

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

In the Matter of Permit 11626,)	
Issued on Application 2652,)	Order No.: WR 73-38
NEVADA IRRIGATION DISTRICT)	Source: Bear River
Permittee.)	Counties: Nevada and Placer

ORDER AMENDING PERMIT AND EXTENDING TIME
TO COMPLETE CONSTRUCTION AND PLACE
WATER TO BENEFICIAL USE

BY BOARD VICE CHAIRMAN ROBIE:

On September 1, 1971, the Nevada Irrigation District, hereinafter referred to as petitioner, filed a petition for extension of time to complete construction and place water to beneficial use under Permit 11626 (Application 2652). A protest was received from the South Sutter Water District, hereinafter referred to as protestant, opposing approval of the petition.

On May 22, 1972, a hearing was held before the State Water Resources Control Board to determine whether an extension of time should be granted and, if so, whether any conditions should be imposed. Petitioner and protestant having appeared at said hearing, evidence having been presented at said hearing and having been duly considered, the Board finds as follows:

1. Application 2652 was filed November 22, 1921, for a permit to appropriate 100,000 acre-feet per annum (afa) of water from the Bear River, by storage, for irrigation purposes. Permit 5803 was issued pursuant to Application 2652 on June 17, 1941

for 12,500 afa of water. Action on the remainder of the application was deferred until further order. Permit 11626, the subject of the petition for extension of time, was issued on December 4, 1958 for the 87,500 afa of water remaining under Application 2652. The water is to be used for irrigation, incidental domestic and recreational purposes. The petitioner had an ample supply of water from other projects from the time Application 2652 was filed until Permit 11626 was issued (Decision D-914 on Application 2652, page 2).

2. On May 22, 1963, the time to complete construction under Permit 11626 was extended to February 1, 1966, and time to complete application of water to beneficial use to July 1, 1971. After the extension of time was granted petitioner commenced construction of Rollins Dam and Reservoir, completing construction early in the year 1966 (RT 8). The reservoir has a capacity of 65,000 acre-feet (af) (RT 19). Also completed is a distribution system which serves Bear River water to approximately 10,000 acres within petitioner's 77,000-acre service area (RT 10, 11). The petitioner now plans to enlarge Rollins Dam to a capacity of 94,445 af. The reservoir will then be able to accommodate the storage of 87,500 afa authorized by Permit 11626 and the storage of 6,945 afa authorized by Permit 5803 (RT 14). Financing of the enlarged reservoir will be accomplished through agreement with the Pacific Gas and Electric Company for the sale of power to be generated at a proposed powerhouse at the dam (RT 66). Petitioner also intends to rehabilitate and increase the capacity of its distribution system to enable it to use all the water now stored at Rollins Reservoir.

3. Protestant completed construction of its Camp Far West Reservoir on the Bear River approximately 12 miles below Rollins Reservoir in the year 1963 (RT 88). It has placed the water stored to beneficial use and is considering requesting a license under its permits (RT 91). It contends that in years of short supply there will not be sufficient water in the Bear River for both projects and the petitioner should not be allowed to expand its facilities under the early priority of Application 2652 (protestant's brief, page 2). Protestant points out the long period of time which elapsed between the time Application 2652 was filed and Permit 11626 was issued and contends that under the present Board's policies and practices Application 2652 would have been canceled. Further, it claims that a further extension of time granted in 1963 was not justified, particularly as its original Parker site was changed to the Rollins site, and Permit 11626 should have been revoked. Further, the protestant claims that there has been no substantial increase in use of water since the last extension which would justify granting a further extension under the Board's guidelines.

Protestant recommends that the present use of water under Permit 11626 should be licensed and further construction and use of water should be made under a new application, or, as an alternative, further expansion of facilities and use of water under Permit 11626 be allowed subject to a release of priority in favor of the protestant as to such additional water.

4. Petitioner contends that the only issue before the Board is petitioner's diligence since the extension of time was

granted and relies, principally, on the following activity since that time to show diligence in the construction of its project and placing water to beneficial use since Permit 11626 was issued.

