



Water Resources ♦ Flood Control ♦ Water Rights

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February 28, 2013

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

**Subject: Walker River Irrigation District Petitions for Change Involving
Water Transfers and Instream Flow Dedication**

Dear Ms. Evoy:

Enclosed are the following documents relative to Petitions for Change Involving Water Transfers and Instream Flow Dedication (collectively, Petitions) under Walker River Irrigation District's (District) Licenses 6000 and 9407 (Applications 2221 and 1389, respectively):

1. Petition to License 6000 with Attachments (one original and one copy).
2. Petition to License 9407 with Attachments (one original and one copy).
3. Environmental Information Form with Attachment (one original and one copy per Petition).
4. Check payable to the State Water Resources Control Board in the amount of \$11,494.00 to cover the Division of Water Rights' (Division) fees associated with the Petitions.
5. Check payable to the Department of Fish and Wildlife (DFW) in the amount of \$850 to cover fees associated with this project.

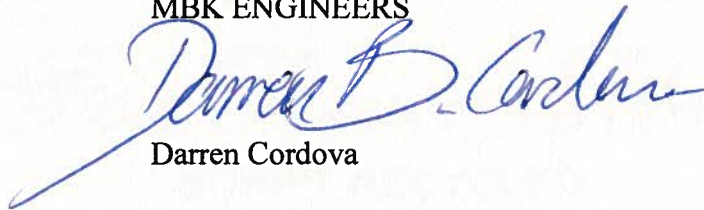
The District is petitioning to temporarily include additional places of use and an additional purpose of use to its Licenses 6000 and 9407 in order to transfer up to a total of 25,000 AF for instream flow dedication to assist with increasing the flows into Walker Lake for environmental restoration in the Walker River Basin. The Petitions identify the proposed transfer and instream flow dedication is for a period of up to one year following approval of the

Petitions. Enclosed is a consolidated Environmental Information Form to address the questions and provide the relevant information associated with the Petitions. Time is of the essence to process these Petitions for the implementation of the proposed temporary transfer and instream flow dedication; and we appreciate your attention to these Petitions.

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

Please call if you have any questions or require additional information.

Sincerely,
MBK ENGINEERS



Darren Cordova

DC/clc
5280.2/BARBARA EVOY 02.28.2013.DOCX

Enclosures

cc: Kenneth Spooner, Walker River Irrigation District
Gordon DePaoli, Attorney for Walker River Irrigation District
Dale Ferguson, Attorney for Walker River Irrigation District
Kathy Mrowka, Division of Water Rights
Jeff Brandt, Department of Fish and Wildlife (via certified mail)
Board of Supervisors, County of Mono (via certified mail)
Board of Commissioners, Douglas County (via certified mail)
Board of Commissioners, Lyon County (via certified mail)
Board of Commissioners, Mineral County (via certified mail)

Please Indicate County where your project is located here:

Mono County

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

PETITION FOR CHANGE INVOLVING WATER TRANSFERS

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 Wat. Code, § 1701
Place of Use Wat. Code, § 1701
Purpose of Use Wat. Code, § 1701
Temporary Urgency Wat. Code, § 1435
Temporary Change Wat. Code, § 1725
Long-term Transfer Wat. Code, §§ 382, 1735
Instream Flow Dedication Wat. Code, § 1707

Application 2221 Permit 2537 License 6000 Statement

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 1/4-1/4 level and California Coordinate System (NAD 83).

Present: See Attachment No. 1
Proposed: No Change Requested

Place of Use - Identify area using Public Land Survey System descriptions to 1/4-1/4 level; for irrigation, list number of acres irrigated.

Present: See Attachment No. 1
Proposed: See Attachment No. 1

Purpose of Use

Present: See Attachment No. 1
Proposed: See Attachment No. 1

Instream Flow Dedication - Provide source name and identify points using both Public Land Survey System descriptions to 1/4-1/4 level and California Coordinate System (NAD 83).

Upstream Location: See Attachment No. 1
Downstream Location: See Attachment No. 1

Table with 12 columns for months (Jan-Dec) and rows for flow quantities. Content: See Attachment No. 1

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.

Proposed New User(s)

Provide the names, addresses, and phone numbers for all proposed new user(s) of the water right.

Not Applicable.

Amount of Water to be Transferred

See Att. No. 1 acre-feet will be transferred. If the basis of right is direct diversion, the average rate of diversion for the maximum 30-day period of use is See Att. No. 1 cubic feet per second or million gallons per day.

General Information – Provide the following information, if applicable to your proposed change(s).

