FILE IN DUPLICATE

{For full information concerning the filling out of this form refer to Article 4 of Rules and Regulations Pertaining to Appropriation of Water}

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

FEB 18 4 50 PM '58

STATE WATER RIGHTS BOARD
SACRAMENTO

Application No. 18066 Filed February 18, 1958 at 4:50 P M.
(Applicant must not fill in the above blanks)

APPLICATION TO APPROPRIATE UNAPPROPRIATED WATER

I, United States Department of Interior, Bureau of Reclamation
Name of applicant

~~x~~ Acting by Regional Director, Region 4 ~~xxxxxx~~ 32 Exchange Place
Address

~~xxxxxx~~ Salt Lake City, Utah, do hereby make application for a permit to appropriate the following described unappropriated waters of the State of California, *SUBJECT TO VESTED RIGHTS:*

Source, Amount, Use and Location of Diversion Works

1. The source of the proposed appropriation is Prosser Creek
Give name of stream, lake, etc., if named; if unnamed state nature of source and that it is unnamed

located in Nevada County, tributary to Truckee River

2. The amount of water which applicant desires to appropriate under this application is as follows:

(a) For diversion to be directly applied to beneficial use cubic feet per second
1 cubic foot per second equals 40 statute miner's inches or 646,317 gallons per day

to be diverted from to of each year.
Beginning date Closing date

(b) For diversion to be stored and later applied to beneficial use 30,000 acre-feet per annum
1 acre-foot equals 325,851 gallons

to be collected between January 1 and December 31 of each season.
Beginning date Closing date

NOTE.—Answer (a) or (b) or both (a) and (b) as may be necessary. If amount under (a) is less than .025 cubic foot per second, state in gallons per day. Neither the amount nor the season may be increased after application is filed. If underground storage is proposed a special supplemental form will be supplied by the State Water Rights Board upon request.

3. The use to which the water is to be applied is Irrigation, fish culture, flood control, and recreational purposes. purposes.
Domestic, irrigation, power, municipal, mining, industrial, recreational

4. The point of diversion is to be located Prosser Creek Dam, 2,050 feet N. 33°30' E. from SW Corner Sec. 30, T. 18 N., R. 17 E., M.D.B.&M
State bearing and distance or coordinate distances from section or quarter section corner

being within the ~~NW¼SW¼~~ (See Par. 4, of supplement for points of rediversion.)
State 40-acre subdivision of public land survey or projection thereof

of Section 30, T. 18 N., R. 17 E., M.D. B. & M., in the County of Nevada

5. The main conduit terminates in of Sec., T., R., B. & M.
State 40-acre subdivision of U. S. Government survey or projection thereof

Description of Diversion Works

NOTE.—An application cannot be approved for an amount grossly in excess of the estimated capacity of the diversion works.

6. Intake or Headworks (fill only those blanks which apply)

(a) Diversion will be made by pumping from
Sump, offset well, unobstructed channel, etc.

(b) Diversion will be by gravity, the diverting dam being feet in height (stream bed to level of overflow); feet long on top; and constructed of
Concrete, earth, brush, etc.

(c) The storage dam will be 119 feet in height (stream bed to overflow level); 1,500 feet long on top; have a freeboard of 6 feet, and be constructed of rolled earth fill material
Concrete, earth, etc.

7. Storage Reservoir Prosser Creek Reservoir
Name

The storage reservoir will flood lands in See Par. 7 of supplement
Indicate section or sections, also 40-acre subdivisions unless shown upon map

It will have a surface area of 870 acres, and a capacity of 36,000 acre-feet.

☞ In case of insufficient space for answers in form, attach extra sheets at top of page 3 and cross reference.

FORM 1

SUPERSEDED

EXHIBIT
tabbies
TCID-102

8. Conduit System (describe main conduits only)
(See Par. 6 of supplement)

(a) Canal, ditch, flume: Width on top (at water line) _____ feet; width at bottom _____
Cross out two not used

feet; depth of water _____ feet; length _____ feet; grade _____ feet per 1,000 feet; materials

of construction _____
Earth, rock, timber, etc.

(b) Pipe line: Diameter _____ inches; length _____ feet; grade _____ feet per

1,000 feet; total fall / lift from intake to outlet _____ feet; kind _____
Riveted steel, concrete, wood-stave, etc.

NOTE.—If a combination of different sizes or kinds of conduit is to be used, attach extra sheets with complete description, also show location of each clearly on map.

9. The estimated capacity of the diversion conduit or pumping plant proposed is 2,000 c.f.s.
State cubic feet per second or gallons per minute

The estimated cost of the diversion works proposed is $5,000,000
Give only cost of intake, or headworks, pumps, storage reservoirs and main conduits described herein

Completion Schedule

10. Construction work will begin ~~immediately~~ following appropriation of funds by Congress for construction.

Construction work will be completed on or before 1970

The water will be completely applied to the proposed use on or before 1980

Description of Proposed Use

11. Place of Use. Truckee Meadows gross acreage 36,340, net acreage 26,800, and
State 40-acre subdivisions of the public land survey. If area is unsurveyed indicate the location as if lines of the public land

Newlands Project gross acreage 107,140, net acreage 70,000.
survey were projected. In the case of irrigation use state the number of acres to be irrigated in each 40-acre tract, if space permits. If space does not permit listing of all

40-acre tracts, describe area in a general way and show detail upon map.