Rollins Dam and Reservoir has been constructed at a cost of approximately \$9,000,000 prior to the completion date set forth in the Board's predecessor's order of May 22, 1963 (RT 7). The order of May 22, 1963 contemplated that expansion of the petitioner's distribution system would be necessary before use of water (petitioner's Exh. 2). Application for a small project loan through the U. S. Bureau of Reclamation for such purposes was timely made, however, the loan required approval of the petitioner's electorate. After approval through an election held in November 1968, a loan of \$4,950,000 was obtained (RT 11, 12, 50). Construction work on the expansion and improvement of petitioner's distribution system commenced early in the year 1969 (RT 12). At the time of the hearing (May 22, 1972) approximately \$300,000 had been spent in the Bear River service area portion of the project (RT 51). Since the hearing petitioner's electorate approved a proposed supplemental loan for \$1.6 million from the federal government for such work (District's letter to the Board dated November 27, 1972). This project is scheduled for completion in the year 1974, at which time approximately 20,000 acres in the south Bear River area will be capable of being served (RT 51, 52). The full use of water for irrigation purposes will be reached by the year 1982 (RT 54).

Since receiving the extension of time the petitioner has hired a consulting engineer who prepared a report on the feasibility of increasing the capacity of Rollins Reservoir and

installing power generation facilities (RT 66, 67). Petitioner has acquired the land necessary to accommodate the expansion of Rollins Reservoir to a capacity of 95,000 af (RT 14). Negotiations are under way with Pacific Gas and Electric Company for sale of power to be developed at the proposed power generation facilities and previous feasibility reports are being updated (RT 66, 67). Recreational facilities have been constructed at Rollins Reservoir which cost \$1.2 million and there are two remaining stages of construction which will cost approximately \$180,000 to complete (RT 13). A water treatment plant is being constructed in the north Auburn area to serve a present community of approximately 4,000 people (RT 55). Construction was almost complete at the time of the hearing (RT 53).

5. Protestant is correct in contending that, under present policy, practices and rules of this Board in respect to diligence, Application 2652 would most likely have been canceled sometime during the approximately 37 years it was held by the petitioner before Permit 11626 was issued. Also, this Board may well have revoked Permit 11626 rather than granting an extension of time in the year 1963. However, we are concerned with the diligence the petitioner has shown in completing construction and placing water to beneficial use since the last extension of time. A discussion of the wisdom of past action or inaction of our predecessors will serve no purpose. Sufficient to say that, while not condoning the liberality that was shown in finding diligence on the part of the petitioner in the past, the petitioner has shown that, considering

the magnitude of the project and the difficulties inherent in such an enterprise, it is now proceeding with diligence and is entitled to an extension of time. However, if during the extension so granted immediate progress toward proceeding with the reservoir enlargement is not forthcoming, the most equitable result, considering all of the facts, is to reduce the permit to the capacity of the existing reservoir.

6. Protestant is also correct in contending that in dry years there will not be sufficient water in the Bear River for both projects to meet their full demands. However, the Camp Far West feasibility report of 1958 recognized (pages IV-6 and IV-7) that "There is, however, an early application of Nevada Irrigation District (the matter before us, Application 2652) pending for the construction of storage facilities in the upper Bear River Basin at the Parker Reservoir site. Disposition and action upon this application will not affect the yields shown in the operation study for the proposed Camp Far West Reservoir, since this study is based on only the waters of the Bear River generated in the lower basin over which the Parker project will have no physical control." When the Nevada Irrigation District revised its project to the Rollins site, approximately eight miles upstream from the Parker site, this had the effect of increasing the drainage area available to South Sutter and increased the average annual yield of South Sutter's project by 11,600 acre-feet (this is reflected in a 1962 addendum to the feasibility report).

It is concluded from the foregoing findings that: Petitioner's time to complete construction work for expansion and rehabilitation of petitioner's diversion system should be extended to December 1, 1974; time to place water to beneficial use should be extended to December 1, 1982; petitioner should be required to submit proof of its financial ability to construct an enlarged dam and reservoir by December 1, 1974, and, upon failure to furnish such proof, Permit 11626 should be reduced to authorize storage of 65,000 afa; and Permit 11626 should be amended to contain terms which have become standard since it was issued.