Have you attached an analysis which documents that the amount of water to be transferred or exchanged would have been consumptively used or stored in the absence of the proposed temporary change or long-term transfer? Yes No

Have you attached an analysis of any changes to streamflow, water quality, timing of diversion or use, return flows, or effects on legal users from the proposed temporary change or long-term transfer? Yes No

Have you attached an analysis that shows the proposed temporary change or long-term transfer will not unreasonably affect fish, wildlife, or other instream beneficial uses? 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.

Not Applicable. This Petition involves a proposed water transfer for dedication to instream flow. There is no proposed point of diversion and the proposed place of use includes the East Walker River from Bridgeport Reservoir to the confluence of the Walker River, thence the Walker River to and encompassing Walker Lake.

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

There is no proposed change to the present point of diversion. We believe that no water user will be affected by the proposed change. Water users include those within the Walker River Irrigation District, the Walker River Paiute Tribe, U.S. Bureau of Indian Affairs, and the Nevada Department of Wildlife. Also, see files at the Division of Water Rights, State Water Resources Control Board and files at the Nevada State Engineer.

All Water Right Holders Must Sign Below: I (we) declare under penalty of perjury that this involves only the amount of water which would have been consumptively used or stored in the absence of the proposed temporary change, and that the above is true and correct to the best of my (our) knowledge and belief.

Dated 25 February 2013 at Walker River Irrigation District


Water Right Holder or Authorized Agent Signature

Water Right Holder or Authorized Agent Signature

NOTE: All petitions must be accompanied by:
(1) the form Environmental Information for Petitions, available at: http://www.waterboards.ca.gov/waterrights/publications_forms/forms/docs/pet_info.pdf
(2) applicable fees, per the Water Rights Fee Schedule, available at: http://www.waterboards.ca.gov/waterrights/water_issues/programs/fees/

Attachment No. 1
to Petition for Temporary Transfer and Instream Flow Dedication
License 6000 (Application 2221)
held by Walker River Irrigation District

PURPOSE OF PETITION

Walker River Irrigation District (District) is filing this Petition for Temporary Transfer and Instream Flow Dedication (Petition) to its License 6000 (Application 2221) in order to assist with increasing the flow into Walker Lake for environmental restoration in the Walker River Basin as provided in Public Law 111-85, which established the Walker River Restoration Program. The purpose of this Petition is to: (1) add to the existing place of use covered under License 6000 by including the West Walker River from Topaz Reservoir to the confluence of the Walker River, thence the Walker River to and encompassing Walker Lake, and (2) add Fish and Wildlife Preservation and Enhancement as an additional purpose of use for the release of up to 25,000 AF for instream dedication to Walker Lake involving surface water that was previously stored or would have otherwise been held in storage at Topaz Reservoir absent the proposed transfer, some or all of which would have been released for irrigation purposes within the District. The releases by the District for the proposed temporary water transfer would occur during a period of up to one year following approval of this Petition.

The District has an agreement with the National Fish and Wildlife Foundation (NFWF) to administer and manage a "Stored Water Program" in the Walker River Basin. The purpose of the Stored Water Program is to release surface water from Topaz Reservoir for instream dedication to and including Walker Lake. In addition, the Stored Water Program involves releases of surface water by the District from Bridgeport Reservoir under its License 9407 (Application 1389). For this purpose, the District is filing a separate petition for temporary water transfer and instream flow dedication to its License 9407. Surface water will be made available for the proposed transfer by releases from Bridgeport Reservoir and Topaz Reservoir that was previously stored or would have otherwise been held in storage absent the proposed transfer, some or all of which would have been released for irrigation purposes within the District, as described further below in this Petition. The District will seek additional approvals and coordinate as necessary with the Nevada State Engineer and other entities in order to obtain the authorizations for the proposed water transfer and instream flow dedication.

POINT OF DIVERSION OR REDIVERSION

Present Point of Diversion:

No change in the District's present point of diversion is proposed. The District's existing authorized point of diversion under License 6000 is:

Topaz Reservoir

South 23° 20' East 10,650 feet from the NE corner of Section 2, T9N, R22E, MDB&M, being within SE ¼ of SE ¼ of Section 12, T9N, R22E, MDB&M. This present point of

diversion is shown on a map filed with the State Water Resources Control Board (State Water Board) for License 6000.

Proposed Point of Diversion:

No change in the present point of diversion is proposed.

PLACE OF USE

Present:

A net area of 79,174 acres within a gross area of 132,573 acres, being within the boundaries of the District, as shown on a map filed with the State Water Board for License 6000.

