



# NEVADA IRRIGATION DISTRICT

1036 W. Main Street, Grass Valley, CA 95945-5424 ~ www.nidwater.com  
(530) 273-6185 ~ FAX: (530) 477-2646 ~ Toll Free: (800) 222-4102

April 3, 2009

Ms. Victoria Whitney, Chief  
Division of Water Rights  
State Water Resources Control Board  
P.O. Box 2000  
Sacramento, CA 95812-2000

2009 APR -3 AM 8:30  
DIVISION OF WATER RIGHTS  
SACRAMENTO, CALIFORNIA

**Subject: Nevada Irrigation District Submittal of Petitions to its Lower Division Permits**

Dear Ms. Whitney:

The purpose of this letter is to submit the following enclosed Petitions and associated material for five of Nevada Irrigation District's (NID) consumptive use Permits, Permit Nos. 1481, 11626, 13770, 5815, and 13772 (Application Nos. 1614, 2652B, 5193, 8180, and 20017, respectively) and four non-consumptive use Permits, Permit Nos. 13773, 16953, 18608, and 19158 (Applications Nos. 20072, 24983, 27132, and 27559, respectively):

1. Twenty-one (21) Petitions for Change and Petitions for Extension of Time for the Permits listed above (one original and one copy per permit).
2. Environmental Information Form (one original and one copy per Permit).
3. Project Description.
4. Check in the amount of \$57,200 to cover the Petition fees.
5. Check in the amount of \$850 to cover the fee for the Department of Fish and Game (DFG) associated with this project.

We are submitting these Petitions for Change and Petitions for Extension of Time, including the accompanying Environmental Information Forms (collectively referred to as the "Petitions") in accordance with the reports of inspection prepared by the Division of Water Rights (Division) for licensing NID's Lower Division water rights. An exception to the recommendations made in the report of inspection is relative to Permit 18757 (Application 26866). Upon further review of the Division's recommendations and consultation with Division staff, NID is deferring filing the recommended petitions for Permit 18757, until processing of the aforementioned Petitions. NID

agrees with Division staff that Permit 18757 may become redundant with Permit 16953 (Application 24983) upon approval of the enclosed Petitions for Permit 16953. Therefore, NID is not submitting Petitions for Permit 18757 at this time and will evaluate the necessity of this Permit in consultation with Division staff once an Order is issued pursuant to Permit 16953 (see attached March 26, 2009 email). During the licensing process for NID's Lower Division water rights, Division staff recommended changes, corrections, and extensions of time to the nine (9) Permits listed above in order to conform these Permits to NID's current facilities and operations. These proposed changes, corrections, and extensions of time for each of the Permits involve the same facilities, places of use, and purposes of use; and thus, NID has prepared a consolidated Environmental Information Form to address the questions and provide the relevant information associated with these facilities, consistent with the recommendation by Division staff. These proposed changes, corrections, and extensions of time are identified in Attachment 1 of the Division's letter dated September 4, 2008. Also enclosed is a Project Description for the Petitions filed by NID for its Lower Division Permits, which summarizes the background of these water rights and the development of NID's facilities as it relates to the aforementioned items. The purpose of this Project Description is to provide an overview of these Petitions for inclusion to a public notice that will facilitate a more informed process for the review and approval of these Petitions.

In addition to the changes and corrections identified in the Division's Attachment 1, NID has identified changes and corrections to its nine Permits that should be made now to clarify and incorporate historic and current facilities and operations. These additional changes and corrections are incorporated into these Petitions. NID is filing these Petitions to (1) facilitate licensing of the Lower Division Permits, (2) accurately identify current facilities, and (3) conform the places of use and purposes of use with NID's other water rights. The Petitions propose changes to a point of diversion, points of rediversion, places of use, purposes of use, redistribution of storage, or a combination of these items. All proposed changes are consistent with NID's historical and current operations and thus, there will be no change to NID's current operations, with the exception of Combie North Powerhouse. As further described in the Petitions and Project Description, NID is in the process of replacing Combie North Powerhouse with a more efficient unit. The proposed addition of Combie North Powerhouse as a place of use under NID's consumptive use water rights and Incidental Power as a purpose of use will allow NID to operate consistent with historic practices. The proposed addition of Combie North Powerhouse to the places of use for NID's non-consumptive use Permits will allow NID to generate electricity under NID's existing Power water rights, during periods when water is, or would have otherwise spilled at Combie Dam, once the modifications to the powerhouse are complete. No additional modifications to other powerhouses are proposed. In addition, the Petitions propose extensions of time for NID's Lower Division Permits to include the date at which historical, maximum beneficial use occurred, based on the results of the licensing analysis. Full and beneficial use of water diverted under NID's nine (9) water rights Permits has been made and following the processing of these Petitions, NID requests that Licenses be issued.

As identified above, enclosed is a check in the amount of \$850, payable to the DFG to cover the relevant fee associated with these Petitions. This single filing fee to DFG is consistent with Public Resources Code Section 10005(e) for a single project involving proposed changes to multiple water rights.

Please contact Sue Sindt of my staff if you have any questions or require additional information.

Sincerely,



Ron Nelson  
General Manager

DC/pp

3550/DRAFT VICTORIA WHITNEY 2009-04-03.DOC

Attachments and enclosures

cc: Jeff Meith  
Marc Van Camp, MBK Engineers  
Department of Fish and Game (via certified mail)