NOW, THEREFORE, IT IS ORDERED that:

1. Construction work for expansion and rehabilitation of the permittee's diversion system pursuant to Permit 11626 shall be completed on or before December 1, 1974, and the water placed to beneficial use on or before December 1, 1982. (0000008)
(0000009)

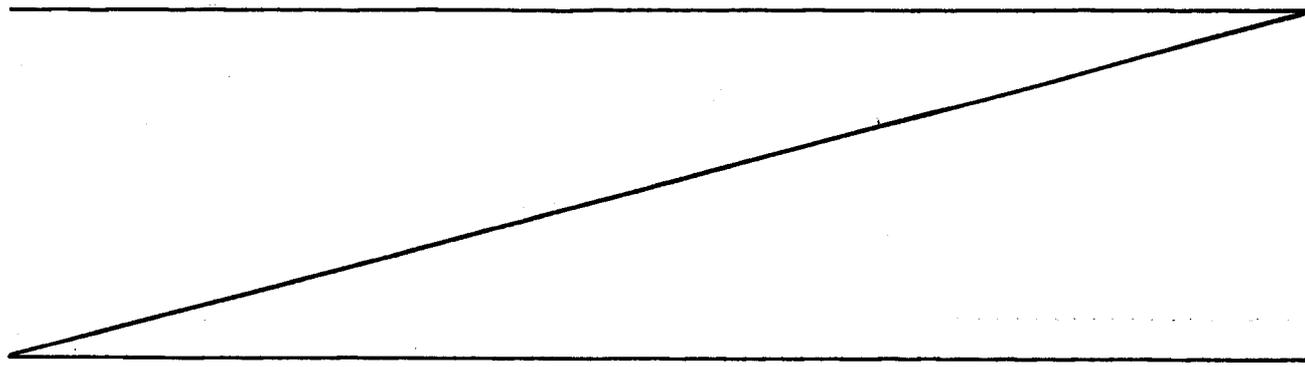
2. Proof of permittee's financial ability to construct an enlarged Rollins Dam and Reservoir be submitted to the Board by December 1, 1974. If such proof is not received by that date the quantity of water authorized to be stored under Permit 11626 shall be reduced to 65,000 acre-feet per annum. The time to commence and

to complete construction of an enlarged Rollins Dam and Reservoir and to place the water developed thereunder to beneficial use shall be established by the Board upon receipt of proof of financial ability to proceed with construction. (0000999)

3. Term 7 in Permit 11626 be amended and Term 13 added to Permit 11626 as follows:

"7. All rights and privileges under this permit and under any license issued pursuant thereto, including method of diversion, method of use, and quantity of water diverted are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

"This continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this permit with a view to minimizing waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee may be required to implement such programs as (1) reusing or reclaiming the water allocated; (2) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (3) suppressing evaporation losses from water surfaces; (4) controlling phreatophytic growth; and (5) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation." (0000012)

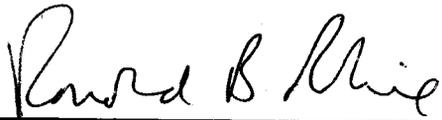


"13. The quantity of water diverted under this permit and under any license issued pursuant thereto is subject to modification by the State Water Resources Control Board if, after notice to the permittee and an opportunity for hearing, the Board finds that such modification is necessary to meet water quality objectives in water quality control plans which may have been or hereafter may be established or modified pursuant to Division 7 of the Water Code. No action will be taken pursuant to this paragraph unless the Board finds that (1) adequate waste discharge requirements have been prescribed and are in effect with respect to all waste discharges which have any substantial effect upon water quality in the area involved, and (2) the water quality objectives cannot be achieved solely through the control of waste discharges."