Do(es) applicant(s) own the land whereon use of water will be made? No (Yes or No) Jointly? _____ (Yes or No)

Water will be delivered by contract to one or more agencies.
If applicant does not own land whereon use of water will be made, give name and address of owner and state what arrangements have been made with him.

12. Other Rights. Describe all rights except those on file with the State Water Rights Board under which water is served to the above named lands.

Nature of Right (riparian, appropriative, purchased water, etc.)	Year of First Use	Use made in recent years including amount if known	Season of Use	Source of Other Supply
1. See Truckee River Final Decree entered Sept. 8, 1944, in case of U.S. vs. Orr				
2. Water Ditch Company et al. U.S. District Court of Nevada, Equity Docket No. A3.				
3. See proposed Finding of Fact - Conclusions of Law and Decree - U.S. vs. Alpine				
4. Land and Reservoir Co. ND-183 U.S. District Court, Nevada.				

Attach supplement at top of page 3 if necessary.

13. Irrigation Use. The area to be irrigated is 96,800 acres.
State net acreage to be irrigated

The segregation of acreage as to crops is as follows: Rice _____ acres; alfalfa _____ acres;

orchard _____ acres; general crops 96,800 acres; pasture _____ acres.

NOTE.—Care should be taken that the various statements as to acreage are consistent with each other, with the statement in Paragraph 11, and with the map.

The irrigation season will begin about April 1 (Beginning date) and end about November 1 (Closing date)

14. Power Use. The total fall to be utilized is _____ feet.
Difference between nozzle or draft tube water level and first free water surface above

The maximum amount of water to be used through the penstock is _____ cubic feet per second.

The maximum theoretical horsepower capable of being generated by the works is _____ horsepower.
Second feet × fall ÷ 8.8

The use to which the power is to be applied is _____
For distribution and sale or private use, etc.

The nature of the works by means of which power is to be developed is _____
Turbine, Pelton wheel, etc.

The size of the nozzle to be used is _____ inches.

The water will / will not be returned to _____ (Name stream) in _____ (State 40-acre subdivision) of

Sec. _____, T. _____, R. _____, _____ B. & M.

DO NOT WRITE IN THIS SPACE
ATTACH EXTRA SHEETS HERE

15. **Municipal Use.** This application is made for the purpose of serving _____ (Name city or cities, town or towns. Urban areas only) _____ having a present population of _____

The estimated average daily consumption during the month of maximum use at the end of each five-year period until the full amount applied for is put to beneficial use is as follows:

_____

_____

_____

16. **Mining Use.** The name of the mining property to be served is _____ (Name of claim) _____ and the nature of the mines is _____ (Gold placer, quartz, etc.)

The method of utilizing the water is _____

It is estimated that the ultimate water requirement for this project will be _____ (Cubic feet per second, gallons per minute. State basis of estimate)

The water will / will not be polluted by chemicals or otherwise _____ (Explain nature of pollution, if any)

and it will / will not be returned to _____ (Name stream) in _____ (State 40-acre subdivision) of Sec. _____, T. _____, R. _____, _____ B. & M.

17. **Other Uses.** The nature of the use proposed is **Fish Culture, Flood Control and Recreational** (Industrial, recreational, domestic, stockwatering, fish culture, etc.)

State basis of determination of amount needed. **From coordinated operation studies it has been determined that 26,000 acre-feet per annum will be required to offset release from Lake Tahoe for fish culture in the upper reaches of the Truckee River. Flood control capacity would be 20,000 acre-feet and a minimum pool of 10,000 acre-feet to cover evaporation losses and sustain fish life and recreation would be maintained. Since the flood control and offset storage occur at different times of the year the 20,000 acre-feet above the minimum pool will be utilized for both purposes and for recreational use.** (Number of persons, residences, area of domestic lawns and gardens, number and kind of stock, type industrial use, and unit requirements.)

General

18. Are the maps as required by the Rules and Regulations filed with Application? **Yes** (Yes or No). If not, state specifically the time required for filing same _____

19. Does the applicant own the land at the proposed point of diversion? **no** (Yes or No). If not, give name and address of owner and state what steps have been taken to secure right of access thereto. **Necessary access will be secured prior to start of construction.**

20. What is the name of the post office most used by those living near the proposed point of diversion?

Truckee, California

21. What are the names and addresses of claimants of water from the source of supply below the proposed point of diversion? **See Paragraph 12**

[SIGNATURE OF APPLICANT] O. H. Carter

C. H. Carter, Acting Regional Director
Region 4, Bureau of Reclamation

5,760 feet S. 22°29' E. from NE corner Sec. 7, T. 19 N., R. 20 E., as well as at numerous points in between. The remainder flows in the Truckee River to Derby Dam, 2,725 feet N. 32°45' E. from SW corner Sec. 19, T. 20 N., R. 23 E., where it is rediverted through the Truckee Canal to Lahontan Reservoir, 3,850 feet N. 82°45' E. from SW corner Sec. 33, T. 19 N., R. 26 E. It is released from Lahontan Reservoir into the Carson River and rediverted to the Newlands Project lands at Carson Diversion Dam, 1,885 feet N. 56°30' W. from SE corner Sec. 19, T. 19 N., R. 27 E., and at Sagouspe Diversion Dam, 3,620 feet N. 43°00' E. from SW corner Sec. 4, T. 19 N., R. 29 E., as well as at numerous points in between.

