

MEMORANDUM

On

Applications 5169, 5170, 6534 (Washoe County Water Conservation District)
Application 6131 (Truckee-Carson Irrigation District)

By: W. E. Stoddard

May 17, 1943.

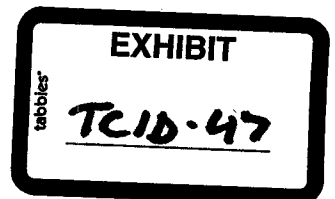
Application 5169, Permit 5286

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| Permittee | Washoe County Water Conservation District |
| Source | Little Truckee River |
| Tributary to | Truckee River |
| County | Nevada County |
| Amount permitted | 40,850 A.F. per annum |
| Season of diversion | October 1 to July 1 |
| Use | Irrigation and domestic |
| Point of diversion | Within SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec.21, T 18 N, R 17 E, M.D.B.& M. |
| Place of storage | Boca Reservoir on Little Truckee River (Capacity 50,000 acre feet). |
| Points of rediversion | (Refer to permit). |
| Place of use | 30,000 acres (net) within Washoe County Water Conservation District as shown on map filed 2-4-38. |

According to the terms of the permit construction work was to be commenced on or before June 1, 1939; to be completed on or before December 1, 1942 and the water applied to complete beneficial use on or before December 1, 1943.

Under date of January 21, 1941 Mr. Thomas King, engineer and manager of the District informed the Division that the construction work proposed to be done under Application 5169 was 98% complete and would be completed that year.

For the last two years we have endeavored without success to obtain progress reports in connection with Application 5169. It is our understanding however, that Boca Dam and Reservoir have been completed.



APPLICATION 5170

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| Applicant | Washoe County Water Conservation District |
| Sources | (1) Truckee River trib. to Pyramid Lake (2) Little Truckee River trib. to Truckee River |
| Amounts | (1) 500 c.f.s. when available - minimum 240 c.f.s. (2) Sufficient to make up any deficiency in (1) Maximum 260 c.f.s. |
| County | Nevada County. |
| Season | January 1 to December 31. |
| Use | Power and domestic. |
| Points of diversion | (1) Within NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 32, T18N, R17E, M.D.B.&M. (2) Within NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 16, " " " " |
| Place of use | N $\frac{1}{2}$ of Lot 10, Sec. 31, T 18 N, R 18 E, M.D.B. & M. |
| Place of return | To Truckee River within Lot 9, Sec. 31, T 18 N, R 18 E, M.D.B. & M. |

Application 5170 was filed with the Division of Water Resources on August 25, 1926 declared in form on November 15, 1927 and advertised on November 26, 1927. Several protests were filed and it was set for hearing with Applications 5169 and 6534 of Washoe County Water Conservation District, Application 6131 of Truckee-Carson Irrigation District and Applications 9247 and 9267 of Sierra Pacific Power Company.

From information gathered at the hearing held on October 4, 1938 it appears that the water which applicant is seeking to appropriate from Little Truckee River for power purposes under Application 5170 is water stored in Boca Reservoir and subsequently released for irrigation and domestic purposes and as the Boca Dam is below the point of diversion described in Application 5170 it will be necessary to amend Application 5170 to describe a point of diversion at or below the Boca dam. It appears also that Application 5170 was filed for the benefit of the Sierra Pacific Power Company to which the filing will eventually be assigned if approved.

As it appeared that Application 5170 had not been completed to conform to the District's plans and that these plans were rather uncertain action in connection with this application was withheld.

Under date of October 31, 1938, applicant was informed that inasmuch as Boca dam was in process of construction we could see no reason why the District should not either complete the application or withdraw it; that if the application were to be completed it would be necessary to correct the tie to the point of diversion on Little Truckee River, prepare a map, and submit evidence that application had been made to the Federal Power Commission for necessary easements.

