ¼ SE ¼	33	21N	24E
Olinghouse No. 2 Ditch	SW ¼ SE ¼	22	21N	24E
Gardella Ditch	NW ¼ SE ¼	22	21N	24E
Olinghouse No. 3 Ditch	SW ¼ NW ¼	15	21N	24E
Indian Ditch (Nixon Ditch)	SW ¼ NE ¼	12	22N	23E

* All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

³ Proposed future point of redirection to be constructed.

EXHIBIT 3A

Existing Place of Use under the Permit

The existing place of use authorized under the permit is as follows and is shown on Map # 320-419-156 dated December 17, 1953, currently on file with Permit 11605.

Truckee Meadows - 26,800 acres within a gross area of 36,340 acres within the following townships and ranges within the State of Nevada.

<u>Township*</u>	<u>Range*</u>
18N	18, 19, 20 & 21E
19N	18, 19, 20 & 21E
20N	18, 19, 20 & 21E

Newlands Project - 70,000 acres within a gross area of 107,140 acres within the following townships and ranges within the State of Nevada.

<u>Township</u>	<u>Range</u>
17N	24, 25, 26, 27, 28, 29, 30 & 31E
18N	24, 25, 26, 27, 28, 29, 30 & 31E
19N	24, 25, 26, 27, 28, 29, 30 & 31E
20N	24, 25, 26, 27, 28, 29, 30 & 31E

* All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

EXHIBIT 3B

Expanded Place of Use under the Permit

The expanded place of use includes the existing place of use under the permit and the added place of use. The expanded place of use includes lands within the following townships and ranges:

Township*	Range*
13N	17 - 18E
14N	16 - 18E
15N	16 - 18E
16N	16 - 18E
17N	15 - 20E, 24 - 31E
18N	14 - 21E, 24 - 31E
19N	14 - 31E
20N	18 - 32E
21N	18 - 26E, 29 - 32E
22N	20 - 24E
23N	20 - 24E
24N	20 - 24E
25N	20 - 24E
26N	20 - 24E
27N	20 - 24E
28N	23 & 24E

Power use will be at the following power plants located as follows:

Power Plant	Subdivision	Sec.	Township	Range
Stampede	SW 1/4 NW 1/4	28	19N	17E
Farad	SE 1/4 SE 1/4	12	18N	17E
Fleish	NE 1/4 SE 1/4	30	19N	18E
Verdi	NW 1/4 SE 1/4	8	19N	18E
Washoe	SW 1/4 SW 1/4	14	19N	18E

* All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

EXHIBIT 4A

Existing Purposes of Use under the Permit

The existing purposes of use authorized in the permit and in the State Water Resources Control Board Order granting additional purposes of use dated March 22, 1971 are the following:

- Domestic
- Municipal
- Industrial
- Irrigation
- Flood Control
- Fish Culture
- Recreation

EXHIBIT 4B

Purposes of Use to be Added

The existing purposes of use under Permit 11605 are to be retained. The purposes of use to be added because of the possible changes and exchanges under TROA are the following:

- Conservation of Pyramid Lake fishery (as provided in P.L. 101-618)
- Fish & Wildlife Protection/Enhancement (including wetlands)
- Power
- Instream Water Quality Enhancement
- Stockwatering

ENVIRONMENTAL INFORMATION FOR PETITIONS

(THIS IS NOT A CEQA DOCUMENT)

APPLICATION NO. 15673

PERMIT NO. 11605

LICENSE NO.

The following information will aid in the environmental review of your change petition as required by the California Environmental Quality Act (CEQA). IN ORDER FOR YOUR CHANGE PETITION TO BE ACCEPTED AS COMPLETED, ANSWERS TO THE QUESTIONS LISTED BELOW MUST BE COMPLETED TO THE BEST OF YOUR ABILITY. Failure to answer all questions may result in your change petition being returned to you, causing delays in processing. If you need more space, attach additional sheets. Additional information may be required from you to amplify further or clarify the information requested in this form.

DISCRIPTION OF CHANGES TO PROJECT

1. Provide a description of the proposed changes to your project, including but not limited to, type of construction activity, structures existing or to be built, area to be graded or excavated, changes in land use, and project operational changes, including changes in how the water will be used.

This petition for Stampede Reservoir is one of a group of four
changes
petitions, which are being filed to allow ~~transfers~~ and exchanges
of water under the Truckee River Operating Agreement (TROA). The
petitioners request that these petitions be treated as a single
project with a combined single notice. Additions of points of
diversion and rediversion, places of use and purposes of use
identified in this petition are only for the purpose of accommodating
implementation of the provisions of TROA.

GOVERNMENTAL REQUIREMENTS

Before a final decision can be made on your change petition, we must consider the information contained in an environmental document prepared in compliance with the requirements of CEQA. If an environmental document has been prepared for your proposed changes by another agency, we must consider it. If one has not been prepared, a determination must be made as to who is responsible for the preparation of the environmental document for your change petition. The following questions are designed to aid us in that determination.

2. Contact your county planning or public works department for the following information:
- a. Person contacted N/A Date of contact _____
Department _____ Telephone () _____
 - b. Assessor's Parcel No. _____
 - c. County Zoning Designation _____
 - d. Are any county permits required for your proposed changes? _____
If yes, check appropriate space below:
_____ Grading Permit, _____ Use Permit, _____ Watercourse
Obstruction Permit, _____ Change of Zoning, _____ General Plan
Change, Other (explain):

 - e. Have you obtained any of the required permits described above? NO
If yes, provide a complete copy of each permit obtained.
3. Are any additional state or federal permits required for your proposed changes? _____ (i.e., from Federal Energy Regulatory Commission, U.S. Forest Service, Bureau of Land Management, Soil Conservation Service, Department of Water Resources (Division of Safety of Dams), Reclamation Board, Coastal Commission, State Lands Commission, etc.) For each agency from which a permit is required provide the following information:
- Permit type _____
Person (s) contacted _____ Agency _____
Date of contact _____ Telephone () _____
4. Has any public agency prepared an environmental document for any aspect of your proposed changes? NO

If so, please submit a copy of the latest environmental document (s) prepared, including a copy of the notice of determination adopted by the public agency. If not, explain below whether you expect that a public agency other than the State Water Resources Control Board will be preparing an environmental document for your change petition or whether the applicant, if it is a California public agency, will be preparing the environmental document for your change petition:

An Environmental Impact Statement/Environmental Impact Report (EIS/EIR) is being prepared to analyze the potential effects of TROA. The revised DEIS/EIR is being prepared jointly by the Department of Interior, as represented by Reclamation, U.S. Fish and Wildlife Service, and Bureau of Indian Affairs, and the State of California, as represented by Department of Water Resources.

Note: When completed, please submit a copy of the final environmental document (including notice of determination) or notice of exemption to the State Water Resources Control Board. Processing of your change petition cannot proceed until such documents are submitted.

5. Will your proposed changes, during construction or operation, generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or cause erosion, turbidity or sedimentation? NO If so, explain: _____

If yes or you are unsure of your answer, contact your local Regional Water Quality Control Board for the following information (See attachment for address and telephone number):

Will a waste discharge permit be required for your petition? _____

Person contacted _____ Date of contact _____

What method of treatment and disposal will be used? _____

6. Have any archeological reports been prepared on this project, or will you be preparing an archeological report to satisfy another public agency? _____

Do you know of any archeological or historic sites located within the general project area?

Yes If so, explain: See EIS/EIR being prepared for TROA.

ENVIRONMENTAL SETTING

7. Attach **THREE COMPLETE SETS** of color photographs, clearly dated and labeled, showing the vegetation currently existing at the following locations:

Plant communities potentially affected by the action proposed by the petition is not anticipated to adversely affect plant communities at Stampede Reservoir.

- a. Along the stream channel immediately downstream from the proposed point(s) of diversion
- b. Along the stream channel immediately upstream from the proposed point(s) of diversion
- c. At the place(s) where the water is to be used

Note: It is very important that you submit no less than three complete sets of photographs as required above. If less than three sets are submitted, processing of your change petition will be delayed until you furnish the remaining sets!

8. From the list given below, mark or circle the general plant community types which best describe those which occur within your project area (Note: See footnote denoted by * under Question 11 below):

Tree Dominated Communities

- Subalpine Conifer
- Red Fir
- Lodgepole Pine
- Mixed Conifer
 - Sierran Mixed Conifer
 - White Fir
 - Klamath Mixed Conifer
- Douglas-Fir
- Jeffrey Pine
- Ponderosa Pine
- Eastside Pine
- Redwood
- Pinyon-Juniper
- Juniper
- Aspen
- Closed-Cone Pine-Cypress
- Montane Hardwood-Conifer
- Montane Hardwood
- Valley Foothill Hardwood
 - Blue Oak Woodland
 - Valley Oak Woodland
 - Coastal Oak Woodland
- Valley Foothill Hardwood-Conifer
 - Blue Oak-Digger Pine
- Eucalyptus
- Montane Riparian
- Valley Foothill Riparian
- Desert Riparian
- Palm Oasis
- Joshua Tree

Shrub Dominated Communities

- Alpine Dwarf-Shrub
- Low Sage
- Bitterbrush
- Sagebrush
- Montane Chaparral
- Mixed Chaparral
- Chamise-Redshank Chaparral
- Coastal Scrub
- Desert Succulent Shrub
- Desert Wash
- Desert Scrub
- Alkali Desert Scrub

Herbaceous Dominated Communities

- Annual Grassland
- Perennial Grassland
- Wet Meadow
- Fresh Emergent Wetland
- Saline Emergent Wetland
- Pasture

Aquatic Communities

- Riverine
- Lacustrine
- Estuarine
- Marine

Developed Communities

- Cropland
- Orchard-Vineyard
- Urban

Literature source: Mayer, K.E., and W.F. Laudenslayer, Jr., (eds). 1988. A Guide to Wildlife Habitats of California. California Department of Forestry and Fire Protection. Sacramento. 166 pp. (Note: You may view a copy of this document at our public counter at the address given

at the top of this form or you may purchase a copy by calling the California Department of Fish and Game, Wildlife Habitat Relationships (WHR) Program at (916) 653-7203.

9. Provide below an estimate of the type, number, and size (trunk/stem diameter at chest height) of trees and large shrubs that are planned to be removed or destroyed due to implementation of the proposed changes. Consider all aspects of your change petition, including changes in diversion structures, water distribution and use facilities, and changes in the place of use due to additional water development.

None

FISH AND WILDLIFE CONCERNS

10. Identify the typical species of fish which occur in the source(s) from which you propose to divert water and discuss whether or not any of these fish species or their habitat has been or would be affected by your proposed changes. (Note: See footnote denoted by * under Question 11 below):

Fish species in the project area and potentially affected by this petition will be fully described in the Revised Draft EIS/EIR. TROA is anticipated to increase the likelihood of meeting reservoir and stream flow objectives and thereby, maintain constant monthly habitat conditions for fish species.

11. Identify the typical species of riparian and terrestrial wildlife in the area and discuss whether or not any of these species and/or their habitat has been or would be affected by your proposed changes through construction of additional water diversion and distribution works and/or changes in land use in the place of water use. (Note: See footnote denoted by * below):

Wildlife species in the project area and potentially affected by this petition will be fully described in the Revised Draft EIS/EIR. No diversion structures or distribution works are

proposed by this petition, nor will the places of water use be
affected by this petition. The action proposed by this petition
is not anticipated to adversely affect wildlife or wildlife
habitat. TROA is anticipated to increase the likelihood of
meeting reservoir and stream flow objectives and thereby,
maintain more constant riparian habitat conditions for wildlife.

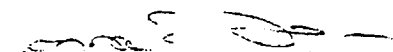
*Note: The purposes of Question 10 and 11 are to provide a preliminary assessment of the presence of typical plant and animal species in the area and whether these species might be affected by your proposed changes. Detailed site surveys to quantify populations of specific species or determine the presence of rare or endangered species may be required at a later date. It is very important that you answer these questions accurately. If you are unable to obtain appropriate answers from your local California Department of Fish and Game biologists (See attachment for address and telephone number) or you do not have adequate information or expertise to complete your answers, you should hire a fishery consultant and/or a wildlife consultant to review your project and prepare suitable answers for you. For information on available qualified fishery or wildlife consultants near you, consult your local telephone directory yellow pages under Environmental and Ecological Services, or call the California Environmental Protection Agency, Registered Environmental Assessor (REA) Program, at (916) 324-6881 or the University of California, Cooperative Extension Service (See your local telephone directory white pages).

12. Do your proposed changes involve any construction or grading-related activity which has significantly altered or would significantly alter the bed or bank of any stream or lake? NO

If so, explain: _____

CERTIFICATION

I hereby certify that the statements I have furnished above and in the attached exhibits 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 DEC 19 2003 Signature 

2006 OCT 24 PM 12:48

MP-710
WTR-4.10

NOV 01 1992

AD15673
Time Extension

Mr. Edward Anton
Chief, Division of Water Rights
State Water Resources Control Board
State of California
PO Box 2000
Sacramento CA 95812-2000

Subject: Petition for Time Extension - Stampede Dam and Reservoir - Permit
11605 Issued Pursuant to Application 15673 - Washoe Project (Water
Rights)

Dear Mr. Anton:

By this letter, Reclamation is petitioning for an extension of time for development under the referenced water right. Reclamation previously submitted a petition for an extension of time which was approved by the State Board on July 7, 1982. At that time, the time for complete application of the water to the proposed use under the permit was changed to December 1, 1992.

Since 1982, two events have occurred that have significantly affected our ability to apply fully the supply of water under this right to beneficial use. These are the enactment of Public Law 101-618 (copy enclosed) and the enclosed Ninth Circuit Court of Appeals Opinion.

Public Law 101-618 was signed into law in 1990 and includes provisions for negotiations of an operating agreement to govern the operations of Federal reservoirs in the Truckee River Basin and use of water from the Truckee River. It also has provisions relating to the dismissals of pending lawsuits.

The Ninth Circuit Court of Appeals Opinion in U.S. v. Alpine Land and Reservoir Co., Civ. No. D-184 BRT (D. Nv.) Ninth Court No. 90-16460, revises and remands to the U.S. District Court its affirmance of the Nevada State Engineer's determination that the Newlands Project water rights underlying 25 of the transfer applications approved in Newlands Project water right proceedings No. 1, 2, and 3 had been perfected and had not been abandoned or forfeited. That opinion may have a significant impact on the number and identification of the acreage to which Newlands Project water rights are appurtenant.

In that these actions may significantly affect the manner in which Stampede Reservoir is operated, and the quantities of water placed to use under this right, we are requesting an extension of an additional 10 years to the current expiration date of December 1, 1992, of the subject permit 11605.

Sincerely,

Susan E. Hoffman
ACTING

Susan E. Hoffman
Chief, Division of Planning
and Technical Services

Enclosures

California Environmental Protection Agency

State Water Resources Control Board

DIVISION OF WATER RIGHTS

P.O. Box 2000, Sacramento, CA 95812-2000

Info: (916) 341-5300, FAX: (916) 341-5400, Web: <http://www.waterrights.ca.gov>

**ENVIRONMENTAL INFORMATION
FOR PETITIONS**

Petition for Change

Petition for Extension of Time

Before the State Water Resources Control Board (SWRCB) can approve a petition to change your water right permit or a petition for extension of time to complete use, the SWRCB must consider the information contained in an environmental document prepared in compliance with the California Environmental Quality Act (CEQA). This form is not a CEQA document. If a CEQA document has not yet been prepared, a determination must be made of who is responsible for its preparation. As the petitioner, you are responsible for all costs associated with the environmental evaluation and preparation of the required CEQA documents. Please answer the following questions to the best of your ability and submit any studies that have been conducted regarding the environmental evaluation of your project. If you need more space to completely answer the questions, please number and attach additional sheets.