Dated: July 5, 1973

(0000013)

We Concur:



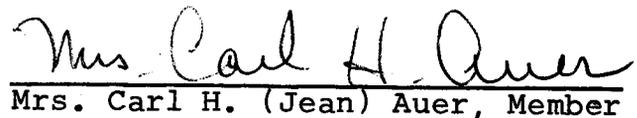
Ronald B. Robie
Vice Chairman



W. W. Adams, Chairman



Roy E. Dodson, Member



Mrs. Carl H. (Jean) Auer, Member



W. Don Maughan, Member

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

ORDER

APPLICATION 2652

PERMIT 11626

LICENSE _____

ORDER ALLOWING CHANGE IN CHARACTER OF USE AND
CHANGE IN PLACE OF USE

WHEREAS the State Water Rights Board has found that the change in character of use and change in place of use under Application 2652, Permit 11626, for which petitions were submitted on April 14, 1964, will not operate to the injury of any other legal user of water, and

WHEREAS the Board has approved and allowed said changes and has directed that an order be issued to describe said character of use and place of use in accordance with said petitions;

NOW THEREFORE IT IS ORDERED that permission be and the same is hereby granted to change the character of use under said Application 2652, Permit 11626, to read as follows, to wit:

IRRIGATION, INCIDENTAL DOMESTIC AND RECREATIONAL USES

IT IS FURTHER ORDERED that permission be and the same is hereby granted to change the place of use under said Application 2652, Permit 11626, to a place of use described as follows, to wit:

167,789 ACRES WITHIN THE BOUNDARIES OF NEVADA IRRIGATION DISTRICT AREA AND ROLLINS RESERVOIR AS SHOWN ON MAP NO. 1020 FILED WITH STATE WATER RIGHTS BOARD.

WITNESS my hand and the seal of the State Water Rights Board of the State of California this 21st day of August, 1964



L. K. Hill
L. K. Hill
Executive Officer

1. Permit 11626 was issued in the matter of Application 2652 on December 4, 1958, for the appropriation of 87,500 acre-feet per annum from November 30 of each year through June 1 of the succeeding year to be impounded at a proposed Parker Reservoir on the Bear River in Nevada County.

2. Permit 11626 requires that construction work be commenced on or before September 1, 1959, that it be completed on or before September 1, 1962, and that application of water to full beneficial use be completed before December 1, 1965.

3. On April 25, 1962, a petition was filed by the permittee to change the point of diversion from the Parker Reservoir site specified by Permit 11626 to a proposed Rollins Dam to be located approximately 7.5 miles further upstream on the Bear River. This petition will be approved by the Board contemporaneously with the adoption of this order.

4. Rollins Reservoir will be a feature of an integrated development known as the Yuba-Bear River Project for which the permittee holds other permits. Fast progress by the permittee toward the accomplishment of this development, in most instances, cannot be related to any specific portion of the project.

5. Since the year 1958, permittee has expended \$809,000 on its Yuba-Bear River Project, of which \$152,300 was expended in the year 1962. The sum of \$119,000 was expended in planning, surveying, and engineering, which included such work on the proposed Rollins Dam. In addition to the \$809,000 expended, the permittee has become obligated to an engineering firm to the extent of \$283,000 for construction drawings, specifications, and the preparation of contracts, payment on the same being deferred until money from bond sales becomes available. These services were rendered since May of 1962.

6. The permittee has expended in excess of \$15,000 for exploratory core drilling at the Rollins site, and two access roads have been constructed to this location.

7. Permittee applied for and, on April 8, 1960, obtained a preliminary permit from the Federal Power Commission. While no power will be developed at the Rollins site, it will have a reregulatory power feature.

8. Permittee has negotiated with and, on March 13, 1962, reached an agreement with the California Department of Fish and Game in regard to the protection of the fishery resource of the sources involved in the project, which provides for releases of water from the Rollins Reservoir for such purpose.

9. Application has been filed with the California District Securities Commission for permission to issue revenue bonds to finance the project. Analysis of the project was made by the Commission and approval was granted for the issuance of revenue bonds subject to consent of the district's outstanding bondholders, which was obtained. On August 7, 1962, a \$65,000,000 revenue bond issue was approved by the voters and previously retained bond counsel is now working out problems concerning the marketing of the bonds.

10. Negotiations were entered into with Pacific Gas & Electric Company for water and power purchase contracts, resulting in a letter of intent from the utility.

11. Based upon the foregoing facts, the Board finds that since the permit was issued a diligent effort has been made to commence construction work within the time previously allowed, and failure to do so has been occasioned by obstacles which could not reasonably have been avoided. Good cause has been shown for the requested extension of time.

