

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

In the Matter of Permit 15414
Issued on Application 22266 of
Perazzo Properties, a Limited
Partnership, to Appropriate
from Perazzo Canyon in Sierra
County

Decision 1362

DECISION AND ORDER GRANTING PERMISSION TO
CHANGE POINT OF DIVERSION

On August 14, 1968, Perazzo Properties, a limited partnership, the holder of Permit 15414 (Application 22266), filed a petition for permission to change the point of diversion designated in the permit. Protests to granting the petition were filed; petitioner and protestants stipulated to proceedings in lieu of hearing as provided by Title 23, California Administrative Code, Section 737; and an investigation was held by the State Water Resources Control Board (Board) pursuant to said stipulation. The Board, having considered all available information, finds as follows:

Substance of the Petition

1. Permission is requested to change the point of diversion designated in Permit 15414 to a point described as follows:

N1900' and W2400' from SE Corner, Section 17,
T19N, R15E, MDB&M

The point of diversion designated in the permit is on Perazzo Canyon, tributary to Little Truckee River; the proposed point of diversion is approximately two and one-half miles downstream on Little Truckee River below the confluence with Cold Stream (see schematic map attached). The area tributary to the proposed point of diversion includes the watersheds of Webber Lake, Little Truckee River below Webber Lake, and Cold Stream, and is approximately four times the area tributary to the point of diversion designated in the permit.

Protests

2. Petitioner and the Department of Fish and Game have agreed to specified conditions upon which the change may be made which will satisfy the objections of the department. The specified conditions will be included in the Board's order.

3. A protest was filed by Sierra Valley Water Company which contains a statement that it will be withdrawn if Permit 15414 is amended to include the following provisions:

a. The permittee will, in addition to providing measuring devices on all inflow tributaries and immediately below the storage dam, install, operate and maintain recording

instruments on the measuring devices to provide a record of inflow and outflow during that portion of each irrigation season when the flow available at the company diversion is less than 60 cubic feet per second.

b. The permittee will allow inspection of the above instruments and devices at any reasonable time by the company, its officers or agents.

c. The permittee will submit a report to the company prepared by a licensed civil engineer, at the end of each irrigation season, including a record of inflow and outflow from the reservoir during that part of the season when the flow available to the company is less than 60 cubic feet per second.

d. The permittee will not oppose inclusion in the Middle Fork Feather River watermaster service area if the Director of Water Resources determines that such inclusion would be in the public interest.

The petitioner agreed to install and maintain measuring devices on all tributaries and below the dam and to permit the protestant reasonable access to the project works to determine compliance with permit terms. By implication, the petitioner objected to providing records of flow data and to being included in a watermaster service area.

Effect of Proposed Change on Other Legal Users of Water

4. No diversions of water are being made between the authorized point of diversion and the proposed point. Protestant Sierra Valley Water Company diverts approximately three miles below the proposed point of diversion. Diversions by the permittee will be limited at the new point of diversion, as they were at the old point, to flow of the stream in excess of the requirements of Sierra Valley Water Company in accordance with Paragraph 20 of the permit. The change will not operate to the injury of any legal user of the water involved provided proper conditions are imposed for the protection of the protestant.

Access to Project Work to Determine Compliance with Permit Terms

5. Paragraph 9 of the order contained in Decision D 1270 requires the permittee to allow Sierra Valley Water Company access to project works to determine compliance with permit terms. Because of a clerical error, this requirement was omitted from the permit that was issued and it will be included as a condition in the order issued in this matter.

Flow Data Required

6. The proposed change in point of diversion will give the permittee greater control over the water supply tributary to the point of diversion of protestant, Sierra Valley Water Company, and therefore it is reasonable to require the permittee to collect and report precise data

regarding its operations so both the permittee and protestant will be better informed as to when and how much water permittee is entitled to divert. As authorized by Section 785, Title 23, California Administrative Code, the permittee should be required to install, in addition to suitable measuring devices, adequate recording instruments on the measuring devices so as to provide an accurate, continuous recording of quantities of water flowing into and out of its reservoir, and to supply copies of the records so obtained to the Sierra Valley Water Company and the Board.

Watermaster Service

7. The protestant proposed a permit condition that the permittee will not oppose inclusion in the Middle Fork Feather River watermaster service area if the Director of Water Resources determines that such inclusion would be in the public interest. Enlarging the Middle Fork Feather River watermaster service area so as to include the permittee's project is a matter within the exclusive jurisdiction and discretion of the Department of Water Resources. The condition proposed would be ineffective and therefore will not be included in the order.

Evaporation During the Nondiversion Period

8. Permit 15414 authorizes diversion to storage to be collected from about December 15 of each year to about

June 15 of the succeeding year; storage outside the specified season to offset evaporation is specifically prohibited. If this prohibition is observed, the reservoir level should decrease during the nonstorage season by the amount of water withdrawn for use plus the amount lost by evaporation. Usually, it is sufficient to require flows out of the reservoir to at least equal inflow. However, the Little Truckee River is a gaining stream in the proposed reservoir area, with the gain estimated to be in the order of one-half to three-quarters of a cubic foot per second, so the proper rate of release from the reservoir during the nonstorage season cannot be determined solely on the basis of inflow. However, there would be no storage outside the specified season to offset evaporation if the storage decreases by the amount of the evaporation. Evaporation records at nearby Boca Reservoir show an evaporation rate of six inches per month during the period July through September. Permittee's reservoir should, therefore, in addition to lowering as the result of withdrawals authorized for beneficial use, be at a six-inch lower stage at the end of each month of the season July through September.