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

For a petition to change, provide a description of the proposed changes to your project including, but not limited to, type of construction activity, structures existing or to be built, area to be graded or excavated, increase in water diversion and use (up to the amount authorized by the permit), changes in land use, and project operational changes, including changes in how the water will be used. For a petition for extension of time, provide a description of what work has been completed and what remains to be done. Include in your description any of the above elements that will occur during the requested extension period.

The last extension was approved by the State Water Resources Control Board on July 7, 1982, and the time for complete application of the water to the proposed use under the permit was changed to December 1, 1992. In a letter dated November 1, 1992, Reclamation requested an extension of an additional ten years to the current expiration date of December 1, 1992. Reclamation was advised by the SWRCB staff that there was a hold on any actions on the Truckee River due to the current negotiations on the Truckee River Operating Agreement. Please see Attachment to this Petition - "The Need for this Extension" for further explanation.

See Attachment No. ____

ENVIRONMENTAL INFORMATION FOR PETITIONS

2. COUNTY PERMITS N/A

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. ____

3. STATE/FEDERAL PERMITS AND REQUIREMENTS N/A

a. Check any additional state or federal permits required for your project:

- 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. ____

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. ____

ENVIRONMENTAL INFORMATION FOR PETITIONS

- d. Have you contacted the California Department of Fish and Game concerning your project? YES NO
If YES, name and telephone number of contact: Copies of TROA Petition Package
will be sent to DFG along with the fee of \$850.

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: _____
- b. 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: _____

To be discussed with SWRCB staff

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
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? n/a

See Attachment No. _____

6. ARCHEOLOGY

- a. Have any archeological reports been prepared on this project? YES NO n/a
- 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

ENVIRONMENTAL INFORMATION FOR PETITIONS

If YES, explain: _____

See Attachment No. _____

7. ENVIRONMENTAL SETTING

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. See attached photos.

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: OCT 23 2006

Signature: Michael Henton

STATE WATER RESOURCES CONTROL BOARD

OCT 24 PM 12:48

DIVISION OF WATER RIGHTS SACRAMENTO

PETITION FOR EXTENSION OF TIME

WATER USERS:

Application 15673 Permit 11605

Water Code section 1396 requires an applicant to exercise due diligence in developing a water supply for beneficial use. The State Water Resources Control Board (SWRCB), in considering requests for extension of time, will review the facts presented to determine whether there is good cause for granting an extension of time to complete the project. Where diligence in completing the project is not fully substantiated, the SWRCB may set the matter for hearing to determine the facts upon which to base formal action relating to the permit. Formal action may involve:

1. Revoking the permit for failure to proceed with due diligence in completing the project.
2. Issuing a license for the amount of water heretofore placed to beneficial use under the terms of the permit.
3. Granting a reasonable extension of time to complete construction work and/or full beneficial use of water.

The time previously allowed in your permit within which to complete construction work and/or use of water has either expired or will expire shortly.

Please check below the action you wish taken on this permit.

- The project has been abandoned and I request revocation of the permit.

Signature
- Full use of water has been made, both as to amount and season, and I request license be issued.

Signature
- The project is not yet complete. I request the SWRCB's consideration of the following petition for an extension of time. See attachment - the need for this extension.

PETITION FOR EXTENSION OF TIME If START of construction has been delayed

Complete items 1, 2, and 3.

1. What has been done since permit was issued toward commencing construction?
Construction complete
2. Estimate date construction work will begin. N/A
3. Reasons why construction work was not begun within the time allowed by the permit.
N/A

"The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demands and cut your energy costs, see our web-site at: <http://waterrights.ca.gov>."
Additional copies of this form and water right information can be obtained at www.waterrights.ca.gov.

10/25/06
\$
DC

PETITION FOR EXTENSION OF TIME
If construction work is proceeding

If construction work and/or use of water is proceeding but is not complete, an extension of time may be petitioned by completing items 4 through 16. Statements must be restricted to construction or use of water only under this permit.

- See attachment - Response to Questions - #4.
4. A / - year extension of time is requested to complete construction work and/or beneficial use of water. (Indicate a period of time less than or equal to 10 years. Must be consistent with the time frame allowed in (California Code of Regulations sections 840 through 844)
 5. How much water has been used? 126,000 acre-feet/year 350 cfs
 6. How many acres have been irrigated? n/a
 7. How many houses or people have been served water? See attachment #7.
 8. Extent of past use of water for any other purpose. See attachment #8
 9. What construction work has been completed during the last extension? n/a
 10. Approximate amount spent on project during last extension period. \$ n/a
 11. Estimate date construction work will be completed. n/a
 12. Estimated year in which water will be fully used. See attachment #12
 13. Reasons why construction and/or use of water were not completed within time previously allowed. See attachment - the need for this extension.

If the use of water is for municipal (including industrial) and irrigation supplies and is provided or regulated by public agencies and use of the water has commenced, but additional time is needed to reach full use contemplated, the following information must be provided.

14. What water conservation measures are in effect or feasible within the place of use?
 See attached Truckee Meadows Water Authority Water Conservation Plan and U.S. Fish & Wildlife Service Six Flow Regime Plan
15. How much water is being conserved or is it feasible to conserve using these conservation measures?
 acre-feet per annum. See attachment #15.
16. How much water per capita is used during the maximum 30-day period? gpd. See attachment #16.

I (we) declare under penalty of perjury that the above is true and correct to the best of my (our) knowledge and belief.

Dated: OCT 23 2006 , 20 , at Sacramento , California

Michael Heaton Regional Resources Manager, Telephone No. 916-978-5259
Reclamation, MP Region, 2800 Cottage Way, Sacto., CA. 95825

PLEASE PRINT YOUR NAME AND ADDRESS

NOTE: A \$1,000 filing fee, for each Application listed, made payable to the State Water Resources Control Board must accompany a petition for an extension of time. An \$850 fee made payable to the Department of Fish and Game must accompany all but the first petition for an extension of time.

2006 OCT 24 PM 12:53

Attachment to
Petition for Extension of Time
Water Rights Permit 11605 (Application 15673)

The Need for this Extension

In a letter dated November 1, 1992, the United States Bureau of Reclamation (Reclamation) petitioned for an extension of time for Permit 11605 (Stampede Reservoir). The last Petition for Extension of Time was approved by the State Water Resources Control Board (SWRCB) on July 7, 1982. The time for complete application of the water to the proposed use under the permit was changed to December 1, 1992. In 1993, Reclamation was advised that the SWRCB did not intend to take action on the request for extension of time until the outcome of negotiations on the Truckee River Operating Agreement (TROA).

In 1990, Public Law 101-618 was signed into law and includes provisions for negotiations of an operating agreement to govern the operations of Federal reservoirs (including Stampede Reservoir) in the Truckee River Basin and use of water from the Truckee River. On December 19, 2003, Reclamation and the other TROA parties filed with the SWRCB the following documents and the \$850 filing fee for the California Department of Fish & Game. In December 2005, revisions to these petitions and applications were made.

1. Petition for Change – License 10180 (Application 18006), Permit 11605 (Application 15673), License 3723 (Application 5169), and License 4196 (Application 9247).
2. Two new water right applications have also been filed: Application 31487 for Stampede Reservoir, and Application 31488 for Prosser Reservoir.

Description of Project

Completed in 1970, Stampede Dam and Reservoir is located on the Little Truckee River immediately below the mouth of Davies Creek and approximately 8 miles above the confluence of the Little Truckee and Truckee Rivers. The dam is a zoned earthfill structure with a height of 239 feet, a crest length of 1,511 feet, and an embankment volume of 4.5 million cubic yards. The reservoir, with a capacity of 226,500 acre feet, provides flood control, recreation, a reservoir fishery, and a supplemental water supply to improve spawning habitat conditions on the lower Truckee River for endangered or threatened Pyramid Lake fish. The reservoir has 3,452 surface acres of water and 29 miles of shoreline.

Summary of Permit 11605 (Application 15673):

Permit 11605 was issued on October 27, 1958 and the last extension of time was granted on July 7, 1982.

County: Sierra

Source: Little Truckee River, tributary to the Truckee River

Point of Diversion: S10° 24'E - 480 feet from NW corner of Section 28, being within NW ¼, NW ¼ Section 28, T19N, R17E.

Amount: 126,000 acre-feet by storage and a maximum diversion rate 350 cubic feet per second, to be diverted from April 1 to November 1 of each year.

Storage Season: January 1 to December 31.

Purpose: Domestic, Municipal, Industrial, Irrigation, Flood Control, Fish Culture and Recreation.

Place of Use: Truckee Meadows gross acreage 36,340; net acreage 26,800 within Township 18, 19 and 20N, R18, 19, 20 and 21E, MDB&M and Newlands Project gross acreage 107,140; net acreage 70,000 within Township 17, 18, 19 and 20N, R24, 25, 26, 27, 28, 29, 30 and 31E, MDB&M, as shown on Map #320-419-156 dated December 17, 1953, on file with the State Water Resources Control Board.

Petition Summary

We are requesting that the SWRCB act on the 1992 request for extension of time for ten years from the expiration date of December 1, 1992, and the current Petition for Extension of Time for an additional ten years regarding Permit 11605. Construction under Permit 11605 is complete and water will be fully used when TROA becomes effective. The project does not and will not have significant adverse impacts on downstream resources. We are not requesting licensing of Permit 11605 at this time since a change petition for Stampede Reservoir has been filed with the SWRCB.

Response to Questions

4. The last extension was approved by the SWRCB on July 7, 1982 and the time for complete application of the water to the proposed use under the permit was changed to December 1, 1992. On November 1, 1992, Reclamation requested an extension of an additional ten years to the current expiration date of December 1, 1992. Reclamation was advised that there was a hold on any actions on the Truckee River due to the current negotiations on the Truckee River Operating Agreement. Reclamation is now requesting that the SWRCB act on this previous request for an extension of time and the enclosed Petition for Extension of Time.

7. 5,000 to 14,000 AF - Interim storage contracts for the Cities of Reno and Sparks for drought reserve.

8. Provides flood control, recreation, a reservoir fishery, and a supplemental water supply to improve spawning habitat conditions on the lower Truckee River for endangered fish species, instream flow and riparian habitat. Stampede offers swimming, boating, fishing, and camping. Picnicking facilities are available at Stampede Reservoir.

12. Water will be fully used when TROA becomes effective.

15. Water conserved is 3,000 to 7,000 acre-feet per annum.

16. Water per capita used during maximum 30-day period is 431 gpd. On an annual average the per capita usage is 231 gpd.

Boyer CK

STATE WATER RESOURCES CONTROL BOARD

PETITION FOR CHANGE
(WATER CODE 1700)

2005 DEC -5 AM 11:33

Application Point of Diversion, Point of Rediversion, Place of Use, Purpose of Use
Permit 18006 License 10180 Statement or Other STATEMENT

I (we) hereby petition for change(s) noted above and shown on the accompanying map and described as follows: See page 2 of attachment.

Point of Diversion or Rediversion (Give coordinate distances from section corner or other ties as allowed by Cal CR 715, and the 40-acre subdivision in which the present & proposed points lie.)

Present See Attachment and Exhibits 1 and 2
Proposed See Attachment and Exhibits 1 and 2

Place of Use (If irrigation then state number of acres to be irrigated within each 40-acre tract.)

Present See Attachment and Exhibit 3
Proposed See Attachment and Exhibit 3

Purpose of Use

Present See Attachment and Exhibit 4
Proposed See Attachment and Exhibit 4

Does the proposed use serve to preserve or enhance wetlands habitat, fish and wildlife resources, or recreation in or on the water (See WC 1707)? No
(yes/no)

- GIVE REASON FOR PROPOSED CHANGE: The proposed changes are to allow water changes transfers and exchanges in accordance with TROA.
- WILL THE OLD POINT OF DIVERSION OR PLACE OF USE BE ABANDONED? No
(yes/no)
- WATER WILL BE USED FOR See Attachment and Exhibit 4 PURPOSES.
(yes/no)

I (we) have access to the proposed point of diversion or control the proposed place of use by virtue of? ownership
(ownership, lease verbal or written agreement)

Are there any persons taking water from the stream between the old point of return flow and the new point of return flow? (yes/no)

If by lease or agreement, state the name and address of party(s) from whom access has been obtained. Attach additional pages if needed.

Give name and address of any person(s) taking water from the stream between the present point of diversion or rediversion and the proposed point of diversion or rediversion, as well as any other person(s) known to you who may be affected by the proposed change.

THIS CHANGE DOES NOT INVOLVE AN INCREASE IN THE AMOUNT OF THE APPROPRIATION OR SEASON OF USE.
I (we) declare under penalty of perjury that the above is true and correct to the best of my (our) knowledge and belief.

Dated DEC 19, 202003 at Sacramento, California
(916) 978-5200
Signature(s) Telephone No.

NOTE: A \$100 filing fee made payable to the State Water Resources Control Board and a \$850 fee made payable to the Department of Fish and Game must accompany a petition for change.

ATTACHMENT

Petition for Change Application 18006 - License 10180

General

License 10180 (Application 18006) for Prosser Creek Reservoir is held by the United States, Bureau of Reclamation (Reclamation). This petition is one of a group of four petitions, which are being filed to allow changes and exchanges of water under the Truckee River Operating Agreement (TROA). The petitioners request that these petitions be treated as a single project with a combined single notice.

Additions of points of rediversion, places of use and purposes of use and the removal of a license provision identified in this petition are only for the purpose of accommodating implementation of the provisions of TROA.

Water stored in this Reservoir pursuant to future permits issued by the Nevada State Engineer under Nevada Law and recognized pursuant to the provisions of California Water Code Sections 1231 and 1232 shall not be considered as water stored pursuant to the provisions of this license.

Condition

Because implementation of the changes proposed in this petition is predicated on the approval and implementation of TROA, the applicant requests that the order by the State Water Resources Control Board (SWRCB) approving this petition include the following condition:

“These changes will not take effect unless the Truckee River Operating Agreement is in effect. All diversions, storage, use of water and operations under this license shall be in accordance with the provisions contained in this license and the Truckee River Operating Agreement.”

Existing Points of Diversion and Rediversion under the License

The existing point of diversion described in License 10180 is Prosser Creek Dam and is described in Exhibit 1A. The existing points of rediversion are described in Exhibit 2A and shown on Map Nos. 320-419-365 and 320-419-366 dated February 18, 1958, on file with License 10180.

Points of Rediversion to be Added

Points of rediversion are being added to authorize and facilitate changes and exchanges under TROA. The points of rediversion to be added are described in Exhibit 2B and are shown on Map No. 320-208-189A and filed with this petition; they are located between Prosser Creek Dam and Pyramid Lake.

No. 320-208-189A

Existing Place of Use under the License

The existing place of use is described in Exhibit 3A and is shown on Map Nos. 320-419-365 and 320-419-366 dated February 18, 1958 on file with License 10180.

Expanded Place of Use to be Added

To authorize and facilitate water changes and exchanges, the place of use is to be expanded to include the areas of use within the townships described in Exhibit 3B and shown on Map No. 320-208-189A and filed with this petition.