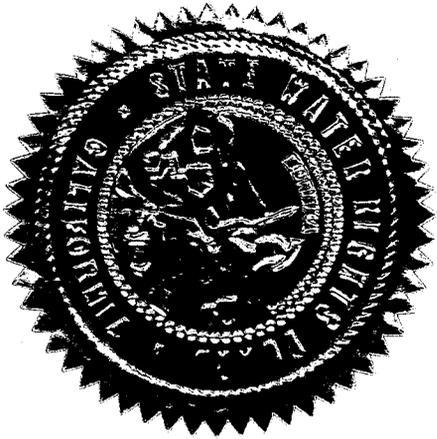
12. The permittee estimated at the hearing that it would commence construction of the Rollins Dam in June of 1963, based on acceptance of construction and bond bids in May of 1963 and that construction would be completed in January of 1965, but that due to the limited construction season in the mountain division of the district, any substantial delay in the sale of bonds and the issuance of a construction contract could necessitate a postponement of the entire development

for one year. The estimated time in which the water would be placed to beneficial use depends on whether or not the district's distribution system is expanded, which will require a small projects loan. If the loan is approved, the water will be applied to full beneficial use within five years. Otherwise, 15 or 20 years will be required. As the bond bids have not been opened as of this date and as construction cannot proceed until after they are sold, the time for commencement of construction should be extended to July 1, 1964. The date of completion should be extended to February 1, 1966, and the date of water being applied to full beneficial use should be extended to July 1, 1971.

ORDER

Good cause appearing therefor, IT IS ORDERED that time within which to commence construction under Permit 11626 be, and it is hereby, extended to the 1st day of July, 1964; time within which to complete construction be, and it is hereby, extended to the 1st day of February, 1966; and time in which to complete application of the water to beneficial use be, and it is hereby, extended to the first day of July, 1971.

Adopted as the order of the State Water Rights
Board at a meeting duly called and held in Sacramento,
California, on the 22nd day of May, 1963.



Kent Silverthorne
Kent Silverthorne, Chairman

Ralph J. McGill
Ralph J. McGill, Member

W. A. Alexander
W. A. Alexander, Member

ORDER

APPLICATION 2652

PERMIT 11626

LICENSE _____

ORDER ALLOWING CHANGE IN POINT OF DIVERSION

WHEREAS the State Water Rights Board has found that the change in point of diversion under Application 2652, Permit 11626, for which petition was submitted on April 25, 1962, will not operate to the injury of any other legal user of water, and

WHEREAS the Board has approved and allowed said change and has directed that an order be issued to describe said change in accordance with said petition;

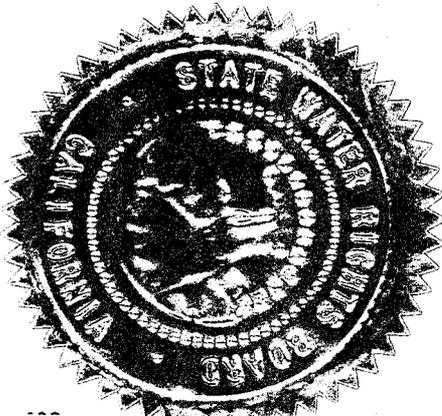
NOW THEREFORE IT IS ORDERED that permission be and the same is hereby granted to change the point of diversion under said Application 2652, Permit 11626, to point of diversion described as follows, to wit:

ROLLINS DAM - SOUTH 950 FEET AND WEST 1300 FEET FROM E $\frac{1}{4}$ CORNER OF SECTION 22, T15N, R9E, MDB&M, BEING WITHIN NE $\frac{1}{4}$ OF SE $\frac{1}{4}$ OF SAID SECTION 22.

POINTS OF REDIVERSION

- (1) COMBIE DAM - SOUTH 20° EAST, 1900 FEET FROM NW CORNER OF SECTION 2, T13N, R8E, MDB&M, BEING WITHIN SW $\frac{1}{4}$ OF NW $\frac{1}{4}$ OF SAID SECTION 2.
- (2) ON BEAR RIVER - SOUTH 5° WEST, 2800 FEET FROM NE CORNER OF SECTION 3, T13N, R8E, MDB&M, BEING WITHIN NE $\frac{1}{4}$ OF SE $\frac{1}{4}$ OF SAID SECTION 3.