Proposed:

No change in the present place of use is proposed. The District proposes to temporarily add the West Walker River from Topaz Reservoir to the confluence of the Walker River, thence the Walker River to and encompassing Walker Lake. This proposed addition to the authorized place of use is shown on a map filed with the State Water Board for License 6000, together with maps included as Exhibit A, which were prepared by NFWF for the lower reaches of the Walker River to and including Walker Lake.

PURPOSE OF USE

Present:

The present purposes of use under License 6000 include Irrigation and Domestic.

Proposed:

No changes in the present purposes of use are proposed. The District proposes to temporarily add Fish and Wildlife Preservation and Enhancement as an additional purpose of use to License 6000.

INSTREAM FLOW DEDICATION

The proposed temporary water transfer and instream flow dedication includes adding to the existing place of use the West Walker River from Topaz Reservoir to the confluence of the Walker River, thence the Walker River to and encompassing Walker Lake, as described below. The quantities proposed to be dedicated to instream flows for the transfer are identified in the following section titled "Amount of Water to be Transferred/Dedicated".

Upstream Location:

Topaz Reservoir

South 23° 20' East 10,650 feet from the NE corner of Section 2, T9N, R22E, MDB&M, being within SE ¼ of SE ¼ of Section 12, T9N, R22E, MDB&M, as shown on a map filed with the State Water Board for License 6000.

Downstream Location:

The terminus of the Walker River into and including Walker Lake, as shown on a map filed with the State Water Board for License 6000, together with the attached maps prepared by NFWF for the lower reaches of the Walker River to and including Walker Lake.

AMOUNT OF WATER TO BE TRANSFERRED/DEDICATED

The quantities of water to be released by the District for the temporary water transfer and instream flow dedication are variable and depend upon hydrologic conditions and participation in the Stored Water Program by individual growers within the District. The total quantity of surface water proposed for the temporary water transfer is up to 25,000 AF under the District's Licenses 6000 and 9407. The District proposes this quantity as an upper limit for the Stored Water Program in order to optimize flexibility, recognizing that the actual volume of water dedicated to instream flows may be less than this quantity. For the purpose of identifying a potential quantity of water dedicated to instream flows under either License 6000 or License 9407, as requested in the petition form, the estimated maximum quantity of water that may be provided by the District from Topaz Reservoir or Bridgeport Reservoir, respectively, over a 30-day period is up to 25,000 AF. The average flow rate associated with this quantity is approximately 420 cfs over a 30-day period; and instantaneous releases from Topaz Reservoir and Bridgeport Reservoir may be up to approximately 750 cfs and 550 cfs, respectively. Following evaluation of participation by growers in the Stored Water Program, the District will develop and operate to a schedule of releases for the proposed temporary transfer and instream flow dedication that will be coordinated with the Chief Deputy Water Commissioner under the Walker River Decree and other entities, including NFWF. The District will rely upon existing water measurement gages in the Walker River Basin for the purpose of monitoring flows and accounting for the actual releases separately under the District's Licenses 6000 and 9407.

GENERAL INFORMATION

As a result of this proposed temporary transfer and instream flow dedication, the flow in the West Walker River from Topaz Reservoir to the confluence of the Walker River, thence the Walker River to and encompassing Walker Lake will increase by up to 25,000 AF during the period of the transfer over what would have occurred absent the proposed transfer. There

Walker River Irrigation District's License 6000
Attachment No. 1 to Petition for Temporary Transfer

will be no injury to other legal water users or water quality; in fact, it is anticipated a beneficial effect on fish, wildlife, or other instream beneficial uses will occur as a result of this Petition because the proposed transfer involves the District's existing facilities and will result in increased flows to Walker Lake provided by the District within a one-year period for the temporary water transfer. In addition, the increased flows will result in water quality benefits downstream to and including Walker Lake during and following the period of the releases for the proposed transfer. In the absence of additional flows provided by the District for the proposed temporary transfer, some or all of these quantities would have been held in storage or would be released from the reservoir and delivered to growers during the irrigation season.

The District proposes to release water from Topaz Reservoir for the temporary transfer and instream flow dedication. These releases would increase flows downstream to Walker Lake during the transfer period, as compared to the condition absent the transfer, for the purpose of environmental restoration in the Walker River Basin. Absent the proposed temporary transfer by reservoir release, the District would release this water to its growers for irrigation purposes or would retain this volume of surface water in storage pursuant to its water right. Although the instream flows provided by the District could reduce the quantity of water held in storage, the District would not transfer water such that it would adversely impact the District's growers. The District will continue the same stored surface water deliveries to its existing growers not participating in the Stored Water Program with or without the proposed temporary water transfer.

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5280.2/ATTACHMENT 1 TO PETITION FOR TEMPORARY TRANSFER-INSTREAM A2221 02.28.2013.DOCX