Map #

Existing Purposes of Use under the License

The existing purposes of use are described in Exhibit 4A.

Purposes of Use to be Added

Project water stored in Prosser Creek Reservoir shall be used for conservation of Pyramid Lake fishery (as provided in P.L. 101-618) and for such other uses as are provided in TROA and in accordance with the terms and conditions of TROA. The purposes of use are to be expanded to include those uses described in Exhibit 4B.

Provision to be removed from the License

It is requested that the following provision be removed from License 10180 and be replaced by operating criteria provided in TROA:

“The Licensee shall operate Prosser Creek Reservoir in coordination with releases of water from Lake Tahoe in the Truckee River in accordance with the operation schedule contained in the U.S. Bureau of Reclamation, Prosser Creek Reservoir Operation Study, January 14, 1958, and amended July 1, 1958, on file with the Board, or in accordance with any modified operation schedule that may be submitted by the Licensee, and approved by the State Water Resources Control Board after notice and opportunity to be heard has been given to all parties and other interested persons in this proceeding.”

EXHIBIT 1A

Existing Point of Diversion under the License

Prosser Creek Dam - North $33^{\circ} 30'$ East 2,050 feet from SW corner of Section 30, T18N, R17E*, MDB&M, being within NW 1/4 of SW 1/4 of said Section 30.

EXHIBIT 2A

Existing Points of Rediversion under the License

Existing points of rediversion authorized under the license are as follows:

Truckee Meadows area and numerous points between the following points:

- a) 1520 feet $S8^{\circ} 33'$ W from NW corner, Section 29, T19N, 18E
- b) 5760 feet $S22^{\circ} 29'E$ from NE corner, Section 7, T19N, R20E

Newlands Project area and numerous points between the Carson Diversion Dam and Sagouspe Diversion Dam, such as the Coleman Diversion Dam:

- c) Derby Dam - 2725 feet $N32^{\circ} 45'E$ from SW corner, Sec. 19, T20N, R23E
- d) Lahontan Dam - 3850 feet $N82^{\circ} 45'E$ from SW corner, Sec. 33, T19N, R26E
- e) Carson Diversion Dam - 1885 feet $N56^{\circ} 30'W$ from SE corner, Sec. 19, T19N, R27E
- f) Sagouspe Diversion Dam - 3620 feet $N43^{\circ} 00'E$ from SW corner, Sec. 4, T19N, R29E

* All references to township and range on this page are to Mount Diablo Base and Meridian (MDBN&M).

EXHIBIT 2B

Points of Rediversion to be Added

The existing points of rediversion under the license are to be retained. Numerous points of rediversion to be added under the license are described below¹:

Diversion Facility/Treatment Plant	40 Ac. Tract	Section	Township*	Range*
Farad Power Flume	S ½ Lot 6 NW ¼	30	18N	18E
Fleish Power Ditch & Flume	SE ¼	6	18N	18E
Steamboat Canal	NE ¼ SW ¼	31	19N	18E
Coldron Ditch	SE ¼ NE ¼	30	19N	18E
Verdi Power Ditch & Flume	SE ¼ SE ¼	19	19N	18E
Katz Ditch	SE ¼ SE ¼	19	19N	18E
Washoe Power Ditch & Flume	NW ¼ NE ¼	16	19N	18E
Hogan Ditch	SW ¼ NE ¼	16	19N	18E
Highland Ditch	SW ¼ SE ¼	9	19N	18E
Mastin Ditch	SE ¼ SW ¼	14	19N	18E
Last Chance Ditch	SE ¼ NE ¼	14	19N	18E
Sparks-Capurro Ditch	NW ¼ SE ¼	13	19N	18E
Irwin-Mayberry Ditch	NE ¼ NW ¼	19	19N	19E
Lake Ditch (Lake-Southside)	NE ¼ NW ¼	19	19N	19E
South Side Canal	NE ¼ SW ¼	17	19N	19E
Orr Ditch, Orr Extension & Spanish Spring Valley Ditch	NE ¼ SW ¼	17	19N	19E
Indian Flat Ditch	NE ¼ SE ¼	17	19N	19E
Orr Ditch Pump Station	NE ¼ SE ¼	17	19N	19E
Reno Power Ditch & Flume	SE ¼ NE ¼	16	19N	19E
Countryman Ditch	NE ¼ NE ¼	16	19N	19E
Chism Ditch	NE ¼ NE ¼	16	19N	19E
Hayden Ditch or Court Ditch	SE ¼ SE ¼	10	19N	19E
English Mill Ditch & English Mill Tailrace Ditch	NW ¼ SE ¼	10	19N	19E
Idlewild Pump Station	SE ¼ SE ¼	10	19N	19E
Sullivan & Kelly Ditch	NW ¼ SE ¼	11	19N	19E
Cochran Ditch	NW ¼ SE ¼	11	19N	19E
Riverside Mill Ditch & Flume (Claim #10)	NW ¼ SE ¼	11	19N	19E

* All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

¹ Some of the points of rediversion are identified in the U.S. vs. Orr Water Ditch Company, et al. (U.S. D. Ct. NV. 1944) but may not currently be in use.

Diversion Facility/Treatment Plant	40 Ac. Tract	Section	Township*	Range*
Scott Ranch Ditch	SW ¼ NW ¼	12	19N	19E
Abbee Ditch	SE ¼ NE ¼	12	19N	19E
Perry Ditch	SE ¼ NE ¼	12	19N	19E
Eastman Ditch	SW ¼ NE ¼	7	19N	20E
No. Truckee Ditch (Glendale Plant)	SW ¼ NE ¼	7	19N	20E
Sessions Ditch	SW ¼ NE ¼	7	19N	20E
Pioneer Ditch	SE ¼ SE ¼	7	19N	20E
Stephens Ditch (Stevens)	SE ¼ SW ¼	8	19N	20E
Glendale Ditch	SE ¼ SW ¼	8	19N	20E
Hidden Valley Induction Well #4	SW ¼ NW ¼	16	19N	20E
Largomarsino-Murphy Ditch (S. Largomarsino)	NW ¼ SE ¼	18	19N	21E
Largomarsino-Noce Ditch (N. Largomarsino)	NE ¼ SE ¼	18	19N	21E
Groton Ditch	NE ¼ SE ¼	17	19N	21E
Sheep Ranch Ditch	NW ¼ SW ¼	16	19N	21E
McCarran North Side Ditch	NE ¼ NW ¼	11	19N	21E
McCarran South Side Ditch	SW ¼ NW ¼	1	19N	21E
Old Ditch	NW ¼ NE ¼	6	19N	22E
Hill Ditch	NW ¼ NE ¼	32	20N	22E
Tracy Power Plant	SE ¼ SW ¼	28	20N	23E
Derby Dam & Truckee Canal	SW ¼	19	20N	23E
Preston Ditch	SE ¼ NW ¼	20	20N	23E
Washburn Ditch	SE ¼ NW ¼	22	20N	23E
Gregory Ditch	SE ¼ SE ¼	14	20N	23E
Wadsworth Power Ditch	NW ¼ SW ¼	13	20N	23E
Herman Ditch	NW ¼ NW ¼	17	20N	24E
Pierson Ditch	NW ¼ SW ¼	9	20N	24E
Fernley ²	SE ¼ NW ¼	9	20N	24E
Olinghouse No. 1 Ditch	NW ¼ NE ¼	9	20N	24E
Proctor Ditch	SW ¼ NW ¼	3	20N	24E
Fellnagle Ditch	NW ¼ SE ¼	33	21N	24E
Olinghouse No. 2 Ditch	SW ¼ SE ¼	22	21N	24E
Gardella Ditch	NW ¼ SE ¼	22	21N	24E
Olinghouse No. 3 Ditch	SW ¼ NW ¼	15	21N	24E
Indian Ditch (Nixon Ditch)	SW ¼ NE ¼	12	22N	23E

* All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

² Proposed future point of redirection to be constructed.

EXHIBIT 3A

Existing Place of Use under the License

The existing place of use authorized under this license includes 82,000 net acres within 143,480 gross acres all within the Truckee Meadows and Newlands Project areas shown on Map Nos. 320-419-365 and 320-419-366 dated February 10, 1958 and currently on file with License 10180.

Truckee Meadows - 26,800 acres within a gross area of 36,340 acres within the following townships and ranges within the State of Nevada.

Township*	Range*
18N	18, 19, 20 & 21E
19N	18, 19, 20 & 21E
20N	18, 19, 20 & 21E

Newlands Project - 70,000 acres within a gross area of 107,140 acres within the following townships and ranges within the State of Nevada.

Township	Range
17N	24, 25, 26, 27, 28, 29, 30 & 31E
18N	24, 25, 26, 27, 28, 29, 30 & 31E
19N	24, 25, 26, 27, 28, 29, 30 & 31E
20N	24, 25, 26, 27, 28, 29, 30 & 31E

* All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

EXHIBIT 3B

Expanded Place of Use under the License

The expanded place of use includes the existing place of use under the license and the added place of use. The expanded place of use includes lands within the following townships and ranges:

Township*	Range*
13N	17 & 18E
14N	16 - 18E
15N	16 - 18E
16N	16 - 18E
17N	15 - 20E, 24 - 31E
18N	14 - 21E, 24 - 31E
19N	14 - 31E
20N	18 - 32E
21N	18 - 26E, 29 - 32E
22N	20 - 24E
23N	20 - 24E
24N	20 - 24E
25N	20 - 24E
26N	20 - 24E
27N	20 - 24E
28N	23 & 24E

Power use will be at the following power plants located as follows:

Power Plant	Subdivision	Sec.	Township	Range
Farad	SE 1/4 SE 1/4	12	18N	17E
Fleish	NE 1/4 SE 1/4	30	19N	18E
Verdi	NW 1/4 SE 1/4	8	19N	18E
Washoe	SW 1/4 SW 1/4	14	19N	18E

* All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

EXHIBIT 4A

Existing Purposes of Use under the License

The existing purposes of use authorized under the license are the following:

Domestic
Municipal
Industrial
Irrigation
Fish Culture
Recreational Uses

EXHIBIT 4B

Purposes of Use to be Added

The existing purposes of use under License 10180 are to be retained. The purposes of use to be added because of the possible changes and exchanges under TROA are the following:

Conservation of Pyramid Lake fishery (as provided in P.L. 101-618)
Stockwatering
Fish & Wildlife Protection/Enhancement (including wetlands)
Power
Instream Water Quality Enhancement
Flood Control

ENVIRONMENTAL INFORMATION
FOR PETITIONS

(THIS IS NOT A CEQA DOCUMENT)

APPLICATION NO. 18006 PERMIT NO. 11666 LICENSE NO. 10180

The following information will aid in the environmental review of your change petition as required by the California Environmental Quality Act (CEQA). IN ORDER FOR YOUR CHANGE PETITION TO BE ACCEPTED AS COMPLETED, ANSWERS TO THE QUESTIONS LISTED BELOW MUST BE COMPLETED TO THE BEST OF YOUR ABILITY. Failure to answer all questions may result in your change petition being returned to you, causing delays in processing. If you need more space, attach additional sheets. Additional information may be required from you to amplify further or clarify the information requested in this form.

DISCRPTION OF CHANGES TO PROJECT

1. Provide a description of the proposed changes to your project, including but not limited to, type of construction activity, structures existing or to be built, area to be graded or excavated, changes in land use, and project operational changes, including changes in how the water will be used.

This petition for Prosser Creek Reservoir is one of a group of four petitions, which are being filed to allow ^{changes} ~~transfers~~ and exchanges of water under the Truckee River Operating Agreement (TROA). The petitioners request that these petitions be treated as a single project with a combined single notice. Additions of points of diversion and rediversion, places of use and purposes of use identified in this petition are only for the purpose of accommodating implementation of the provisions of TROA.

GOVERNMENTAL REQUIREMENTS

Before a final decision can be made on your change petition, we must consider the information contained in an environmental document prepared in compliance with the requirements of CEQA. If an environmental document has been prepared for your proposed changes by another agency, we must consider it. If one has not been prepared, a determination must be made as to who is responsible for the preparation of the environmental document for your change petition. The following questions are designed to aid us in that determination.

2. Contact your county planning or public works department for the following information:
- a. Person contacted N/A Date of contact _____
Department _____ Telephone () _____
 - b. Assessor's Parcel No. _____
 - c. County Zoning Designation _____
 - d. Are any county permits required for your proposed changes? _____
If yes, check appropriate space below:
_____ Grading Permit, _____ Use Permit, _____ Watercourse
Obstruction Permit, _____ Change of Zoning, _____ General Plan
Change, Other (explain): _____
 - e. Have you obtained any of the required permits described above? No
If yes, provide a complete copy of each permit obtained.

3. Are any additional state or federal permits required for your proposed changes? _____ (i.e., from Federal Energy Regulatory Commission, U.S. Forest Service, Bureau of Land Management, Soil Conservation Service, Department of Water Resources (Division of Safety of Dams), Reclamation Board, Coastal Commission, State Lands Commission, etc.) For each agency from which a permit is required provide the following information:

Permit type _____
Person (s) contacted _____ Agency _____
Date of contact _____ Telephone () _____

4. Has any public agency prepared an environmental document for any aspect of your proposed changes? No

If so, please submit a copy of the latest environmental document (s) prepared, including a copy of the notice of determination adopted by the public agency. If not, explain below whether you expect that a public agency other than the State Water Resources Control Board will be preparing an environmental document for your change petition or whether the applicant, if it is a California public agency, will be preparing the environmental document for your change petition:

An Environmental Impact Statement/Environmental Impact Report (EIS/EIR) is being prepared to analyze the potential effects of TROA. A revised D. S/EIR is being prepared jointly by the Department of Interior, as represented by Reclamation, U.S. Fish and Wildlife Service, and the Bureau of Indian Affairs, and the State of California, as represented by the Department of Water Resources.

Note: When completed, please submit a copy of the final environmental document (including notice of determination) or notice of exemption to the State Water Resources Control Board. Processing of your change petition cannot proceed until such documents are submitted.

5. Will your proposed changes, during construction or operation, generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or cause erosion, turbidity or sedimentation? NO If so, explain: _____

If yes or you are unsure of your answer, contact your local Regional Water Quality Control Board for the following information (See attachment for address and telephone number):

Will a waste discharge permit be required for your petition? _____

Person contacted _____ Date of contact _____

What method of treatment and disposal will be used? _____

6. Have any archeological reports been prepared on this project, or will you be preparing an archeological report to satisfy another public agency? _____

Do you know of any archeological or historic sites located within the general project area?

Yes If so, explain: See EIS/EIR being prepared for TROA.

ENVIRONMENTAL SETTING

7. Attach **THREE COMPLETE SETS** of color photographs, clearly dated and labeled, showing the vegetation currently existing at the following locations:

Plant communities potentially affected by this petition will be fully described in the EIS/EIR. The action proposed by this petition is not anticipated to adversely affect plant communities at Prosser Creek Reservoir.

- a. Along the stream channel immediately downstream from the proposed point(s) of diversion
- b. Along the stream channel immediately upstream from the proposed point(s) of diversion
- c. At the place(s) where the water is to be used

Note: It is very important that you submit no less than three complete sets of photographs as required above. If less than three sets are submitted, processing of your change petition will be delayed until you furnish the remaining sets!