WITNESS my hand and the seal of the State Water Rights Board of the State of California this 24th day of May, 1963



L. K. Hill
L. K. Hill
Executive Officer

[For full information concerning the filling out of this form refer to Article 4 of Rules and Regulations Pertaining to Appropriation of Water]

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

Application No. 2652 Filed November 22, 1921 at M. (Applicant must not fill in the above blanks)

APPLICATION TO APPROPRIATE UNAPPROPRIATED WATER AMENDED APPLICATION RECEIVED APRIL 7, 1941

I, Nevada Irrigation District Name of applicant of 144 South Auburn Street, Grass Valley, County of Nevada Address State of California, do hereby make application for a permit to appropriate the following described unappropriated waters of the State of California, SUBJECT TO VESTED RIGHTS:

Source, Amount, Use and Location of Diversion Works

1. The source of the proposed appropriation is flood waters of Bear River located in Nevada County, tributary to Feather River thence Sacramento River

2. The amount of water which applicant desires to appropriate under this application is as follows: (a) For diversion to be directly applied to beneficial use second, to be diverted from to of each year.

(b) For diversion to be stored and later applied to beneficial use per annum, to be collected between November 30 and August 1 June 1 of each season.

NOTE.—Answer (a) or (b) or both (a) and (b) as may be necessary. If amount under (a) is less than .025 cubic foot per second, state in gallons per day. Neither the amount nor the season may be increased after application is filed. If underground storage is proposed a special supplemental form will be supplied by the State Water Rights Board upon request.

3. The use to which the water is to be applied is irrigation Amended by order of 8-21-64 Domestic, irrigation, power, municipal, mining, industrial, recreational purposes.

4. The point of diversion is to be located (see supplement) State bearing and distance or coordinate distances from section or quarter section corner

being within the State 40-acre subdivision of public land survey or projection thereof of Section T. B. & M. in the County of Nevada and Placer various points within the district

5. The main conduit terminates in of Sec. T. B. & M. State 40-acre subdivision of U. S. Government survey or projection thereof

Description of Diversion Works

NOTE.—An application cannot be approved for an amount grossly in excess of the estimated capacity of the diversion works.

6. Intake or Headworks (fill only those blanks which apply) (a) Diversion will be made by pumping from Sump, offset well, unobstructed channel, etc. (b) Diversion will be by gravity, the diverting dam being feet in height (stream bed to level of overflow); feet long on top; and constructed of Concrete, earth, brush, etc. (c) The storage dam will be feet in height (stream bed to overflow level); feet long on top; have a freeboard of feet, and be constructed of Concrete, earth, etc.

7. Storage Reservoir (1) Parker (2) Combe Name (1) T14 and 15N, R9E, MDB&M as shown on maps filed The storage reservoir will flood lands in (2) T13 and 14N, R8E, MDB&M, as shown on maps filed (1) 2000 Indicate section or sections, also 40-acre subdivisions unless shown upon map It will have a surface area of (2) 350 acres, and a capacity of (2) 9,000 acre-feet.

In case of insufficient space for answers in form, attach extra sheets at top of page 3 and cross reference.

Per D-914

See Permit 5803

8. Conduit System (describe main conduits only) Conduits of sufficient capacities will be su

(a) Canal, ditch, flume: Width on top (at water line) _____ feet; width at bottom _____ feet; depth of water _____ feet; length _____ feet; grade _____ feet per 1,000 feet; materials _____ of construction _____ Earth, rock, timber, etc.

(b) Pipe line: Diameter _____ inches; length _____ feet; grade _____ feet per _____ feet; total lift _____ feet; kind _____ Riveted steel, concrete, wood-stave, etc.

NOTE.—If a combination of different sizes or kinds of conduit is to be used, attach extra sheets with complete description, also show location of each clearly on map.

