

---

## State Water Resources Control Board

### **PRE-HEARING CONFERENCE ORDER**

The State Water Resources Control Board  
Administrative Hearings Office  
issues this order following the May 5, 2021 Pre-Hearing Conference  
for the Public Hearing on the pending petitions of

#### **Trimont Land Company and Northstar Community Services District**

for water-right Permits 15905, 15906, 16618 and 16619 (Applications 22822,  
22823, 23851 and 23849), which authorize diversions of water from Unnamed  
Streams, Unnamed Springs, Sawmill Flat Springs and West Martis Creek  
in Placer County.

**The Public Hearing is re-scheduled to begin on  
August 6, 2021 at 9:00 am**  
and will be held by Zoom teleconference.

Representatives of parties and other people that want to participate in this hearing may  
access this Zoom teleconference by using the following link or call-in information:  
[https://waterboards.zoom.us/j/92246246338?pwd=WIFEQUxSTDMxWU9TMmRzUFBK  
UHZsUT09](https://waterboards.zoom.us/j/92246246338?pwd=WIFEQUxSTDMxWU9TMmRzUFBKUHZsUT09) with Meeting ID: 922 4624 6338 and Passcode: 707819 or  
+16699009128,,92246246338#,,,,\*707819# US (San Jose)

**Interested members of the public who would like to watch and listen to this pre-  
hearing conference or this hearing without participating may do so through the  
Administrative Hearings Office YouTube channel, accessible by clicking on the  
“Watch AHO Hearings” link at:**

<https://www.youtube.com/channel/UCM-gmipRyd7Nw-g8I-C7Nig>

### **BACKGROUND**

The purpose of this hearing is to receive evidence that the hearing officer will consider  
when determining whether the State Water Resources Control Board (“State Water  
Board” or “Board”) should approve the petitions filed by Trimont Land Company  
(“Trimont”) and Northstar Community Services District (“Northstar CSD”) for water-right

E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

Permits 15905, 15906, 16618 and 16619 (Applications A022822, A022823, A023851 and A023849).

The histories of these permits and the pending change petitions and petitions for extensions of time are discussed in detail in the March 24 hearing notice. Except as amended by this order, all provisions of the March 24 hearing notice remain in effect.

### **PRE-HEARING CONFERENCE**

During the May 5, 2021 pre-hearing conference, the hearing officer and the Parties' representatives discussed: (1) the hearing issues; (2) the pre-hearing and hearing schedules; and (3) applicable procedures. This order follows the pre-hearing conference.

### **PURPOSE OF HEARING; HEARING ISSUES**

The purpose of this hearing will be for the hearing officer to receive evidence regarding the following issues:

- 1) Should Trimont's and Northstar CSD's change petitions and petitions for extensions of time be granted?
  - a) Are the elements of California Code of Regulations, title 23, section 844, satisfied for the pending petitions of extensions of time?
  - b) Would the State Water Board's approval of the change petitions and petitions for extensions of time result in injury to any other legal user of water?
  - c) Would the State Water Board's approval of these petitions unreasonably affect any fish, wildlife or any other instream beneficial use?
  - d) Would the State Water Board's approval of these petitions be in the public interest?
  - e) Would the State Water Board's approval of these petitions cause the initiation of any new water-right?
  - f) What is the status of Trimont's and Northstar CSD's actions to comply with the California Environmental Quality Act ("CEQA") for these petitions?
- 2) If these change petitions are granted, then what new terms or conditions, if any, should be added to Permits 15905, 15906, 16618 and 16619 when the petitions are granted?
  - a) If these change petitions are granted, then what new terms or conditions, if any, should be added to these permits so that they will comply with the applicable provisions of the Settlement Act and TROA?

The AHO requests that Trimont and Northstar CSD submit, with their other exhibits, the final certified CEQA document or documents and other documents demonstrating their compliance with CEQA for these petitions. The AHO also requests that Trimont and Northstar CSD submit a draft proposed order with their exhibits, and e-mail a Word file of this draft to [adminhrgoffice@waterboards.ca.gov](mailto:adminhrgoffice@waterboards.ca.gov) at the same time.

## **PRE-HEARING AND HEARING SCHEDULE**

<b>Deadlines / Schedule</b>	<b>Date and Time</b>
Deadline for all parties to file exhibits, including written proposed testimony, and draft proposed order with AHO.	<b>July 19, 2021, 4:00 p.m.</b>
Hearing begins.	<b>August 6, 2021, 9:00 a.m.</b>

## **DRAFT AMENDED PERMITS**

The AHO plans to circulate draft amended water-right Permits 15905, 15906, 16618 and 16619 to the parties in early June for them to review before the July 19 deadline for filing exhibits and the draft proposed order. The parties may file comments on these draft amended permits with their exhibits and draft proposed order.

Date: May 5, 2021

SIGNATURE ON FILE  
Alan B. Lilly, Presiding Hearing Officer

Attachment:

-Service List (copies of notice sent by e-mail to people with listed e-mail addresses and by U.S. Mail to person without listed e-mail addresses)

## SERVICE LIST

Trimont Land Company  
P. O. Box 129  
Truckee, CA 96160  
[jmader@vailresorts.com](mailto:jmader@vailresorts.com)

Northstar Community Service District  
900 Northstar Drive  
Truckee, CA 96161  
[mikes@northstarcsd.com](mailto:mikes@northstarcsd.com)

Kevin O'Brien  
Austin C. Cho  
Downey Brand LLP  
621 Capitol Mall, 18th Floor Sacramento, CA 95814  
[kobrien@downeybrand.com](mailto:kobrien@downeybrand.com)  
[acho@downeybrand.com](mailto:acho@downeybrand.com)

Paul G. Taggart  
Timothy D. O'Connor  
Taggart and Taggart LTD.  
108 N. Minnesota Street  
Carson City, NV 89703  
[paul@legaltnt.com](mailto:paul@legaltnt.com)  
[Tim@legaltnt.com](mailto:Tim@legaltnt.com)

Adam M. Nickels  
Regional Resources Manager  
Bureau of Reclamation  
2800 Cottage Way  
Sacramento, CA 95825-1898

Vanessa Emerzian  
Water Rights Specialist,  
Division of Resource Management, California-Great Basin Region  
Bureau of Reclamation  
2800 Cottage Way  
Sacramento, CA 95825-1898  
[vemerzian@usbr.gov](mailto:vemerzian@usbr.gov)