8. From the list given below, mark or circle the general plant community types which best describe those which occur within your project area (Note: See footnote denoted by * under Question 11 below):

Tree Dominated Communities

Subalpine Conifer
Red Fir
Lodgepole Pine
Mixed Conifer
 Sierran Mixed Conifer
 White Fir
 Klamath Mixed Conifer
Douglas-Fir
Jeffrey Pine
Ponderosa Pine
Eastside Pine
Redwood
Pinyon-Juniper
Juniper
Aspen
Closed-Cone Pine-Cypress
Montane Hardwood-Conifer
Montane Hardwood
Valley Foothill Hardwood
 Blue Oak Woodland
 Valley Oak Woodland
 Coastal Oak Woodland
Valley Foothill Hardwood-Conifer
 Blue Oak-Digger Pine
Eucalyptus
Montane Riparian
Valley Foothill Riparian
Desert Riparian
Palm Oasis
Joshua Tree

Shrub Dominated Communities

Alpine Dwarf-Shrub
Low Sage
Bitterbrush
Sagebrush
Montane Chaparral
Mixed Chaparral
Chamise-Redshank Chaparral
Coastal Scrub
Desert Succulent Shrub
Desert Wash
Desert Scrub
Alkali Desert Scrub

Herbaceous Dominated Communities

Annual Grassland
Perennial Grassland
Wet Meadow
Fresh Emergent Wetland
Saline Emergent Wetland
Pasture

Aquatic Communities

Riverine
Lacustrine
Estuarine
Marine

Developed Communities

Cropland
Orchard-Vineyard
Urban

Literature source: Mayer, K.E., and W.F. Laudenslayer, Jr., (eds). 1988. A Guide to Wildlife Habitats of California. California Department of Forestry and Fire Protection, Sacramento. 166 pp. (Note: You may view a copy of this document at our public counter at the address given

at the top of this form or you may purchase a copy by calling the California Department of Fish and Game, Wildlife Habitat Relationships (WHR) Program at (916) 653-7203).

9. Provide below an estimate of the type, number, and size (trunk/stem diameter at chest height) of trees and large shrubs that are planned to be removed or destroyed due to implementation of the proposed changes. Consider all aspects of your change petition, including changes in diversion structures, water distribution and use facilities, and changes in the place of use due to additional water development.

None

FISH AND WILDLIFE CONCERNS

10. Identify the typical species of fish which occur in the source(s) from which you propose to divert water and discuss whether or not any of these fish species or their habitat has been or would be affected by your proposed changes. (Note: See footnote denoted by * under Question 11 below):

Fish species in the project area and potentially affected by this petition will be fully described in the Revised Draft EIS/EIR. TROA is anticipated to increase the likelihood of meeting reservoir and stream flow objectives and thereby, maintain more constant monthly habitat conditions for fish species.

11. Identify the typical species of riparian and terrestrial wildlife in the area and discuss whether or not any of these species and/or their habitat has been or would be affected by your proposed changes through construction of additional water diversion and distribution works and/or changes in land use in the place of water use. (Note: See footnote denoted by * below):

Wildlife species in the project area and potentially affected by this petition will be fully described in the Revised Draft EIS/EIR. No diversion structures or distribution works are

proposed by this petition, nor will the places of water use be
affected by this petition. The action proposed by this petition
is not anticipated to adversely affect wildlife or wildlife
habitat. TROA is anticipated to increase the likelihood of
meeting reservoir and stream flow objectives and thereby,
maintain more constant riparian habitat conditions for wildlife.

*Note: The purposes of Question 10 and 11 are to provide a preliminary assessment of the presence of typical plant and animal species in the area and whether these species might be affected by your proposed changes. Detailed site surveys to quantify populations of specific species or determine the presence of rare or endangered species may be required at a later date. It is very important that you answer these questions accurately. If you are unable to obtain appropriate answers from your local California Department of Fish and Game biologists (See attachment for address and telephone number) or you do not have adequate information or expertise to complete your answers, you should hire a fishery consultant and/or a wildlife consultant to review your project and prepare suitable answers for you. For information on available qualified fishery or wildlife consultants near you, consult your local telephone directory yellow pages under Environmental and Ecological Services, or call the California Environmental Protection Agency, Registered Environmental Assessor (REA) Program, at (916) 324-6881 or the University of California, Cooperative Extension Service (See your local telephone directory white pages).

12. Do your proposed changes involve any construction or grading-related activity which has significantly altered or would significantly alter the bed or bank of any stream or lake? NO
- If so, explain: _____
- _____
- _____
- _____

CERTIFICATION

I hereby certify that the statements I have furnished above and in the attached exhibits 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 DEC 19 2003 Signature [Handwritten Signature]

REGISTRATION FILING FEE: \$100.00
FILE ORIGINAL & ONE COPY
TYPE OR PRINT IN BLACK INK
(For explanation of these requirements, see
booklet "How to file an Application to
Appropriate Water in California")

State of California
State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. Box 2000, Sacramento, CA 95812-2000
Info: (916) 341-5300, FAX: (916) 341-5400, Web: <http://www.waterrights.ca.gov>

Stamp
STATE WATER RESOURCES
CONTROL BOARD

2005 DEC -5 AM 11:33

DIV. OF WATER RIGHTS
SACRAMENTO

APPLICATION TO APPROPRIATE WATER

APPLICATION No. 31487
(Leave Blank)

1. APPLICANT

U.S. Department of Interior (916) 978-5200
(Name of applicant) (Telephone - between 8 a.m. and 5 p.m.)
Bureau of Reclamation (MP-440)
2800 Cottage Way Sacramento California 95825
(Mailing address) (City or town) (State) (Zip code)

2. SOURCE

- a. The name of the source at the point of diversion is (POD 1 & 2) Little Truckee River
(If unnamed, state that it is an unnamed stream, spring, etc.)
tributary to Truckee River; POD3 INDEPENDENCE LAKE TRIBUTARY TO INDEPENDENCE CK THENCE
LITTLE TRUCKEE RIVER THENCE TRUCKEE RIVER
- b. In a normal year does the stream dry up at any point downstream from your project? YES NO
If yes, during what months is it usually dry? From _____ to _____
What alternate sources are available to your project should a portion of your requested direct diversion season
be excluded because of a dry stream or nonavailability of water? n/a

SEE
ATTACHMENT
S1W
11/21/06

3. POINTS of DIVERSION and REDIVERSION

- a. The point(s) of diversion will be in the County of Sierra and Nevada Counties
and within Assessor's Parcel Number (APN #) _____
- b.

List all points giving coordinate distances from section corner or other tie as allowed by SWRCB regulations i.e. California Coordinate System	Point is within (40-acre subdivision)	Section	Township	Range	Base and Meridian
See Attachment No. 1	1/4 of 1/4				
	1/4 of 1/4				
	1/4 of 1/4				

- c. Does applicant own the land at the point of diversion? YES NO
- d. If applicant does not own the land at point of diversion, state name and address of owner and what steps have been taken to obtain right of access: n/a

"The energy challenge facing California is real. Every California needs to take immediate action to reduce energy consumption.
For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>".
Additional copies of this form and water right information can be obtained at www.waterrights.ca.gov.

4. PURPOSE of USE, AMOUNT and SEASON (See page insert for 4.)

a. In the table below, state the purpose(s) for which water is to be appropriated, the quantities of water for each purpose, and the dates between which diversions will be made. Use gallons per day if rate is less than 0.025 cubic foot per second (approximately 16,000 gallons per day).

PURPOSE OF USE (Irrigation, Domestic, etc.)	DIRECT DIVERSION				STORAGE		
	QUANTITY		SEASON OF DIVERSION		AMOUNT	COLLECTION SEASON	
	RATE (Cubic feet per second or gallons per day)	AMOUNT (Acre-feet per year)	Beginning Date (Mo. & Day)	Ending Date (Mo. & Day)	Acre-feet per annum	Beginning Date (Mo. & Day)	Ending Date (Mo. & Day)
See Attachment No. 3	350 cfs	226,500 af	01/01	12/31	226,500*	01/01	12/31

b. Total combined amount taken by direct diversion and storage during any one year will be 226,500 acre-feet.

*Note: Companion right to previous right under Application 15673 (P-11605)

5. JUSTIFICATION of AMOUNT (See page insert for 5.)

a. IRRIGATION: Maximum area to be irrigated in any one year is 96,800 acres.

CROP	ACRES	METHOD OF IRRIGATION (Sprinklers, flooding, etc.)	ACRE-FEET PER YEAR	NORMAL SEASON	
				Beginning Date	Ending Date
General Crops	96,800			04/01	11/01

b. DOMESTIC: Number of residences to be served is _____. Separately owned? YES NO
 Total number of people to be served is _____. Estimated daily use per person is _____
 Total area of domestic lawns and gardens is _____ square feet. (Gallons per day)
 Incidental domestic uses are _____
 (Dust control area, number and kind of domestic animals, etc.)

c. STOCKWATERING: Kind of stock _____ Maximum number _____
 Describe type of operation: _____
 (Feed lot, dairy, range, etc.)

d. RECREATIONAL: Type of recreation: Fishing Swimming Boating Other

e. MUNICIPAL: (Estimated projected use)

POPULATION		MAXIMUM MONTH		ANNUAL USE		
5-Year periods until use is completed		Average daily use (gal. per capita)	Rate of diversion (cfs)	Average daily use (gal. per capita)	Acre-foot (per capita)	Total acre feet
PERIOD	POP.					
Present						

Month of maximum use during year is _____ Month of minimum use during year is _____

f. HEAT CONTROL: The total area to be heat protected is n/a net acres.
 Type of crop protected is _____
 Rate at which water is applied to use is _____ gpm per acre.
 The heat protection season will begin about _____ and end about _____
 (Date) (Date)

g. FROST PROTECTION: The total area to be frost protected is n/a net acres.
 Type of crop protected is _____
 Rate at which water is applied to use is _____ gpm per acre.
 The frost protection season will begin about _____ and end about _____
 (Date) (Date)

h. INDUSTRIAL: Type of industry is _____
 Basis for determination of amount of water needed is _____

i. MINING: The name of the claim is n/a Patented Unpatented
 The nature of the mine is _____ Mineral to be mined is _____
 Type of milling or processing is _____
 After use, the water will be discharged into _____
 (Name of stream)
 in _____ 1/4 of _____ 1/4 of Section _____, T _____, R _____, _____ B. & M.
 (40-acre subdivision)

j. POWER: * The total fall to be utilized is _____ feet. The maximum amount of water to be used through the penstock
 is _____ cubic feet per second. The maximum theoretical horsepower capable of being generated
 by the works is _____ Electrical capacity is _____ kilowatts at _____ % efficiency.
 (Cubic feet per second x fall + 8.8) (Hp x 0.746 + efficiency)
 After use, the water will be discharged into _____
 (Name of stream)
 in _____ 1/4 of _____ 1/4 of Section _____, T _____, R _____, _____ B. & M. FERC No. _____
 (40-acre subdivision)

k. FISH AND WILDLIFE PRESERVATION AND/OR ENHANCEMENT: YES NO If yes, list
 specific and habitat type that will be preserved or enhanced in item 10 of Environmental Information
 form APP-ENV.

l. OTHER: Describe use: See Attachment No. 3 Basis for determination of amount of water needed
 is _____

6. PLACE OF USE See Attachment No. 2

a. Does applicant own the land where the water will be used? YES NO Is land in joint YES NO
 (All joint owners should include their names as applicants and sign the application.) ownership?
 If applicant does not own land where the water will be used, give name and address of owner, and state what
 arrangements have been made with the owner. Water will be delivered as provided in TROA. Water Master:
Garry Stone, 290 So. Arlington, Reno, Nevada 89501, (775) 783-5241

b. USE IS WITHIN (40-ACRE SUBDIVISION)	SECTION	TOWNSHIP	RANGE	BASE & MERIDIAN	IF IRRIGATED	
					Number of acres	Presently cultivated (Y/N)
1/4 of 1/4						
1/4 of 1/4						
1/4 of 1/4						
1/4 of 1/4						
1/4 of 1/4						

(If area is unsurveyed, state the location as if lines of the public land survey were projected, or contact the Division of Water Rights. If space
 does not permit listing all 40-acre tracts, include on another sheet or state sections, townships and ranges, and show detail on map.)
 Power: See Water Right Application No. 26273 for power; incidental
 power only under this application.

4. Purpose of Use, Amount and Season

The applicant is requesting a companion right to the previous right under water right Application 15673 (Permit 11605). The total quantity of water diverted to storage under this application will be no greater than 226,500 AF. Because implementation of the changes proposed in this application is predicated on the approval and implementation of TROA, the applicant requests that the order by the State Water Resources Control Board (SWRCB) approving this application include the following condition:

Direct DIVERSION
Limited to 226,500 AFA by DD or Storage Email 6/14/06 SJK

“This permit will not take effect unless the Truckee River Operating Agreement is in effect. All diversions, storage, use of water and operations under this permit and/or license shall be in accordance with the provisions contained in this permit or any subsequent license and the Truckee River Operating Agreement.”

Water stored in this Reservoir pursuant to future permits issued by the Nevada State Engineer under Nevada Law and recognized pursuant to the provisions of California Water Code Section 1231 and 1232 shall not be considered as water stored pursuant to the provisions of this permit.

Must be TROA license app.

5. Justification of Amount

TROA contains procedures designed to make more efficient use of existing Truckee River reservoirs, and to provide multiple benefits, such as:

- Increase municipal and industrial drought water supply for the Reno/Sparks Area (Truckee Meadows), City of Fernley, and the Truckee River basin in California;
- Enhance conditions for cui-ui and Lahontan cutthroat trout, fish species listed respectively as endangered and threatened by the Federal Government.
- Reduce stream flow variability, and enhance seasonal stream flows and water quality; and
- Maintain reservoir storage at levels to better serve recreational uses.

Presently, each reservoir generally stores only one category of water for a specific purpose. Under TROA, each reservoir could store several categories of water, each with a different beneficial use, storage priority, and release and spill priority. Use of the reservoirs would also be expanded to allow additional parties (TROA signatory parties and storing parties), and the respective reservoir owner(s), to store new categories of water (credit water) from water allocated to California, water dedicated to the exercise of the Orr Ditch Decree water rights, water which would otherwise flow to Pyramid Lake, or project and private waters already in storage. By incorporating existing storage priorities and capacities for project and private waters in their respective reservoirs, TROA would not impair or conflict with the exercise of vested or perfected Orr Ditch Decree water rights or interfere with flood control and dam safety criteria.

The application to appropriate water by permit seeks to allow use of the full capacity of the existing reservoirs for the purpose of storing credit water. The section of the application entitled "Justification of Amount" and the instructions for its completion assume a traditional operating regime where each dam is operated to maximize the efficiency of that particular dam and that particular dam supplies water for specific needs to a specific area or public. TROA attempts to make the entire Truckee system operate as one unit rather than individual facilities operating for their own most optimum circumstances. To accomplish this, TROA allows credits to be transferred among water owners and water to be used from whichever reservoir that would be most efficient at that point in time to utilize. For these reasons, the section on "Justification of Amount" does not seem to apply and we have marked the entire section "n/a".