ORDER

IT IS HEREBY ORDERED that permission be, and it is, granted to change the point of diversion designated in Paragraph 2 of Permit 15414 (Application 22266) to a point described as follows:

N1900' and W2400' from SE Corner, Section 17,
T19N, R15E, MDB&M being within the NW $\frac{1}{4}$ of
SE $\frac{1}{4}$ of said Section 17

subject to the following conditions:

a. Paragraph 12 of Permit 15414 is amended to
read:

Permittee shall allow representatives of the State
Water Resources Control Board, representatives of the Sierra
Valley Water Company and other parties, as may be authorized
from time to time by said Board, reasonable access to the
project works to determine compliance with the terms of this
permit.

b. Paragraph 15 of Permit 15414 is amended to read:

Permittee shall install and maintain suitable measur-
ing devices that provide a continuous record of the flows
from April 1 through September 30 (a) upstream from the high
water elevation of the reservoir on Little Truckee River, (b)
on Cold Stream above the high water elevation of the reservoir
and (c) immediately below the storage dam on Little Truckee
River, in order that an accurate record can be made of the
quantity of water flowing into and out of said reservoir during
said period. Copies of the records so obtained shall be sent
by permittee to the Sierra Valley Water Company and copies
shall be provided to the State Water Resources Control Board
as part of the annual progress report required by Paragraph
10 of Permit 15414.

c. Paragraph 19 of Permit 15414 is amended to read:

Permittee shall allow 15 cubic feet per second or the natural inflow, whichever is less, to pass the point of diversion at all times. The reservoir level shall be lowered six (6) inches in addition to any reduction resulting from withdrawals for authorized beneficial use by the end of each of the months of July, August, and September to equal the evaporation draft. Any water stored during any such month when the reservoir level is not lowered as required, shall be released at a uniform rate during the succeeding month in addition to any release otherwise required by this provision.

d. Paragraphs are added to Permit 15414 as follows: (Paragraphs 21 through 24, and the first sentence of amended Paragraph 19 are included to reflect the terms of an agreement between the petitioner and the Department of Fish and Game.)

21. The outlet pipe shall be installed in such a manner that the stream flow maintenance releases are made from a level at least (a) five feet above the reservoir bottom in the vicinity of the outlet pipe, and (b) at least 20 feet below the crest of the spillway on the dam's structure.

22. The spillway or overflow structure shall be constructed in a manner that will prevent spillway erosion and siltation of the stream channel. This may be accomplished by excavation of the spillway to bedrock or lining the spillway with concrete or other hard material.

23. A report of intended waste discharge including the dam construction plans shall be submitted to the California Regional Water Quality Control Board, Lahontan Region, so that waste discharge requirements can be established prior to the construction period.

24. Permittee will either construct a suitable fish ladder over the dam, or (a) purchase 300 pounds of trout annually from some private source, the species, size, and quality of the fish and the location of the planting (which will be downstream from the dam), to be subject to the approval of the Department of Fish and Game; or (b) finance the rearing by the Department of Fish and Game of 300 pounds of trout annually, provided that the cost per pound of the rearing of the fish shall not exceed the statewide average cost of rearing trout at state hatcheries as determined each year.

25. A new development scheduled as contained in Paragraphs 7, 8, and 9 of Permit 15414 is approved as follows:

Construction work shall commence on or before June 1, 1971.

Construction work shall be completed on or before December 1, 1972.

Application of the water to the proposed use shall be completed on or before December 1, 1974.

Adopted as the decision and order of the State
Water Resources Control Board at a meeting duly called and
held at Lake Tahoe, California.

Dated: July 16, 1970

KERRY W. MULLIGAN
Kerry W. Mulligan, Chairman

E. F. DIBBLE **ABSENT**
E. F. Dibble, Vice Chairman

NORMAN B. HUME
Norman B. Hume, Member

RONALD B. ROBIE
Ronald B. Robie, Member

W. W. ADAMS
W. W. Adams, Member

U.S.G.S. Gaging Station No. 10-3420
Little Truckee River near Hobart Mills

9/2/66 Q = 1.40 cfs

Earthen Canal

← To
Sierra Valley

9/2/66 Q = 2.05 cfs

SIERRA VALLEY WATER CO. INC.
DIVERSION DAM

9/2/66 Q measured as 0.25 cfs

Approx. 5 1/2 miles
No major surface augmentation on
North side. Increase in flow approx.
3/4 c.f.s.

9/2/66 Q measured as 1.40 cfs

Cold Stream

PETITIONED DAM SITE & RESERVOIR

PERMITTED DAM SITE & RESERVOIR

9/2/66 Q measured as 0.076 cfs

1007
AF *Perazzo Canyon*

9/2/66 0 Flow

9/2/66 Q measured as 0.117 cfs

LITTLE
TRUCKEE
RIVER

WEBBER
LAKE

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

APPLICATION

22266

SCHEMATIC MAP OF RIVER SYSTEM

DATE: 12-29-69

DRAWN: A.G.

CHECKED: G.M.K.

DWG. 2713