

Please indicate County where your project is located here:

[Empty box for County information]

MAIL FORM AND ATTACHMENTS TO:  
State Water Resources Control Board  
**DIVISION OF WATER RIGHTS**  
P.O. Box 2000, Sacramento, CA 95812-2000  
Tel: (916) 341-5300 Fax: (916) 341-5400  
http://www.waterboards.ca.gov/waterrights

STATE WATER RESOURCES CONTROL BOARD  
2014 MAR 17 PM 12:57  
DIV OF WATER RIGHTS  
SACRAMENTO

### PETITION FOR CHANGE

Separate petitions are required for each water right. Mark all areas that apply to your proposed change(s). Incomplete forms may not be accepted. Location and area information must be provided on maps in accordance with established requirements. (Cal. Code Regs., tit. 23, § 715 et seq.) Provide attachments if necessary.

**Point of Diversion** Wat. Code, § 1701    
  **Point of Rediversion** Cal. Code Regs., tit. 23, § 791(e)    
  **Place of Use** Wat. Code, § 1701    
  **Purpose of Use** Wat. Code, § 1701  
 **Distribution of Storage** Cal. Code Regs., tit. 23, § 791(e)    
  **Temporary Urgency** Wat. Code, § 1435    
  **Instream Flow Dedication** Wat. Code, § 1707    
  **Waste Water** Wat. Code, § 1211  
 **Split** Cal. Code Regs., tit. 23, § 836    
  **Terms or Conditions** Cal. Code Regs., tit. 23, § 791(e)    
  **Other** [Empty box]  
 Application [Empty box]     Permit [Empty box]     License [Empty box]     Statement [15372]

I (we) hereby petition for change(s) noted above and described as follows:

**Point of Diversion or Rediversion** – Provide source name and identify points using both Public Land Survey System descriptions to ¼-¼ level and California Coordinate System (NAD 83).

Present: Fall Creek, Siskiyou County - N. 2,613,443 and E. 6,463,813 California Coordinate System, NAD 83, Zone 1, being within the NW 1/4 of NW 1/4 of Section 19, T48N, R4W, MDN&M.

Proposed: Same as present.

**Place of Use** – Identify area using Public Land Survey System descriptions to ¼-¼ level; for irrigation, list number of acres irrigated.

Present: At PacifiCorp's Fall Creek powerhouse located within the SW 1/4 of NW 1/4 of Section 30, T48N, R4W, MDB&M.

Proposed: Same as present, and within Fall Creek from the upper limit to lower limit of instream flow dedication as shown on the map accompanying this Petition and described herein.

**Purpose of Use**

Present: Hydropower generation.

Proposed: Hydropower generation and fish and wildlife enhancement.

**Split**

Provide the names, addresses, and phone numbers for all proposed water right holders.

[Empty box for Split information]

In addition, provide a separate sheet with a table describing how the water right will be split between the water right holders: for each party list amount by direct diversion and/or storage, season of diversion, maximum annual amount, maximum diversion to offstream storage, point(s) of diversion, place(s) of use, and purpose(s) of use. Maps showing the point(s) of diversion and place of use for each party should be provided.

**Distribution of Storage**

Present: [Empty box]

Proposed: [Empty box]

*R'cvd \$850<sup>00</sup> CHK # 111443 (DFW) 3/17/14 CH*     *R'cvd \$850<sup>00</sup> CHK # 111444 3/17/14 CH*

**Temporary Urgency**

This temporary urgency change will be effective from [ ] to [ ] .

Include an attachment that describes the urgent need that is the basis of the temporary urgency change and whether the change will result in injury to any lawful user of water or have unreasonable effects on fish, wildlife or instream uses.

**Instream Flow Dedication** – Provide source name and identify points using both Public Land Survey System descriptions to ¼-¼ level and California Coordinate System (NAD 83).

Upstream Location: Fall Creek, Siskiyou County - N. 2,613,443 and E. 6,463,813 California Coordinate System, NAD 83, Zone 1, being within the NW 1/4 of NW 1/4 of Section 19, T48N, R4W, MDN&M.