9. The estimated capacity of the diversion conduit or pumping plant proposed is _____ States cubic feet per second or gallons per minute

The estimated cost of the diversion works proposed is _____ Give only cost of intake, or headworks, pumps, storage reservoirs and main conduits described herein

Completion Schedule

10. Construction work ~~will be completed~~ started _____

Construction work will be completed on or before _____

The water will be completely applied to the proposed use on or before _____

Description of Proposed Use

11. Place of Use. 167,789 acres within the boundaries of the Nevada Irrigation District as shown on map No. 1020 filed 12/24/40. Amended by order of 8-27-44

States 40-acre subdivisions of the public land survey. If area is unsurveyed indicate the location as if lines of the public land survey were projected. In the case of irrigation use state the number of acres to be irrigated in each 40-acre tract, if space permits. If space does not permit listing of all 40-acre tracts, describe area in a general way and show detail upon map.

Do(es) applicant(s) own the land whereon use of water will be made? Yes _____ Yes or No _____ Jointly? Yes or No _____

If applicant does not own land whereon use of water will be made, give name and address of owner and state what arrangements have been made with him.

12. Other Rights. Describe all rights except those on file with the State Water Rights Board under which water is served to the above named lands.

1.	2.	3.	4.
Nature of Right (riparian, appropriative, purchased water, etc.)	Year of First Use	Use made in recent years including amount if known	Season of Use
			Source of Other Supply

Attach supplement at top of page 3 if necessary. 167,789 acres. State net acreage to be irrigated _____ acres.

The segregation of acreage as to crops is as follows: Rice _____ acres; alfalfa _____ acres; pasture _____ acres; general crops _____ acres; orchard _____ acres.

NOTE.—Care should be taken that the various statements as to acreage are consistent with each other, with the statement in Paragraph 11, and with the map.

The irrigation season will begin about April 15 _____ Beginning date and end about September 30 _____ Closing date

14. Power Use. The total fall to be utilized is _____ feet. Difference between nozzle or draft tube water level and first free water surface above _____ cubic feet per second. 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 _____ horsepower. Second feet \times fall \div 8.8

The use to which the power is to be applied is _____ For distribution and sale or private use, etc.

The nature of the works by means of which power is to be developed is _____ Turbines, Pelton wheel, etc.

The size of the nozzle to be used is _____ inches.

The water will not be returned to _____ Name stream _____ in _____ State 40-acre subdivision _____ of _____ T. _____ R. _____ B. & M. _____ Sec. _____

15. Municipal Use. This application is made for the purpose of serving _____
Name city or cities, town or towns. Urban areas only
having a present population of _____

The estimated average daily consumption during the month of maximum use at the end of each five-year period until the full amount applied for is put to beneficial use is as follows:

16. Mining Use. The name of the mining property to be served is _____
Name of claim
and the nature of the mines is _____
Gold placer, quartz, etc.

The method of utilizing the water is _____

It is estimated that the ultimate water requirement for this project will be _____
Cubic feet per second, gallons per minute. State basis of estimate

The water will be polluted by chemicals or otherwise _____
 will not _____
Explain nature of pollution, if any

and it will be returned to _____ in _____ of
 will not _____
Name stream State 40-acre subdivision

Sec. _____, T. _____, R. _____, B. & M. _____

17. Other Uses. The nature of the use proposed is _____
Industrial, recreational, domestic, stockwatering, fish culture, etc.

State basis of determination of amount needed. _____
Number of persons, residences, area of domestic lawns and gardens, number and kind of stock, type

Industrial use, and unit requirements.

General

18. Are the maps as required by the Rules and Regulations filed with Application? Yes No. If not, state specifically the time required for filing same. _____
Yes or No

19. Does the applicant own the land at the proposed point of diversion? (1) Own part (2) Yes. If not, give name and address of owner and state what steps have been taken to secure right of access thereto _____
Yes or No

20. What is the name of the post office most used by those living near the proposed point of diversion?

Auburn, California

21. What are the names and addresses of claimants of water from the source of supply below the proposed point of diversion? _____

Nevada Irrigation District
/s/ William Durbrow, Manager

[SIGNATURE OF APPLICANT]

APPLICANT MUST NOT FILL IN BLANKS BELOW

PERMIT No. 11626

This is to certify that the application of which the foregoing is a true and correct copy has been considered and approved by the State Water Rights Board SUBJECT TO VESTED RIGHTS and the following limitations and conditions:

1. The amount of water appropriated shall be limited to the amount which can be beneficially used, and shall not exceed 87,500 acre-feet per annum by storage to be collected from about November 30 of each year to about June 1 of the succeeding year. (000005)
2. The maximum amount herein stated may be reduced in the license if investigation so warrants. (000006)
3. Actual construction work shall begin on or before September 1, 1959, and shall thereafter be prosecuted with reasonable diligence, and if not so commenced and prosecuted this permit may be revoked. (000007)
4. Said construction work shall be completed on or before December 1, 1962. (000008)
5. Complete application of the water to the proposed use shall be made on or before December 1, 1965. (000009)
6. Progress reports shall be filed promptly by permittee on forms which will be provided annually by the State Water Rights Board until license is issued. (000010)
7. All rights and privileges under this permit including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the State Water Rights Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water. (000012)

This permit is issued and permittee takes it subject to the following provisions of the Water Code:

Section 1390. A permit shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code), but no longer.

Section 1391. Every permit shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a permit is issued takes it subject to the conditions therein expressed.

Section 1392. Every permittee, if he accepts a permit, does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any permit granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any permittee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any permittee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Dated: DEC 4 1958

STATE WATER RIGHTS BOARD

L. K. Hill
L. K. Hill
Executive Officer



11626

IMPORTANT
[Please Read Carefully]

1. Note the terms and conditions of this permit. Construction work must be prosecuted, and the water applied to the beneficial uses intended with due diligence. Annual reports of progress will be expected from you upon forms which will be furnished for the purpose. When the water has been fully applied to the beneficial uses intended the Water Code requires that you notify the State Water Rights Board thereof.
 2. Neither this application nor the permit is a water right, but if the terms and conditions of the permit are observed a water right can be obtained through beneficial use of the water—the extent of the right to be determined by a field inspection which will be made by a representative of the State Water Rights Board.
 3. No change in point of diversion, or place of use or character of use, can be made under this application and permit without the approval of the State Water Rights Board.
 4. If the rights under this permit are assigned immediate notice to that effect with the name and address of the new owner should be forwarded to the State Water Rights Board, Sacramento, California.
- Please advise immediately of any change of address.* Until otherwise advised communications will be sent to the address

Supplement to Application 2652

Par. 2b: 87,500 acre-feet per annum to be stored in Parker Reservoir.
~~12,500 acre-feet per annum to be stored in Combe Reservoir.~~

See
Permit
5803

Par. 4 (1) Parker Dam: S 38° E 2200 feet from the NW corner of Section 30, T14N, R9E, MDB&M, being within the SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 30

~~(2) Combe Dam: S 20° E 1900 feet from the NW corner of Section 2, T13N, R8E, MDB&M, being within the SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 2.~~

Point of rediversion from Bear River is located S 5° W, 2800 feet from the NE corner of Section 3, T13N, R8E, MDB&M, being within the NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Section 3.

Amended by order of 5-24-63

8. Project planning shall be carried on by permittee in cooperation with the Department of Water Resources of the State of California for the coordination of the project with respect to comprehensive development of the water resources of Bear River. (0000999)

9. Permittee shall at all times allow five (5) cubic feet per second of the natural flow to pass down the stream bed of Bear River below permittee's diversions for the purpose of maintaining fish life. Permittee shall not divert from Bear River when the natural flow, other than water developed by storage upstream by permittee, or foreign water diverted into Bear River watershed by permittee, is five (5) cubic feet per second or less. (0140400)

10. The collection season shall terminate on June 1 of each season, and shall not begin in any season until storage rights at Lake Combie under Permit No. 5803 have been satisfied. (0160999)

11. During the collection season, permittee shall not divert water which is necessary to provide (a) the full direct irrigation diversion requirements of Camp Far West Irrigation District, under its existing rights, and (b) 5,000 acre-feet of storage in Camp Far West Reservoir as of June 1 under Camp Far West Irrigation District's licenses for such storage. (0000999)

12. A separate application for approval of plans and specifications for construction of the dam shall be filed with and approved by the Department of Water Resources prior to commencement of construction of the dam described under this approved water right application. (0000999)