7. DIVERSION WORKS

- a. Diversion will be by gravity by means of n/a
(Dam, pipe in unobstructed channel, pipe through dam, siphon, weir, gate, etc.)
- b. Diversion will be by pumping from n/a Pump discharge rate _____ Horsepower _____
(Depth of the well _____) (Sump, offset well, channel, reservoir, etc.) (cfs or gpd)
- c. Conduit from diversion point to first lateral or to offstream storage reservoir: n/a

CONDUIT (Pipe or channel)	MATERIAL (Type of pipe or channel lining) (Indicate if pipe is buried or not)	CROSS SECTIONAL DIMENSION (Pipe diameter or ditch depth and top and bottom width)	LENGTH (Feet)	TOTAL LIFT OR FALL		CAPACITY (Estimate)
				Feet	+ or -	

- d. Storage reservoirs: (For underground storage, complete Supplement 1 to APP, available upon request.)

Name or number of reservoir, if any	DAM				RESERVOIR		
	Vertical height from downstream toe of slope to spillway level (ft.)	Construction material	Dam length (ft.)	Freeboard Dam height above spillway crest (ft.)	Approximate surface area when full (acres)	Approximate capacity (acre-feet)	Maximum water depth (ft.)
Stampede (PDD)	226	Earthfill	1,511	21.3	3,450	226,500*	225
BOCA (PDD2)	95	EARTHFILL	1,629	23	977	41,100	100
INDEPENDENCE	28.3	EARTHFILL	844	2.7	725	17,500	28.3

Fax 12/16/06
 EMAIL 12/28/06
 12/7/06
 SJW

*See Water Right Application 15673
 e. Outlet pipe: (For storage reservoirs having a capacity of 10 acre-feet or more.)

Diameter of outlet pipe (inches)	Length of Outlet pipe (feet)	FALL		HEAD	
		(Vertical distance between entrance and exit of outlet pipe in feet)	(Vertical distance from spillway to outlet pipe in reservoir in feet)	Estimated storage below outlet pipe entrance (dead storage)	
90	1,182	41	184	660 AF	
2 @ 50	304	3	99	240 AF	
2 @ 42	150	0	28.3	0	

21.
 PDD2
 PDD3

- f. If water will be stored and the reservoir is not at the point of diversion, the maximum rate of diversion to offstream storage will be n/a cfs. Diversion to offstream storage will be made by: Pumping Gravity

8. COMPLETION SCHEDULE

- a. Year work will start 1966 b. Year work will be completed 1970
 c. Year water will be used to the full extent intended _____ d. If completed, year of first use 1970

9. GENERAL

- a. Name of the post office most used by those living near the proposed point of diversion is Truckee, California.

Does any part of the place of use comprise a subdivision on file with the Department of Real Estate? YES NO

If yes, state name of the subdivision _____

If no, is subdivision of these lands contemplated? YES NO

Is it planned to individually meter each service connection? YES NO If yes, when? _____

- b. List the names and addresses of diverters of water from the source of supply downstream from the proposed point of diversion: Numerous diverters downstream of Stampede Dam along the Truckee River to Pyramid Lake.

- c. Is the source used for navigation, including use by pleasure boats, for a significant part of each year at the point of diversion, or does the source substantially contribute to a waterway which is used for navigation, including use by pleasure boats? YES NO If yes, explain _____

10. EXISTING WATER RIGHT (See page insert for 10.)

Do you claim an existing right for the use of all or part of the water sought by this application? YES NO
 If yes, complete table below:

Nature of Right (riparian, appropriative, groundwater)	Year of First Use	Purpose of use made in recent years including amount, if known	Season of Use	Source	Location of Point of Diversion

11. AUTHORIZED AGENT (Optional)

With respect to all matters concerning this water right application those matters designated as follows:

(Name of agent) (Telephone number of agent between 8 a.m. and 5 p.m.)

(Mailing address) (City or town) (State) (Zip code)

is authorized to act on my behalf as my agent.

12. SIGNATURE OF APPLICANT

I (we) declare under penalty of perjury that the above is true and correct to the best of my (our) knowledge and belief.

Dated DEC 19 2003 20, at Sacramento, California

Ms. Mr.
 Miss. Mrs. _____
 (Signature of applicant)

(If there is more than one owner of the project, please indicate their relationship.)

Ms. Mr.
 Miss. Mrs. _____
 (Signature of applicant)

Additional information needed for preparation of this application may be found in the Instruction Booklet entitled "HOW TO FILE AN APPLICATION TO APPROPRIATE WATER IN CALIFORNIA". If there is insufficient space for answers in this form, attach extra sheets. Please cross-reference all remarks to the numbered item of the application to which they may refer. Send original application and one copy to the STATE WATER RESOURCES CONTROL BOARD, DIVISION OF WATER RIGHTS, P.O. Box 2000, Sacramento, CA 95812-2000, with \$100 minimum filing fee.

NOTE:
 If this application is approved for a permit, a minimum permit fee of \$100 will be required before the permit is issued.

10. Existing Water Right

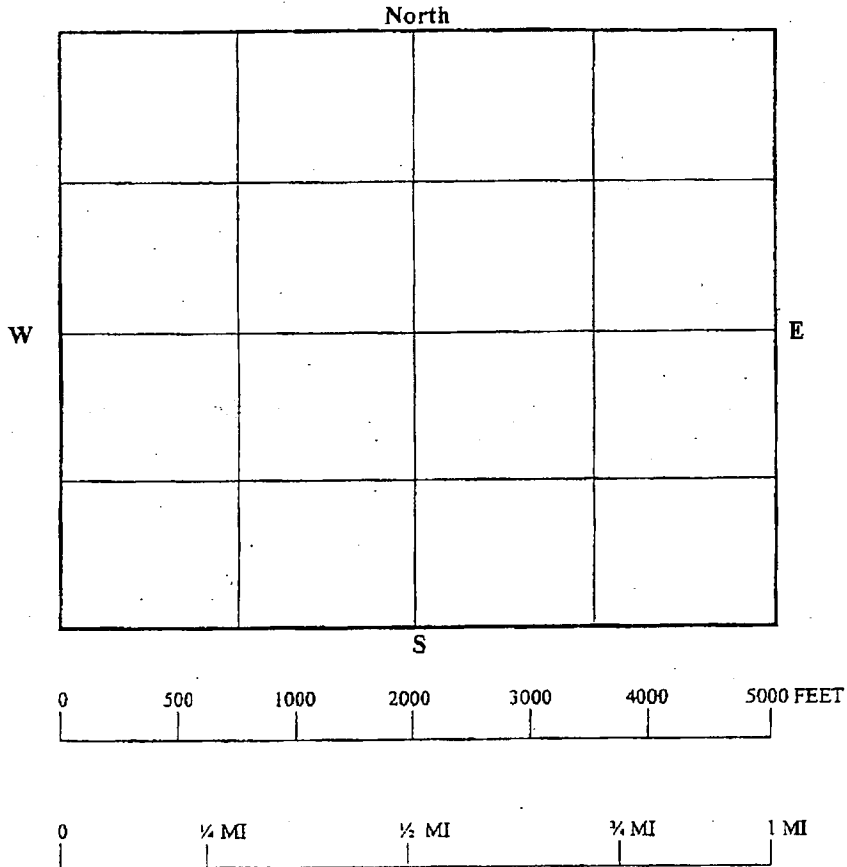
This application is for 226,500 AF, the capacity of Stampede Reservoir. This right will be used in conjunction with Application 15673 and the total quantity of water diverted to storage under this application will be no greater than 226,500 AF. The diversion season will cover the entire year. Because implementation of the changes proposed in this application is predicated on the approval and implementation of TROA, the applicant requests that the order by the State Water Resources Control Board (SWRCB) approving this application include the following condition:

“This permit will not take effect unless the Truckee River Operating Agreement is in effect. All diversions, storage, use of water and operations under this permit and license shall be in accordance with the provisions contained in this permit or any subsequent license and the Truckee River Operating Agreement.”

13. MAP

(Please complete legibly, with as much detail as possible, or attach a suitable alternative. See example in instruction booklet.)

SECTION(S) _____ TOWNSHIP _____ RANGE _____, _____ B. & M.



- (1) Show location of the stream or spring, and give name.
- (2) Locate and describe the point of diversion (i.e. the point at which water is to be taken from the stream or spring) in the following way: Begin at the most convenient known corner of the public land survey, such as a section or quarter section corner (if on unsurveyed land more than two miles from a section corner, begin at a mark or some natural object or permanent monument that can be readily found and recognized) and measure directly north or south until opposite the point which it is desired to locate; then measure directly east or west to the desired point. Show these distances in figures on the map as shown in the instructions.
- (3) Show location of the main ditch or pipeline from the point of diversion.
- (4) Indicate clearly the proposed place of use of the water.

14. SUPPLEMENTAL INFORMATION

- a. If you are applying for a permit, Environmental Information form APP-ENV should be completed and attached to this form.
- b. If you are applying for underground storage, supplemental to APP (available upon request) should be completed and attached to this form.

ATTACHMENT

Application To Appropriate Water

Attachment No. 1

Point of Diversion and Rediversion

Stampede Dam. S10° 24'E – 480 feet from NW corner of Section 28, being within NW ¼, NW ¼ Section 28, T19N, R17E.*

Points of Diversion, Redistribution¹ and Rediversion

(POD2) Boca Dam. N83° 41'E – 1899.62 feet from SW corner of Section 21, being within SE ¼, SW ¼ Section 21, T18N, R17E. (Point of Diversion, Redistribution and Rediversion)

(POD3) Independence Dam. N5° 45'E – 1864.7 feet from SW corner of Section 35, being within Lot 1 Section 35, T19N, R15E. (Point of Diversion and Redistribution)

Points of Rediversion. Points of rediversion are described below²:

Diversion Facility/Treatment Plant	40 Ac. Tract	Section	Township*	Range*
Farad Power Flume	S ½ Lot 6 NW ¼	30	18N	18E
Fleish Power Ditch & Flume	SE ¼	6	18N	18E
Steamboat Canal	NE ¼ SW ¼	31	19N	18E
Coldron Ditch	SE ¼ NE ¼	30	19N	18E
Verdi Power Ditch & Flume	SE ¼ SE ¼	19	19N	18E
Katz Ditch	SE ¼ SE ¼	19	19N	18E
Washoe Power Ditch & Flume	NW ¼ NE ¼	16	19N	18E
Hogan Ditch	SW ¼ NE ¼	16	19N	18E
Highland Ditch	SW ¼ SE ¼	9	19N	18E
Mastin Ditch	SE ¼ SW ¼	14	19N	18E
Last Chance Ditch	SE ¼ NE ¼	14	19N	18E

* All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

¹ Redistribution as used in this petition means that a quantity of water which would have been or is physically stored in a reservoir under this license (permit) may be stored in another reservoir under this license (permit).

² Some of the points of rediversion are identified in the U.S. vs. Orr Water Ditch Company, et al. (U.S. D. Ct. NV.1944) but may not currently be in use.

Diversion Facility/Treatment Plant	40 Ac. Tract	Section	Township*	Range*
Sparks-Capurro Ditch	NW ¼ SE ¼	13	19N	18E
Irwin-Mayberry Ditch	NE ¼ NW ¼	19	19N	19E
Lake Ditch (Lake-Southside)	NE ¼ NW ¼	19	19N	19E
South Side Canal	NE ¼ SW ¼	17	19N	19E
Orr Ditch, Orr Extension & Spanish Spring Valley Ditch	NE ¼ SW ¼	17	19N	19E
Indian Flat Ditch	NE ¼ SE ¼	17	19N	19E
Orr Ditch Pump Station	NE ¼ SE ¼	17	19N	19E
Reno Power Ditch & Flume	SE ¼ NE ¼	16	19N	19E
Countryman Ditch	NE ¼ NE ¼	16	19N	19E
Chism Ditch	NE ¼ NE ¼	16	19N	19E
Hayden Ditch or Court Ditch	SE ¼ SE ¼	10	19N	19E
English Mill Ditch & English Mill Tailrace Ditch	NW ¼ SE ¼	10	19N	19E
Idlewild Pump Station	SE ¼ SE ¼	10	19N	19E
Sullivan & Kelly Ditch	NW ¼ SE ¼	11	19N	19E
Cochran Ditch	NW ¼ SE ¼	11	19N	19E
Riverside Mill Ditch & Flume (Claim #10)	NW ¼ SE ¼	11	19N	19E
Scott Ranch Ditch	SW ¼ NW ¼	12	19N	19E
Abbee Ditch	SE ¼ NE ¼	12	19N	19E
Perry Ditch	SE ¼ NE ¼	12	19N	19E
Eastman Ditch	SW ¼ NE ¼	7	19N	20E
No. Truckee Ditch (Glendale Plant)	SW ¼ NE ¼	7	19N	20E
Sessions Ditch	SW ¼ NE ¼	7	19N	20E
Pioneer Ditch	SE ¼ SE ¼	7	19N	20E
Stephens Ditch (Stevens)	SE ¼ SW ¼	8	19N	20E
Glendale Ditch	SE ¼ SW ¼	8	19N	20E
Hidden Valley Induction Well #4	SW ¼ NW ¼	16	19N	20E
Largomarsino-Murphy Ditch (S. Largomarsino)	NW ¼ SE ¼	18	19N	21E
Largomarsino-Noce Ditch (N. Largomarsino)	NE ¼ SE ¼	18	19N	21E
Grotten Ditch	NE ¼ SE ¼	17	19N	21E
Sheep Ranch Ditch	NW ¼ SW ¼	16	19N	21E
McCarren North Side Ditch	NE ¼ NW ¼	11	19N	21E
McCarren South Side Ditch	SW ¼ NW ¼	1	19N	21E
Old Ditch	NW ¼ NE ¼	6	19N	22E
Hill Ditch	NW ¼ NE ¼	32	20N	22E
Tracy Power Plant	SE ¼ SW ¼	28	20N	23E
Derby Dam & Truckee Canal	SW ¼	19	20N	23E

* All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

Diversion Facility/Treatment Plant	40 Ac. Tract	Section	Township*	Range*
Preston Ditch	SE ¼ NW ¼	20	20N	23E
Washburn Ditch	SE ¼ NW ¼	22	20N	23E
Gregory Ditch	SE ¼ SE ¼	14	20N	23E
Wadsworth Power Ditch	NW ¼ SW ¼	13	20N	23E
Herman Ditch	NW ¼ NW ¼	17	20N	24E
Pierson Ditch	NW ¼ SW ¼	9	20N	24E
Fernley ³	SE ¼ NW ¼	9	20N	24E
Olinghouse No. 1 Ditch	NW ¼ NE ¼	9	20N	24E
Proctor Ditch	SW ¼ NW ¼	3	20N	24E
Fellnagle Ditch	NW ¼ SE ¼	33	21N	24E
Olinghouse No. 2 Ditch	SW ¼ SE ¼	22	21N	24E
Gardella Ditch	NW ¼ SE ¼	22	21N	24E
Olinghouse No. 3 Ditch	SW ¼ NW ¼	15	21N	24E
Indian Ditch (Nixon Ditch)	SW ¼ NE ¼	12	22N	23E

* All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

³ Proposed future point of redirection to be constructed.