Upon being informed that applicant wished action to be withheld until the Boca Dam had been completed and the reservoir actually in operation, the Division, by letter dated December 19, 1938, agreed to withhold action temporarily, provided that the application was completed in engineering detail in the interim. Applicant's attention was directed to the fact that the point of diversion originally described and a portion of the ditch would be flooded by the Boca Reservoir and that either Application 5170 should be amended to conform to the revised project or a new application filed. (See letter dated December 19, 1938 filed in main correspondence folder of Application 5170.)

Under date of January 7, 1939 applicant agreed to proceed immediately with the amendment of the application to conform to the relocation of Boca Dam and at its request a 60 day extension was granted.

Under date of August 2, 1939 the District informed this office that it was involved in a controversy with the United States concerning additional costs for the construction of the Boca Dam, that the dam had not yet been completed, that under the provisions of the Truckee River Agreement control and operation of the dam would not be turned over to the District until the Secretary of the Interior had issued a certificate to the District indicating that the reservoir was available for storage and requested a further extension of time until the operative date of the Truckee River Agreement became effective

within which to file an amended Application 5170.

The District was informed under date of August 3, 1939 that the necessity for such an extension was not apparent as storage in Boca Reservoir was not involved.

Upon representations of George Devore who visited this office on May 18, 1940 to the effect that the U. S. Bureau of Reclamation and the Army Engineers were investigating a plan for the control of the Truckee and Little Truckee Rivers for a combined irrigation, power and flood control project which would involve another reservoir on a tributary entering Truckee River at Prosser, a large tunnel from Boca Reservoir to Floreston on the Truckee River and a much larger power installation than had been previously contemplated, a further extension of time until January 1, 1941 was granted.

Under date of January 24, 1941 applicant informed this office that the Army Engineers expected to complete their report in about 30 days; that it appeared likely that there would be a very radical change in Application 5170 should their proposed development be carried out either in whole or in part and that their plan would necessitate further Congressional action and considerable lapse of time. We were also informed that no work had been done on the Boca Dam in 1940 and that the U. S. Bureau of Reclamation had refused to complete it until a supplemental repayment in the amount of \$80,000 had been paid by the District; that a bill had been introduced by Senator McCarran providing for the payment by the U. S. Treasurer to the U. S. Bureau of Reclamation and should the bill pass it was expected that the Boca Reservoir which controls the water to be used under Application 5170 would be completed. Reference was made to a letter dated September 10, 1940 from the District to John C. Page, Commissioner of the Bureau of Reclamation which was attached to the District's letter of January 24, 1941. An extension of time until January 1, 1942 was granted based upon the information submitted.

Apparently the bill introduced by Senator McCarran passed Congress on May 29, 1941 and under date of January 14, 1942 applicant's attorney informed the Division that the District was engaged in taking over the care, operation and maintenance of Boca Dam and as the time of the District's officers was fully occupied with these matters further extension was requested.

Under date of January 16, 1942, applicant's attorney was informed that we did not feel justified in granting a definite extension of time within which to complete Application 5170, upon the representations set forth in his letter of January 14, 1942, but that action in the matter would be temporarily suspended pending further showing in the matter. It was suggested that if the priority of this filing were to be maintained the District should take immediate steps to amend the application to conform to present conditions.

On January 22, 1942 Mr. King, Engineer-Manager of the District was informed that a definite extension of time to complete the application was not given because of the uncertainty of the applicants plans. His attention was directed to the fact that the Water Commission Act required that applicant be given a definite notice of sixty days prior to cancellation of an uncompleted application and until such a letter was sent, definite steps toward the cancellation of Application 5170 would not be taken.