Downstream Location: Fall Creek, Siskiyou County - N. 2,606,644 and E. 6,463,113 California Coordinate System, NAD 83, Zone 1, being within the SW 1/4 of NW 1/4 of Section 30, T48N, R4W, MDN&M.

List the quantities dedicated to instream flow in either:  cubic feet per second or  gallons per day:

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
5	5	5	5	5	5	5	5	5	5	5	5

Will the dedicated flow be diverted for consumptive use at a downstream location?  Yes  No  
 If yes, provide the source name, location coordinates, and the quantities of flow that will be diverted from the stream.

**Waste Water**

If applicable, provide the reduction in amount of treated waste water discharged in cubic feet per second.

Will this change involve water provided by a water service contract which prohibits your exclusive right to this treated waste water?  Yes  No

Will any legal user of the treated waste water discharged be affected?  Yes  No

**General Information** – For all Petitions, provide the following information, if applicable to your proposed change(s).

Will any current Point of Diversion, Point of Storage, or Place of Use be abandoned?  Yes  No

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

If by lease or agreement, state name and address of person(s) from whom access has been obtained.

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

The City of Yreka diverts from Fall Creek between the proposed upper and lower limits of instream flow dedication pursuant to Permit 15379 (A22551), however, because the City's permit has a higher bypass rate than the proposed instream flow dedication, the City should not be adversely affected by this change.

**All Right Holders Must Sign This Form:** I (we) declare under penalty of perjury that this change does not involve an increase in the amount of the appropriation or the season of diversion, and that the above is true and correct to the best of my (our) knowledge and belief. Dated 3/13/14 at Sacramento .

*Shane Meloin for PacificCorp*

Right Holder or Authorized Agent Signature

Right Holder or Authorized Agent Signature

**NOTE: All petitions must be accompanied by:**

(1) the form Environmental Information for Petitions, including required attachments, available at:  
[http://www.waterboards.ca.gov/waterrights/publications\\_forms/forms/docs/pet\\_info.pdf](http://www.waterboards.ca.gov/waterrights/publications_forms/forms/docs/pet_info.pdf)

(2) Division of Water Rights fee, per the Water Rights Fee Schedule, available at:  
[http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/fees/](http://www.waterboards.ca.gov/waterrights/water_issues/programs/fees/)

(3) Department of Fish and Wildlife fee of \$850 (Pub. Resources Code, § 10005)



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March 13, 2014

STATE WATER RESOURCES  
CONTROL BOARD  
2014 MAR 17 PM 12:51  
DIV OF WATER RIGHTS  
SACRAMENTO

Via Certified U.S. Mail

Barbara Evoy, Deputy Director  
State Water Resources Control Board  
Division of Water Rights  
P.O. Box 2000  
Sacramento, CA 95812-2000

**Re: PacifiCorp - Petition for Instream Flow Dedication and Change in Purpose of Use and Place of Use for Water Right Statement 15372.**

Dear Ms. Evoy:

On behalf of PacifiCorp Energy (PacifiCorp), I am submitting the subject Petition for Instream Flow Dedication and Change in Purpose of Use and Place of Use for Water Right Statement 15372.

To briefly summarize, PacifiCorp diverts water from Fall Creek for hydropower generation pursuant to a pre-1914 right recognized in Statement 15372. Pursuant to an interim measure of the Klamath Hydroelectric Settlement Agreement, dated February 18, 2010 (Settlement), PacifiCorp agreed to provide a continuous flow release to Fall Creek targeted at 5 cubic feet per second (cfs), for the term of the Settlement. The subject Petition proposes, in addition to the use of water under this right for power generation, to use the 5 cfs flow release to enhance instream fish and wildlife habitat in the bypass reach of PacifiCorp's Fall Creek powerplant.

Enclosed please find the petition and environmental information forms, with their attachments, and checks for the filing fees. Copies of the petition have been provided to the North Coast Regional Water Quality Control Board and Department of Fish and Wildlife per California Code of Regulations, Title 23, section 794.

If you have any questions, please contact me at (916) 447-2166 or [sec@eslawfirm.com](mailto:sec@eslawfirm.com).

March 13, 2014  
Page 2

Sincerely,



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Shane E. C. McCain  
Attorney for PacifiCorp

Encls.

cc:  
Tim Hemstreet, PacifiCorp