Attachment No. 2

Place of Use

The place of use includes lands within the following townships and ranges as shown on Map No. 320-208-189A:¹

*5/20
Aug 2006*

Township*	Range*
13N	17 & 18E
14N	16 - 18E
15N	16 - 18E
16N	16 - 18E
17N	15 - 20E, 24 - 31E
18N	14 - 21E, 24 - 31E
19N	14 - 31E
20N	18 - 32E
21N	18 - 26E, 29 - 32E
22N	20 - 24E
23N	20 - 24E
24N	20 - 24E
25N	20 - 24E
26N	20 - 24E
27N	20 - 24E
28N	23 & 24E

Power use will be at the following power plants located as follows:

Power Plant	Subdivision	Section	Township*	Range*
Stampede	SW ¼ NW ¼	28	19N	17E
Farad	SE ¼ SE ¼	12	18N	17E
Fleish	NE ¼ SE ¼	30	19N	18E
Verdi	NW ¼ SE ¼	8	19N	18E
Washoe	SW ¼ SW ¼	14	19N	18E

* All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

Attachment No. 3

Purposes of Use

The purposes of use are as follows:

- Domestic
- Municipal
- Industrial
- Irrigation
- Flood Control
- Fish Culture
- Recreation
- Conservation of Pyramid Lake Fishery (as provided in P.L. 101-618)
- Fish & Wildlife Protection/Enhancement (including wetlands)
- Power
- Instream Water Quality Enhancement
- Stockwatering

State of California
State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. Box 2000, Sacramento, CA 95812-2000
Info: (916) 341-5300, FAX: (916) 341-5400, Web: <http://www.waterrights.ca.gov>

**APPLICATION TO APPROPRIATE WATER BY PERMIT
ENVIRONMENTAL INFORMATION**

(THIS IS NOT A CEQA DOCUMENT)

APPLICATION NO.

The following information will aid in the environmental review of your application as required by the California Environmental Quality Act (CEQA). IN ORDER FOR YOUR APPLICATION TO BE ACCEPTED AS COMPLETED, ANSWERS TO THE QUESTIONS LISTED BELOW MUST BE COMPLETED TO THE BEST OF YOUR ABILITY. Failure to answer all questions may result in your application being returned to you, causing delays in processing. If you need more space, attach additional sheets. Additional information may be required from you to amplify further or clarify the information requested in this form.

PROJECT DESCRIPTION

1. Provide a description of your project, including but not limited to, type of construction activity, structures existing or to be built, area to be graded or excavated and project operation, including how the water will be used.

This application, along with one for Prosser Creek Reservoir, is being submitted together with four petitions to changes allow ~~transfers~~ and exchanges of water according to the provisions of the Truckee River Operating Agreement (TROA). Reclamation requests that the applications for Stampede and Prosser Creek Reservoirs be treated as a single project. This application is for the appropriation of 226,500 acre feet (af) of water, the capacity of Stampede Reservoir, to be used in conjunction with Application 15673. No new facilities are to be constructed, and the quantity of water diverted to storage under this application will be no greater than the total quantity diverted to storage under the two rights (226,500 af). The collection season will cover the entire year, and the new appropriation will not take effect unless TROA is in effect. TROA will be submitted to the U.S. District Court administering the Orr Ditch and Truckee River General Electric Decrees. Once any necessary modifications in the provisions of these decrees are approved by the courts, TROA must be promulgated as a federal regulation pursuant to Title 5 of the U.S. Code before it can be implemented.

GOVERNMENTAL REQUIREMENTS

Before a final decision can be made on your water right application, we must consider the information contained in an environmental document prepared in compliance with the requirements of CEQA. If an environmental document has been prepared, a determination must be made as to who is responsible for the preparation of the environmental document for your project. The following questions are designed to aid us in that determination.

2. Contact your county planning or public works department for the following information:

a. Person contacted n/a Date of contact _____
Department _____ Telephone () _____

b. Assessor's Parcel No. _____

c. County Zoning Designation _____

d. Are any county permits required for your project? No

If yes, check appropriate space below:

Grading Permit, Use Permit, Watercourse
Obstruction Permit, Change of Zoning, General Plan
Change, Other (explain):

e. Have you obtained any of the required permits described above? No
If yes, provide a complete copy of each permit obtained.

3. Are any additional state or federal permits required for your project? _____ (i.e., from Federal Energy Regulatory Commission, U.S. Forest Service, Bureau of Land Management, Soil Conservation Service, Department of Water Resources (Division of Safety of Dams), Reclamation Board, Coastal Commission, State Lands Commission, etc.) For each agency from which a permit is required provide the following information:

Permit type _____

Person (s) contacted _____ Agency _____

Date of contact _____ Telephone () _____

4. Has any public agency prepared an environmental document for any aspect of your project?
NO

If so, please submit a copy of the latest environmental document (s) prepared, including a copy of the notice of determination adopted by the public agency. If not, explain below whether you expect that a public agency other than the State Water Resources Control Board will be preparing

an environmental document for your application or whether the applicant, if it is a California public agency, will be preparing the environmental document for your project:

An EIS/EIR is being prepared to analyze the potential effects of TROA. The EIS/EIR is being prepared jointly by the Dept. of Interior, as represented by Reclamation, U.S. Fish & Wildlife Service, and the Bureau of Indian Affairs, and the State of California, as represented by the Department of Water Resources.

Note: When completed, please submit a copy of the final environmental document (including notice of determination) or notice of exemption to the State Water Resources Control Board. Processing of your application cannot proceed until such documents are submitted.

5. Will your project, during construction or operation, generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or cause erosion, turbidity or sedimentation? No If so, explain: _____

If yes or you are unsure of your answer, contact your local Regional Water Quality Control Board for the following information (See attachment for address and telephone number):

Will a waste discharge permit be required for your project? _____

Person contacted _____ Date of contact _____

What method of treatment and disposal will be used? _____

6. Have any archeological reports been prepared on this project, or will you be preparing an archeological report to satisfy another public agency? _____

Do you know of any archeological or historic sites located within the general project area?

Yes If so, explain: See EIS/EIR being prepared for TROA.

ENVIRONMENTAL SETTING

7. Attach **THREE COMPLETE SETS** of color photographs, clearly dated and labeled, showing the vegetation currently existing at the following locations:
- 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

Note: It is very important that you submit no less than three complete sets of photographs as required above. If less than three sets are submitted, processing of your application will be delayed until you furnish the remaining sets!

8. From the list given below, mark or circle the general plant community types which best describe those which occur within your project area (Note: See footnote denoted by * under Question 11 below):

Tree Dominated Communities

Subalpine Conifer
Red Fir
Lodgepole Pine
Mixed Conifer
 Sierran Mixed Conifer
 White Fir
 Klamath Mixed Conifer
Douglas-Fir
Jeffrey Pine
Ponderosa Pine
Eastside Pine
Redwood
Pinyon-Juniper
Juniper
Aspen
Closed-Cone Pine-Cypress
Montane Hardwood-Conifer
Montane Hardwood
Valley Foothill Hardwood
 Blue Oak Woodland
 Valley Oak Woodland
 Coastal Oak Woodland
Valley Foothill Hardwood-Conifer
 Blue Oak-Digger Pine
Eucalyptus
Montane Riparian
Valley Foothill Riparian
Desert Riparian
Palm Oasis
Joshua Tree

Shrub Dominated Communities

Alpine Dwarf-Shrub
Low Sage
Bitterbrush
Sagebrush
Montane Chaparral
Mixed Chaparral
Chamise-Redshank Chaparral
Coastal Scrub
Desert Succulent Shrub
Desert Wash
Desert Scrub
Alkali Desert Scrub

Herbaceous Dominated Communities

Annual Grassland
Perennial Grassland
Wet Meadow
Fresh Emergent Wetland
Saline Emergent Wetland
Pasture

Aquatic Communities

Riverine
Lacustrine
Estuarine
Marine

Developed Communities

Cropland
Orchard-Vineyard
Urban

Plant communities potentially affected by the application will be fully described in the EIS/EIR. The action proposed by this application is not anticipated to adversely affect plant communities at Stampede Reservoir.

Literature source: Mayer, K.E., and W.F. Laudenslayer, Jr., (eds). 1988. A Guide to Wildlife Habitats of California. California Department of Forestry and Fire Protection, Sacramento. 166 pp. (Note: You may view a copy of this document at our public counter at the address given at the top of this form or you may purchase a copy by calling the California Department of Fish and Game, Wildlife Habitat Relationships (WHR) Program at (916) 653-7203).

9. Provide below an estimate of the type, number, and size (trunk/stem diameter at chest height) of trees and large shrubs that are planned to be removed or destroyed due to implementation of the proposed changes. Consider all aspects of your application, including changes in diversion structures, water distribution and use facilities, and changes in the place of use due to additional water development.

None.

FISH AND WILDLIFE CONCERNS

10. Identify the typical species of fish which occur in the source(s) from which you propose to divert water and discuss whether or not any of these fish species or their habitat has been or would be affected by your proposed changes. (Note: See footnote denoted by * under Question 11 below):

Fish species in the project area and potentially affected by this application will be fully described in the Revised Draft EIS/EIR. TROA is anticipated to increase the likelihood of meeting reservoir and stream flow objectives and thereby, maintain more constant monthly habitat conditions for fish species.

11. Identify the typical species of riparian and terrestrial wildlife in the project area and discuss whether or not any of these species and/or their habitat has been or would be affected by your project through construction of water diversion and distribution works and/or changes in the place of water use. (Note: See footnote denoted by * below):

Wildlife species in the project area and potentially affected by this application will be fully described in the Revised Draft EIS/EIR. No diversion structures or distribution works are proposed by this application, nor will the places of water use be affected by this application. The action proposed by this application is not anticipated to adversely affect wildlife or wildlife habitat. TROA is anticipated to increase the likelihood of meeting reservoir and stream flow objectives and thereby, maintain more constant riparian habitat conditions for wildlife.

*Note: The purposes of Question 10 and 11 are to provide a preliminary assessment of the presence of typical plant and animal species in the area and whether these species might be affected by your project. Detailed site surveys to quantify populations of specific species or determine the presence of rare or endangered species may be required at a later date. It is very important that you answer these questions accurately. If you are unable to obtain appropriate answers from your local California Department of Fish and Game biologists (See attachment for address and telephone number) or you do not have adequate information or expertise to complete your answers, you should hire a fishery consultant and/or a wildlife consultant to review your project and prepare suitable answers for you. For information on available qualified fishery or wildlife consultants near you, consult your local telephone directory yellow pages under Environmental and Ecological Services, or call the California Environmental Protection Agency, Registered Environmental Assessor (REA) Program, at (916) 324-6881 or the University of California, Cooperative Extension Service (See your local telephone directory white pages).

12. Does your proposed project involve any construction or grading-related activity which has significantly altered or would significantly alter the bed or bank of any stream or lake? No

If so, explain:

CERTIFICATION

I hereby certify that the statements I have furnished above and in the attached exhibits 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 DEC 19 2003

Signature 

MINIMUM FILING FEE: \$100.00
 FILE ORIGINAL & ONE COPY
 TYPE OR PRINT IN BLACK INK
 (For separation of copies received, see
 booklet "How to Be an Applicant to
 Appropriate Water in California")

State of California
 State Water Resources Control Board
DIVISION OF WATER RIGHTS
 P.O. Box 2000, Sacramento, CA 95812-2000
 Info: (916) 341-5300, FAX: (916) 341-5400, Web: <http://www.waterrights.ca.gov>

Prosser
 STATE WATER RESOURCES
 CONTROL BOARD
 2005 DEC -5 AM 11:33

APPLICATION TO APPROPRIATE WATER

APPLICATION No. 31488
 (Leave Blank)

1. APPLICANT

U.S. Department of Interior (916) 978-5200
 Bureau of Reclamation (Name of applicant) (Telephone - between 8 a.m. and 5 p.m.)
(MP-440)
 2800 Cottage Way Sacramento California 95825
(Mailing address) (City or town) (State) (Zip code)

2. SOURCE

a. The name of the source at the point of diversion is Prosser Creek
(If unnamed, state that it is an unnamed stream, spring, etc.)
 tributary to Truckee River

b. In a normal year does the stream dry up at any point downstream from your project? YES NO
 If yes, during what months is it usually dry? From _____ to _____
 What alternate sources are available to your project should a portion of your requested direct diversion season
 be excluded because of a dry stream or nonavailability of water? n/a

3. POINTS of DIVERSION and REDIVERSION

a. The point(s) of diversion will be in the County of Nevada
 and within Assessor's Parcel Number (APN #) _____

b.

List all points giving coordinate distances from section corner or other tie as allowed by SWRCB regulations i.e. California Coordinate System	Point is within (40-acre subdivision)	Section	Township	Range	Base and Meridian
See Attachment No. 1	1/4 of 1/4				
	1/4 of 1/4				
	1/4 of 1/4				

c. Does applicant own the land at the point of diversion? YES NO

d. If applicant does not own the land at point of diversion, state name and address of owner and what steps have been taken to obtain right of access: n/a

*The energy challenge facing California is real. Every California needs to take immediate action to reduce energy consumption.
 For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>.
 Additional copies of this form and water right information can be obtained at www.waterrights.ca.gov.*

4. PURPOSE of USE, AMOUNT and SEASON (See insert following page 3 of this application)

a. In the table below, state the purpose(s) for which water is to be appropriated, the quantities of water for each purpose, and the dates between which diversions will be made. Use gallons per day if rate is less than 0.025 cubic foot per second (approximately 16,000 gallons per day).

PURPOSE OF USE (Irrigation, Domestic, etc.)	DIRECT DIVERSION				STORAGE		
	QUANTITY		SEASON OF DIVERSION		AMOUNT	COLLECTION SEASON	
	RATE (Cubic feet per second or gallons per day)	AMOUNT (Acre-feet per year)	Beginning Date (Mo. & Day)	Ending Date (Mo. & Day)	Acre-feet per annum	Beginning Date (Mo. & Day)	Ending Date (Mo. & Day)
See Attachment No. 3					30,000	10/01	08/10

b. Total combined amount taken by direct diversion and storage during any one year will be 30,000* acre-feet.

*Note: Companion right to previous right under License 10180.

5. JUSTIFICATION of AMOUNT (See insert following page 3 of this application)

a. IRRIGATION: Maximum area to be irrigated in any one year is 96,800 acres.