Par. 7 - The storage reservoir will flood lands in Nevada County, California, lying within:

T. 18 N., R. 16 E., M.D.B.&M.

$E\frac{1}{2}SE\frac{1}{4}$, Sec. 22;
$W\frac{1}{2}SW\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}$, $SE\frac{1}{4}SE\frac{1}{4}$, Sec. 23;
$SE\frac{1}{4}SW\frac{1}{4}$, $S\frac{1}{2}SE\frac{1}{4}$, Sec. 24;
$N\frac{1}{2}NW\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$, $NE\frac{1}{4}$, $SE\frac{1}{4}$, $S\frac{1}{2}SW\frac{1}{4}$, Sec. 26;
All of Sec. 25;
$NE\frac{1}{4}NW\frac{1}{4}$, $NE\frac{1}{4}$, Sec. 35;
$W\frac{1}{2}NW\frac{1}{4}$, $NE\frac{1}{4}NW\frac{1}{4}$, Sec. 36;

T. 18 N., R. 17 E., M.D.B.&M.

$SW\frac{1}{4}NW\frac{1}{4}$, $N\frac{1}{2}SW\frac{1}{4}$, $SW\frac{1}{4}SW\frac{1}{4}$, Sec. 30.

Par. 8 - The conduit system consists of: Prosser Creek capacity 2,000 sec. ft.; Truckee River capacity 6,000 sec. ft.; Truckee Canal 31 miles long, capacity 1,000 sec. ft.; and the Carson River capacity 3,500 sec. ft.

Supplement

In compliance with the Truckee River Decree, outflow from Lake Tahoe is regulated according to the amount of water flowing past the Farad gage. Because several important tributaries including Squaw Creek, Donner Creek, Prosser Creek, Martis Creek, and Little Truckee River enter between the lake outlet and the Farad gage, there are times in most years when the flow of Truckee River is sufficient to meet the terms of the decree without any releases from Lake Tahoe. During these times little or no flow is present in the reach of the river below the lake outlet and above these tributaries. In order to insure water for fish culture in this reach, it is proposed by exchange water under this application to maintain a minimum flow of 50 to 70 cubic feet per second from Lake Tahoe. Such releases, however, would decrease the amount of water that would be stored at the lake for irrigation and other uses. Therefore, it is also proposed to store water in Prosser Creek Reservoir to offset these releases and later the water so stored would be released to meet the demands of the decree.

In addition Prosser Creek Reservoir would act as a flood control structure during periods of high runoff. There also would be a minimum pool of 10,000 acre-feet to replace evaporation losses due to the increased surface area exposed and to maintain fish life, ultimate use being for irrigation purposes.

Par. 4 - The water is diverted at Prosser Creek Dam, 2,050 feet N. 33°30' E. from the SW corner of Sec. 30, T. 18 N., R. 17 E., M.D.B.&M. It returns to Prosser Creek immediately below the dam and flows in Prosser Creek to the Truckee River. From the Truckee River a portion of the water is rediverted to Truckee Meadows lands at 1,520 feet S. 8°33' W. from NW corner Sec. 29, T. 19 N., R. 18 E., and at

APPLICANT MUST NOT FILL IN BLANKS BELOW

PERMIT No._____

This is to certify that the application of which the foregoing is a true and correct copy has been considered and approved by the State Water Rights Board SUBJECT TO VESTED RIGHTS and the following limitations and conditions:

1. The amount of water appropriated shall be limited to the amount which can be beneficially used, and shall not exceed

2. The maximum amount herein stated may be reduced in the license if investigation so warrants.

3. Actual construction work shall begin on or before and shall thereafter be prosecuted with reasonable diligence, and if not so commenced and prosecuted this permit may be revoked.

4. Said construction work shall be completed on or before

5. Complete application of the water to the proposed use shall be made on or before

6. Progress reports shall be filed promptly by permittee on forms which will be provided annually by the State Water Rights Board until license is issued.

7. All rights and privileges under this permit including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the State Water Rights Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

This permit is issued and permittee takes it subject to the following provisions of the Water Code:

Section 1390. A permit shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code), but no longer.

Section 1391. Every permit shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a permit is issued takes it subject to the conditions therein expressed.

Section 1392. Every permittee, if he accepts a permit, does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any permit granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any permittee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any permittee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Dated: STATE WATER RIGHTS BOARD

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