Application 6131

Applicant Truckee Carson Irrigation District.
Sources (a) Donner Creek; (b) Cold Creek.
Tributaries to Truckee River.
Counties Nevada and Placer.
Amounts 15,000 A.F. per annum from either or both
sources (Maximum rate of diversion from Cold
Creek to storage in Donner Lake Res. 500 c.f.s.)
Place of storage Donner Lake Reservoir on Donner Creek.
(Capacity 12,000 acre feet.)
Use Irrigation and domestic.
Points of diversion (a) Within SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec.18, T17N, R16E, M.D.B.& M.
(b) Within SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec.17, T17N, R16E, M.D.B.& M.
Point of redirection At intake of Truckee canal on Truckee River in
NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec.19, T20 N, R23E, M.D.B. & M in
Storey County, Nevada.
Place of use 87,500 acres within Ts. 17, 18, 19, 20 and 21,N,
Rs. 23, 24, 25, 26, 27, 28, 29, 30, and 31,E,
M.D.B.& M in Storey, Lyon and Churchill
Counties, State of Nevada. (Fallon Project)

Application 6131 was filed on December 5, 1928, declared in form on September 26, 1929, and advertised on October 25, 1929.

On October 4, 1938, Application 6131 was set for hearing together with Applications 5169, 5170 and 6534 of Washoe County Water Conservation District and Applications 9247 and 9267 of Sierra Pacific Power Company.

At the hearing it was understood that the only purpose to be served under Application 6131 was to provide upstream storage in Donner Lake Reservoir in the event that Boca Dam was not constructed and that when the Truckee River Agreement became effective upon the completion of Boca Reservoir and water stored therein under Applications 5169 and 6534 of Washoe County Water Conservation District no purpose would be served by continuing with Application 6131 (Transcript of hearing p.p. 23 and 29). It was agreed that action would be withheld in connection with Application 6131 until the completion of the proposed development under Applications 5169 and 6534 was assured at which time Application 6131 would probably be withdrawn or in the event that it is

were approved it would be considered subordinate in right to Application 6534 by virtue of the terms of the Truckee River Agreement. (A copy of the Truckee River Agreement is on file with this office in Folder 4, Application 5169.)

Under date of January 9, 1942, applicant was informed that it was our understanding that the development proposed under Applications 5169 and 6534 was nearing completion and that we would appreciate a statement from the District as to whether or not it intended to withdraw the filing. In reply, the District informed this office under date of March 14, 1942 that the matter was then being considered by the District's engineers and as soon as a definite decision had been reached the Division would be promptly notified.

Under date of July 10, 1942, the matter was again brought to the attention of the District and in reply we were informed that the District was negotiating with the owners of Donner Lake and it appeared that an agreement might result whereby the Lake would be transferred to the District. At the request of the District action was temporarily deferred pending the outcome of the negotiations.

Under date of April 6, 1943, the District informed this office that it ^{still} was negotiating for the purchase of the Donner Lake outlet works and reservoir and that if these negotiations were successful it would wish to proceed with the proposed development under its Application 6131.

Under date of April 7, 1943 the District was informed that action in connection with Application 6131 would be withheld until August 1, 1943 with the understanding that on or before that date the Division would be informed as to whether or not the District intended to proceed with the filing.

According to a recent newspaper item the Truckee-Carson Irrigation District and the Sierra Pacific Power Company have purchased rights to store water in Donner Lake, but no information has been received from the District itself.

APPLICATION 6534, PERMIT 5287

Permittee Washoe County Water Conservation District.
Source Little Truckee River.
Tributary to Truckee River.
County Nevada County.
Amount permitted 19,150 acre feet per annum.
Season of diversion January 1 to December 31.
Use Irrigation and domestic.
Point of diversion Within SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 21, T18 N, R17E, M.D.B. & M.
Place of storage Boca Reservoir on Little Truckee River
(Capacity 50,000 acre feet).
Points of rediversion (Refer to permit)
Place of use 30,000 acres (net) within Washoe County Water Cons.
District as shown on map filed 2-4-38.

According to the terms of the permit construction work was to be commenced on or before June 1, 1939; to be completed on or before December 1, 1942 and the water applied to beneficial use on or before December 1, 1943.

Under date of January 21, 1941 Mr. Thomas King, Engineer and Manager of the District informed the Division that the construction work proposed to be done under Application 6534 was 98% complete and would be completed that year.

For the last two years we have endeavored without success to obtain progress reports in connection with Application 6534, but it is our understanding that the Boca Reservoir has been completed.

Walter E. Stoddard
Associate Hydraulic Engineer

WES:CS