CROP	ACRES	METHOD OF IRRIGATION (Sprinklers, flooding, etc.)	ACRE-FEET PER YEAR	NORMAL SEASON	
				Beginning Date	Ending Date
General Crops	96,800			04/01	11/01

b. DOMESTIC: Number of residences to be served is ____ Separately owned? YES NO
 Total number of people to be served is ____ Estimated daily use per person is ____
 Total area of domestic lawns and gardens is ____ square feet. (Gallons per day)
 Incidental domestic uses are ____
 (Dust control area, number and kind of domestic animals, etc.)

c. STOCKWATERING: Kind of stock n/a Maximum number ____
 Describe type of operation: ____
 (Feed lot, dairy, range, etc.)

d. RECREATIONAL: Type of recreation: Fishing Swimming Boating Other

e. MUNICIPAL: (Estimated projected use)

POPULATION		MAXIMUM MONTH		ANNUAL USE		
5-Year periods until use is completed		Average daily use (gal. per capita)	Rate of diversion (cfs)	Average daily use (gal. per capita)	Acre-foot (per capita)	Total acre feet
PERIOD	POP.					
Present						

Month of maximum use during year is ____ Month of minimum use during year is ____

f. HEAT CONTROL: The total area to be heat protected is n/a net acres.
 Type of crop protected is _____
 Rate at which water is applied to use is _____ gpm per acre.
 The heat protection season will begin about _____ and end about _____
 (Date) (Date)

g. FROST PROTECTION: The total area to be frost protected is n/a net acres.
 Type of crop protected is _____
 Rate at which water is applied to use is _____ gpm per acre.
 The frost protection season will begin about _____ and end about _____
 (Date) (Date)

h. INDUSTRIAL: Type of industry is _____
 Basis for determination of amount of water needed is _____

i. MINING: The name of the claim is n/a Patented Unpatented
 The nature of the mine is _____ Mineral to be mined is _____
 Type of milling or processing is _____
 After use, the water will be discharged into _____
 (Name of stream)
 in _____ 1/4 of _____ 1/4 of Section _____, T _____, R _____, _____ B. & M.
 (40-acre subdivision)

j. POWER: The total fall to be utilized is _____ feet. The maximum amount of water to be used through the penstock
 is _____ cubic feet per second. The maximum theoretical horsepower capable of being generated
 by the works is _____. Electrical capacity is _____ kilowatts at _____ % efficiency.
 (Cubic feet per second x fall + 8.8) (Hp x 0.746 + efficiency)
 After use, the water will be discharged into _____
 (Name of stream)
 in _____ 1/4 of _____ 1/4 of Section _____, T _____, R _____; _____ B. & M. FERC No. _____
 (40-acre subdivision)

k. FISH AND WILDLIFE PRESERVATION AND/OR ENHANCEMENT: YES NO If yes, list
 specific and habitat type that will be preserved or enhanced in item 10 of Environmental Information
 form APP-ENV.

l. OTHER: Describe use: See Attachment No. 3 Basis for determination of amount of water needed
 is _____

6. PLACE OF USE - See Attachment No. 2

a. Does applicant own the land where the water will be used? YES NO Is land in joint YES NO
 (All joint owners should include their names as applicants and sign the application.) ownership?
 If applicant does not own land where the water will be used, give name and address of owner, and state what
 arrangements have been made with the owner. Water will be delivered as provided in TROA. Watermaster:
Garry Stone, 290 So. Arlington, Reno, Nevada 89501, (775) 783-5241.

b. USE IS WITHIN (40-ACRE SUBDIVISION)	SECTION	TOWNSHIP	RANGE	BASE & MERIDIAN	IF IRRIGATED	
					Number of acres	Presently cultivated (Y/N)
1/4 of 1/4						
1/4 of 1/4						
1/4 of 1/4						
1/4 of 1/4						
1/4 of 1/4						

(If area is unsurveyed, state the location as if lines of the public land survey were projected, or contact the Division of Water Rights. If space
 does not permit listing all 40-acre tracts, include on another sheet or state sections, townships and ranges, and show detail on map.)

4. Purpose of Use, Amount and Season

The applicant is requesting to remove the limitation of the existing License 10180 for Prosser Reservoir limiting the maximum withdrawal in any one year to 20,162 AF and to increase the fill season for Prosser Reservoir under the existing license from April 10 to August 10 the period from October 1 to August 10. The total quantity of water diverted to storage under this application will remain at 30,000 AF. Because implementation of the changes proposed in this application is predicated on the approval and implementation of TROA, the applicant requests that the order by the State Water Resources Control Board (SWRCB) approving this application include the following condition:

“This permit will not take effect unless the Truckee River Operating Agreement is in effect. All diversion, storage, use of water and operations under this permit and or license shall be in accordance with the provisions contained in this permit or any subsequent license and the Truckee River Operating Agreement.”

Water stored in this Reservoir pursuant to future permits issued by the Nevada State Engineer under Nevada Law and recognized pursuant to the provisions of California Water Code Section 1231 and 1232 shall not be considered as water stored pursuant to the provisions of this permit.

5. Justification of Amount

TROA contains procedures designed to make more efficient use of existing Truckee River reservoirs, and to provide multiple benefits, such as:

- Increase municipal and industrial drought water supply for the Reno/Sparks area (Truckee Meadows), City of Fernley, and the Truckee River basin in California;
- Enhance conditions for cui-ui and Lahontan cutthroat trout, fish species listed respectively as endangered and threatened by the Federal Government;
- Reduce stream flow variability, and enhance seasonal stream flows and water quality; and
- Maintain reservoir storage at levels to better serve recreational uses.

Presently, each reservoir generally stores only one category of water for a specific purpose. Under TROA, each reservoir could store several categories of water, each with a different beneficial use, storage priority, and release and spill priority. Use of the reservoirs would also be expanded to allow additional parties (TROA signatory parties and storing parties), and the respective reservoir owner(s), to store new categories of water (credit water) from water allocated to California, water dedicated to the exercise of the Orr Ditch Decree water rights, water which would otherwise flow to Pyramid Lake, or project and private waters already in storage. By incorporating existing storage priorities and capacities for project and private waters in their respective reservoirs, TROA would not impair or conflict with the exercise of vested or perfected Orr Ditch Decree water rights or interfere with flood control and dam safety criteria.

The application to appropriate water by permit seeks to allow use of the full capacity of the existing reservoirs for the purpose of storing credit water. The section of the application entitled "Justification of Amount" and the instructions for its completion assume a traditional operating regime where each dam is operated to maximize the efficiency of that particular dam and that particular dam supplies water for specific needs to a specific area or public. TROA attempts to make the entire Truckee system operate as one unit rather than individual facilities operating for their own most optimum circumstances. To accomplish this, TROA allows credits to be transferred among water owners and water to be used from whichever reservoir that would be most efficient at that point in time to utilize. For these reasons, the section on "Justification of Amount" does not seem to apply and we have marked the entire section "n/a".

7. DIVERSION WORKS

- a. Diversion will be by gravity by means of n/a
(Dam, pipe in unobstructed channel, pipe through dam, siphon, weir, gate, etc.)
- b. Diversion will be by pumping from n/a Pump discharge rate _____ Horsepower _____
(Depth of the well _____) (Sump, offset well, channel, reservoir, etc.) (cfs or gpd)
- c. Conduit from diversion point to first lateral or to offstream storage reservoir:

CONDUIT (Pipe or channel)	MATERIAL (Type of pipe or channel lining) (Indicate if pipe is buried or not)	CROSS SECTIONAL DIMENSION (Pipe diameter or ditch depth and top and bottom width)	LENGTH (Feet)	TOTAL LIFT OR FALL		CAPACITY (Estimate)
				Feet	+ or -	
n/a						

- d. Storage reservoirs: (For underground storage, complete Supplement I to APP, available upon request.)

Name or number of reservoir, if any	DAM				RESERVOIR		
	Vertical height from downstream toe of slope to spillway level (ft.)	Construction material	Dam length (ft.)	Freeboard Dam height above spillway crest (ft.)	Approximate surface area when full (acres)	Approximate capacity (acre-feet)	Maximum water depth (ft.)
Prosser Cr.	119	Earthfilled	1830	21.3	734	30,000	119

- e. Outlet pipe: (For storage reservoirs having a capacity of 10 acre-feet or more.)

Diameter of outlet pipe (inches)	Length of Outlet pipe (feet)	FALL		HEAD		Estimated storage below outlet pipe entrance (dead storage)
		(Vertical distance between entrance and exit of outlet pipe in feet)	(Vertical distance from spillway to outlet pipe in reservoir in feet)	(Vertical distance from spillway to outlet pipe in reservoir in feet)	(Vertical distance from spillway to outlet pipe in reservoir in feet)	
90"	200			130		Approx. 1,000

- f. If water will be stored and the reservoir is not at the point of diversion, the maximum rate of diversion to offstream storage will be n/a cfs. Diversion to offstream storage will be made by: Pumping Gravity

8. COMPLETION SCHEDULE

- a. Year work will start 1959 b. Year work will be completed 1962
 c. Year water will be used to the full extent intended _____ d. If completed, year of first use _____

9. GENERAL

- a. Name of the post office most used by those living near the proposed point of diversion is Truckee, California
 Does any part of the place of use comprise a subdivision on file with the Department of Real Estate? YES NO
 If yes, state name of the subdivision _____
 If no, is subdivision of these lands contemplated? YES NO
 Is it planned to individually meter each service connection? YES NO If yes, when? _____
- b. List the names and addresses of diverters of water from the source of supply downstream from the proposed point of diversion: Numerous diverters downstream of Prosser Creek Dam along the Truckee River to Pyramid Lake; almost all in the State of Nevada.
- c. Is the source used for navigation, including use by pleasure boats, for a significant part of each year at the point of diversion, or does the source substantially contribute to a waterway which is used for navigation, including use by pleasure boats? YES NO If yes, explain n/a

10. EXISTING WATER RIGHT (See insert following this page for 10.)

Do you claim an existing right for the use of all or part of the water sought by this application? YES NO
 If yes, complete table below:

Nature of Right (riparian, appropriative, groundwater)	Year of First Use	Purpose of use made in recent years including amount, if known	Season of Use	Source	Location of Point of Diversion

11. AUTHORIZED AGENT (Optional)

With respect to all matters concerning this water right application those matters designated as follows:

(Name of agent) (Telephone number of agent between 8 a.m. and 5 p.m.)

(Mailing address) (City or town) (State) (Zip code)

is authorized to act on my behalf as my agent.

12. SIGNATURE OF APPLICANT

I (we) declare under penalty of perjury that the above is true and correct to the best of my (our) knowledge and belief.

Dated DEC 19 2003 20, at Sacramento, California

Ms. Mr.
 Miss. Mrs. _____
 (Signature of applicant)

(If there is more than one owner of the project,
 please indicate their relationship.)

Ms. Mr.
 Miss. Mrs. _____
 (Signature of applicant)

Additional information needed for preparation of this application may be found in the Instruction Booklet entitled "HOW TO FILE AN APPLICATION TO APPROPRIATE WATER IN CALIFORNIA". If there is insufficient space for answers in this form, attach extra sheets. Please cross-reference all remarks to the numbered item of the application to which they may refer. Send original application and one copy to the STATE WATER RESOURCES CONTROL BOARD, DIVISION OF WATER RIGHTS, P.O. Box 2000, Sacramento, CA 95812-2000, with \$100 minimum filing fee.

NOTE:

If this application is approved for a permit, a minimum permit fee of \$100 will be required before the permit is issued.

10. Existing Water Right

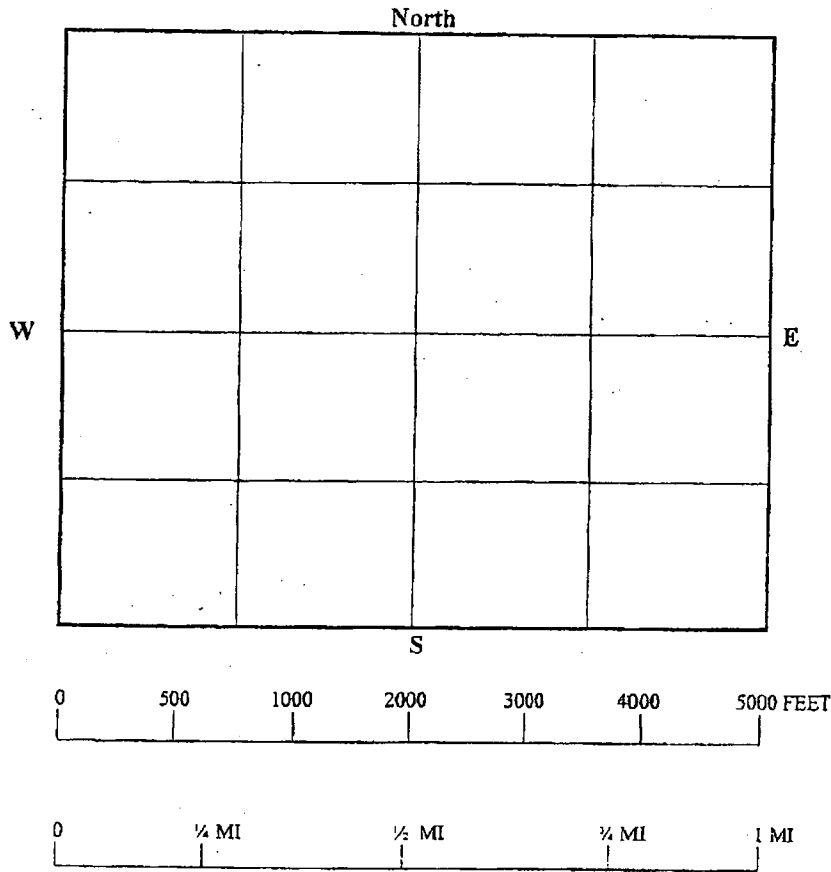
This application is requesting to remove the limitation of the existing license for Prosser Reservoir limiting the maximum withdrawal in any one year at Prosser to 20,162 AF and to increase the fill season for Prosser Reservoir under the existing license from April 10 to August 10 to the period from October 1 to August 10. This right will be used in conjunction with License 10180. The total quantity of water diverted to storage under this application will be no greater than 30,000 AF as per License 10180. Because implementation of the changes proposed in this application is predicated on the approval and implementation of TROA, the applicant requests that the order by the State Water Resources Control Board (SWRCB) approving this application include the following condition:

“This permit will not take effect unless the Truckee River Operating Agreement is in effect. All diversions, storage, use of water and operations under this permit and license shall be in accordance with the provisions contained in this permit or any subsequent license and the Truckee River Operating Agreement.”

13. MAP

(Please complete legibly, with as much detail as possible, or attach a suitable alternative. See example in instruction booklet.)

SECTION(S) _____ TOWNSHIP _____ RANGE _____, _____ B. & M.



- (1) Show location of the stream or spring, and give name.
- (2) Locate and describe the point of diversion (i.e. the point at which water is to be taken from the stream or spring) in the following way: Begin at the most convenient known corner of the public land survey, such as a section or quarter section corner (if on unsurveyed land more than two miles from a section corner, begin at a mark or some natural object or permanent monument that can be readily found and recognized) and measure directly north or south until opposite the point which it is desired to locate; then measure directly east or west to the desired point. Show these distances in figures on the map as shown in the instructions.
- (3) Show location of the main ditch or pipeline from the point of diversion.
- (4) Indicate clearly the proposed place of use of the water.

14. SUPPLEMENTAL INFORMATION

- a. If you are applying for a permit, Environmental Information form APP-ENV should be completed and attached to this form.
- b. If you are applying for underground storage, supplemental to APP (available upon request) should be completed and attached to this form.

ATTACHMENT

Application To Appropriate Water

Attachment No. 1

Point of Diversion

The point of diversion is:

Prosser Creek Dam - North 33° 30' East 2,050 feet from SW corner of Section 30, T18N, R17E*, MDB&M, being within NW 1/4 of SW 1/4 of said Section 30 located in County of Nevada, California.

Points of Rediversion

Points of rediversion are described below¹:

Diversion Facility/Treatment Plant	40 Ac. Tract	Section	Township*	Range*
Farad Power Flume	S ½ Lot 6 NW ¼	30	18N	18E
Fleish Power Plant Ditch & Flume	SE ¼	6	18N	18E
Steamboat Canal	NE ¼ SW ¼	31	19N	18E
Coldron Ditch	SE ¼ NE ¼	30	19N	18E
Verdi Power Ditch & Flume	SE ¼ SE ¼	19	19N	18E
Katz Ditch	SE ¼ SE ¼	19	19N	18E
Washoe Power Ditch & Flume	NW ¼ NE ¼	16	19N	18E
Hogan Ditch	SW ¼ NE ¼	16	19N	18E
Highland Ditch	SW ¼ SE ¼	9	19N	18E
Mastin Ditch	SE ¼ SW ¼	14	19N	18E
Last Chance Ditch	SE ¼ NE ¼	14	19N	18E
Sparks-Capurro Ditch	NW ¼ SE ¼	13	19N	18E
Irwin-Mayberry Ditch	NE ¼ NW ¼	19	19N	19E
Lake Ditch (Lake Southside)	NE ¼ NW ¼	19	19N	19E
South Side Canal	NE ¼ SW ¼	17	19N	19E
Orr Ditch, Orr Extension & Spanish Spring Valley Ditch	NE ¼ SW ¼	17	19N	19E
Indian Flat Ditch	NE ¼ SE ¼	17	19N	19E

* All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

¹ Some of the points of rediversion are identified in the U.S. v. Orr Water Ditch Company, et al. (U.S. D. Ct. NV. 1944)

Diversion Facility/Treatment Plant	40 Ac. Tract	Section	Township*	Range*
Orr Ditch Pump Station	NE ¼ SE ¼	17	19N	19E
Reno Power Ditch & Flume	SE ¼ NE ¼	16	19N	19E
Countryman Ditch	NE ¼ NE ¼	16	19N	19E
Chism Ditch	NE ¼ NE ¼	16	19N	19E
Hayden Ditch or Court Ditch	SE ¼ SE ¼	10	19N	19E
English Mill Ditch & English Mill Tailrace Ditch	NW ¼ SE ¼	10	19N	19E
Idlewild Pump Station	SE ¼ SE ¼	10	19N	19E
Sullivan & Kelly Ditch	NW ¼ SE ¼	11	19N	19E
Cochran Ditch	NW ¼ SE ¼	11	19N	19E
Riverside Mill Ditch & Flume (Claim #10)	NW ¼ SE ¼	11	19N	19E
Scott Ranch Ditch	SW ¼ NW ¼	12	19N	19E
Abbee Ditch	SE ¼ NE ¼	12	19N	19E
Perry Ditch	SE ¼ NE ¼	12	19N	19E
Eastman Ditch	SW ¼ NE ¼	7	19N	20E
No. Truckee Ditch (Glendale Plant)	SW ¼ NE ¼	7	19N	20E
Sessions Ditch	SW ¼ NE ¼	7	19N	20E
Pioneer Ditch	SE ¼ SE ¼	7	19N	20E
Stephens Ditch (Stevens)	SE ¼ SW ¼	8	19N	20E
Glendale Ditch	SE ¼ SW ¼	8	19N	20E
Hidden Valley Induction Well #4	SW¼ NW ¼	16	19N	20E
Largomarsino-Murphy Ditch (S. Largomarsino)	NW ¼ SE ¼	18	19N	21E
Largomarsino-Noce Ditch (N. Largomarsino)	NE ¼ SE ¼	18	19N	21E
Groton Ditch	NE ¼ SE ¼	17	19N	21E
Sheep Ranch Ditch	NW¼ SW ¼	16	19N	21E
McCarran North Side Ditch	NE ¼ NW ¼	11	19N	21E
McCarran South Side Ditch	SW¼ NW ¼	1	19N	21E
Old Ditch	NW ¼ NE ¼	6	19N	22E
Hill Ditch	NW ¼ NE ¼	32	20N	22E
Tracy Power Plant	SE ¼ SW ¼	28	20N	23E
Derby Dam & Truckee Canal	SW ¼	19	20N	23E
Preston Ditch	SE ¼ NW ¼	20	20N	23E
Washburn Ditch	SE¼ NW ¼	22	20N	23E
Gregory Ditch	SE ¼ SE ¼	14	20N	23E
Wadsworth Power Ditch	NW ¼ SW¼	13	20N	23E
Herman Ditch	NW ¼ NW¼	17	20N	24E
Pierson Ditch	NW ¼ SW¼	9	20N	24E
Fernley ²	SE ¼ NW ¼	9	20N	24E
Olinghouse No. 1 Ditch	NW ¼ NE ¼	9	20N	24E

* All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

² Proposed future point of redirection to be constructed.

Diversion Facility/Treatment Plant	40 Ac. Tract	Section	Township*	Range*
Proctor Ditch	SW ¼ NW¼	3	20N	24E
Fellnagle Ditch	NW ¼ SE ¼	33	21N	24E
Olinghouse No. 2 Ditch	SW ¼ SE ¼	22	21N	24E
Gardella Ditch	NW ¼ SE ¼	22	21N	24E
Olinghouse No. 3 Ditch	SW ¼ NW ¼	15	21N	24E
Indian Ditch (Nixon Ditch)	SW ¼ NE ¼	12	22N	23E

* All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

Attachment No. 2

Place of Use

The place of use includes lands within the following townships and ranges:

Township*	Range*
13N	17 & 18E
14N	16 - 18E
15N	16 - 18E
16N	16 - 18E
17N	15 - 20E, 24 - 31E
18N	14 - 21E, 24 - 31E
19N	14 - 31E
20N	18 - 32E
21N	18 - 26E, 29 - 32E
22N	20 - 24E
23N	20 - 24E
24N	20 - 24E
25N	20 - 24E
26N	20 - 24E
27N	20 - 24E
28N	23 & 24E

Power use will be at the following power plants located as follows:

Power Plant	Subdivision	Sec.	Township*	Range*
Farad	SE ¼ SE ¼	12	18N	17E
Fleish	NE ¼ SE ¼	30	19N	18E
Verdi	NW ¼ SE ¼	8	19N	18E
Washoe	SW ¼ SW ¼	14	19N	18E

* All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

Attachment No. 3

Purposes of Use

The purposes of use are the following:

- Domestic
- Municipal
- Industrial
- Irrigation
- Fish Culture
- Recreational Uses
- Conservation of Pyramid Lake Fishery (as defined in P.L. 101-618)
- Stockwatering
- Fish & Wildlife Protection/Enhancement (including wetlands)
- Power (INCIDENTAL)
- Instream Water Quality Enhancement
- Flood Control

State of California
State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. Box 2000, Sacramento, CA 95812-2000
Info: (916) 341-5300, FAX: (916) 341-5400, Web: <http://www.waterrights.ca.gov>

**APPLICATION TO APPROPRIATE WATER BY PERMIT
ENVIRONMENTAL INFORMATION**

(THIS IS NOT A CEQA DOCUMENT)

APPLICATION NO.

The following information will aid in the environmental review of your application as required by the California Environmental Quality Act (CEQA). IN ORDER FOR YOUR APPLICATION TO BE ACCEPTED AS COMPLETED, ANSWERS TO THE QUESTIONS LISTED BELOW MUST BE COMPLETED TO THE BEST OF YOUR ABILITY. Failure to answer all questions may result in your application being returned to you, causing delays in processing. If you need more space, attach additional sheets. Additional information may be required from you to amplify further or clarify the information requested in this form.

PROJECT DESCRIPTION

1. Provide a description of your project, including but not limited to, type of construction activity, structures existing or to be built, area to be graded or excavated and project operation, including how the water will be used.

This application, along with one for Stampede Reservoir, is being submitted together with four petitions requesting ~~transfers~~ ^{changes} and exchanges of water according to the provisions of the Truckee River Operating Agreement (TROA). Reclamation requests that the application for Stampede and Prosser Creek Reservoirs be treated as a single project. This application is for the appropriation of 30,000 acre feet (AF) of water, the capacity of Prosser Creek Reservoir, to be used in conjunction with License 10180. No new facilities are to be constructed, and the quantity of water diverted to storage under this application will be no greater than the total quantity diverted to storage under the two rights (30,000 AF). The diversion season will be from October 1 to August 10 of each year. The new appropriation will not take effect until TROA is in effect. TROA will be submitted to the U.S. District Courts administering the Orr Ditch and Truckee River General Electric Decrees. Once approved by the courts, TROA must be promulgated as a federal regulation before it can be implemented.

GOVERNMENTAL REQUIREMENTS

Before a final decision can be made on your water right application, we must consider the information contained in an environmental document prepared in compliance with the requirements of CEQA. If an environmental document has been prepared, a determination must be made as to who is responsible for the preparation of the environmental document for your project. The following questions are designed to aid us in that determination.

2. Contact your county planning or public works department for the following information:

- a. Person contacted N/A Date of contact _____
Department _____ Telephone () _____
- b. Assessor's Parcel No. _____
- c. County Zoning Designation _____
- d. Are any county permits required for your project? NO
If yes, check appropriate space below:
_____ Grading Permit, _____ Use Permit, _____ Watercourse
Obstruction Permit, _____ Change of Zoning, _____ General Plan
Change, Other (explain):

e. Have you obtained any of the required permits described above? No
If yes, provide a complete copy of each permit obtained.

3. Are any additional state or federal permits required for your project? _____ (i.e., from Federal Energy Regulatory Commission, U.S. Forest Service, Bureau of Land Management, Soil Conservation Service, Department of Water Resources (Division of Safety of Dams), Reclamation Board, Coastal Commission, State Lands Commission, etc.) For each agency from which a permit is required provide the following information:

Permit type _____
Person (s) contacted _____ Agency _____
Date of contact _____ Telephone () _____

4. Has any public agency prepared an environmental document for any aspect of your project?
NO

If so, please submit a copy of the latest environmental document (s) prepared, including a copy of the notice of determination adopted by the public agency. If not, explain below whether you expect that a public agency other than the State Water Resources Control Board will be preparing

an environmental document for your application or whether the applicant is a California public agency, will be preparing the environmental document for your project. An EIS/EIR is being prepared to analyze the potential effects of TROA. The EIS/EIR is being prepared jointly by the Department of Interior, as represented by Reclamation, U.S. Fish and Wildlife Service, and the Bureau of Indian Affairs, and the State of California, as represented by the Department of Water Resources.

Note: When completed, please submit a copy of the final environmental document (including notice of determination) or notice of exemption to the State Water Resources Control Board. Processing of your application cannot proceed until such documents are submitted.

5. Will your project, during construction or operation, generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or cause erosion, turbidity or sedimentation? No If so, explain: _____

If yes or you are unsure of your answer, contact your local Regional Water Quality Control Board for the following information (See attachment for address and telephone number):

Will a waste discharge permit be required for your project? _____

Person contacted _____ Date of contact _____

What method of treatment and disposal will be used? _____

6. Have any archeological reports been prepared on this project, or will you be preparing an archeological report to satisfy another public agency? _____

Do you know of any archeological or historic sites located within the general project area?

Yes If so, explain: See EIS/EIR being prepared for TROA.

ENVIRONMENTAL SETTING

7. Attach **THREE COMPLETE SETS** of color photographs, clearly dated and labeled, showing the vegetation currently existing at the following locations:
- 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
- Note: It is very important that you submit no less than three complete sets of photographs as required above. If less than three sets are submitted, processing of your application will be delayed until you furnish the remaining sets!

8. From the list given below, mark or circle the general plant community types which best describe those which occur within your project area (Note: See footnote denoted by * under Question 11 below):

Tree Dominated Communities

Subalpine Conifer
Red Fir
Lodgepole Pine
Mixed Conifer
 Sierran Mixed Conifer
 White Fir
 Klamath Mixed Conifer
Douglas-Fir
Jeffrey Pine
Ponderosa Pine
Eastside Pine
Redwood
Pinyon-Juniper
Juniper
Aspen
Closed-Cone Pine-Cypress
Montane Hardwood-Conifer
Montane Hardwood
Valley Foothill Hardwood
 Blue Oak Woodland
 Valley Oak Woodland
 Coastal Oak Woodland
Valley Foothill Hardwood-Conifer
 Blue Oak-Digger Pine
Eucalyptus
Montane Riparian
Valley Foothill Riparian
Desert Riparian
Palm Oasis
Joshua Tree

Shrub Dominated Communities

Alpine Dwarf-Shrub
Low Sage
Bitterbrush
Sagebrush
Montane Chaparral
Mixed Chaparral
Chamise-Redshank Chaparral
Coastal Scrub
Desert Succulent Shrub
Desert Wash
Desert Scrub
Alkali Desert Scrub

Herbaceous Dominated Communities

Annual Grassland
Perennial Grassland
Wet Meadow
Fresh Emergent Wetland
Saline Emergent Wetland
Pasture

Aquatic Communities

Riverine
Lacustrine
Estuarine
Marine

Developed Communities

Cropland
Orchard-Vineyard
Urban

Plant communities potentially affected by this application will be fully described in the EIS/EIR. The action proposed by this application is not anticipated to adversely affect plant communities at Prosser Reservoir.

Literature source: Mayer, K.F. and W.F. Laudenslayer, Jr., (eds). 1988. Guide to Wildlife Habitats of California. California Department of Forestry and Fire Protection, Sacramento. 166 pp. (Note: You may view a copy of this document at our public counter at the address given at the top of this form or you may purchase a copy by calling the California Department of Fish and Game, Wildlife Habitat Relationships (WHR) Program at (916) 653-7203).

9. Provide below an estimate of the type, number, and size (trunk/stem diameter at chest height) of trees and large shrubs that are planned to be removed or destroyed due to implementation of the proposed changes. Consider all aspects of your application, including changes in diversion structures, water distribution and use facilities, and changes in the place of use due to additional water development.

None.

FISH AND WILDLIFE CONCERNS

10. Identify the typical species of fish which occur in the source(s) from which you propose to divert water and discuss whether or not any of these fish species or their habitat has been or would be affected by your proposed changes. (Note: See footnote denoted by * under Question 11 below):

Fish species in the project area and potentially affected by this application will be fully described in the Revised Draft EIS/EIR. TROA is anticipated to increase the likelihood of meeting reservoir and stream flow objectives and thereby, maintain more constant monthly habitat conditions for fish species.

11. Identify the typical species of riparian and terrestrial wildlife in the project area and discuss whether or not any of these species and/or their habitat has been or would be affected by your project through construction of water diversion and distribution works and/or changes in the place of water use. (Note: See footnote denoted by * below):

Wildlife species in the project area and potentially affected by this application will be fully described in the Revised Draft EIS/EIR. No diversion structures or distribution works are proposed by this application, nor will the places of water use be affected by this application. The action proposed by this application is not anticipated to adversely affect wildlife or wildlife habitat. TROA is anticipated to increase the likelihood of meeting reservoir and stream flow objectives and thereby maintain more constant riparian habitat conditions for wildlife.

*Note: The purposes of Question 10 and 11 are to provide a preliminary assessment of the presence of typical plant and animal species in the area and whether these species might be affected by your project. Detailed site surveys to quantify populations of specific species or determine the presence of rare or endangered species may be required at a later date. It is very important that you answer these questions accurately. If you are unable to obtain appropriate answers from your local California Department of Fish and Game biologists (See attachment for address and telephone number) or you do not have adequate information or expertise to complete your answers, you should hire a fishery consultant and/or a wildlife consultant to review your project and prepare suitable answers for you. For information on available qualified fishery or wildlife consultants near you, consult your local telephone directory yellow pages under Environmental and Ecological Services, or call the California Environmental Protection Agency, Registered Environmental Assessor (REA) Program, at (916) 324-6881 or the University of California, Cooperative Extension Service (See your local telephone directory white pages).

12. Does your proposed project involve any construction or grading-related activity which has significantly altered or would significantly alter the bed or bank of any stream or lake? No
If so, explain: _____

CERTIFICATION

I hereby certify that the statements I have furnished above and in the attached exhibits 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 DEC 19 2003 Signature [Signature]