

STATE OF CALIFORNIA  
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY  
STATE WATER RESOURCES CONTROL BOARD

**DIVISION OF WATER RIGHTS**

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In the Matter of Water Right Application A027988

**United States Forest Service, Lake Tahoe Basin Management Unit**

**ORDER APPROVING MINOR CHANGE TO APPLICATION**

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SOURCE: Unnamed Stream (aka Quail Lake Creek) tributary to Lake Tahoe

COUNTY: Placer

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**WHEREAS:**

1. On March 3, 1984, the Quail Lake Water Company filed water right application A027988 with the State Water Resources Control Board (State Water Board or Board), Division of Water Rights (Division) to appropriate water from the Truckee River stream system in Placer County. The current owner of application A027988 is the United States Forest Service, Lake Tahoe Basin Management Unit (applicant).
2. The application was publicly noticed on May 25, 1984. Protests were received from the California Department of Fish and Wildlife, the United States Bureau of Reclamation, and the United States Forest Service.
3. On December 7, 2022 the State Water Board approved a minor change to modify the Application A027988 as follows:
  - a. Reduce the amount of water requested by removing the direct diversion of water at a proposed rate of 0.68 cubic foot per second (maximum 200 acre-feet per year).
  - b. Remove two sources of water by removing the points of diversion on an Unnamed Stream (aka Ellis Creek) and Lake Tahoe.
  - c. Remove the purpose of use of municipal and add fish and wildlife preservation and enhancement and fire protection.

- d. Reduce the place of use by removing the Quail Lake Water Company service area and adding both Quail Lake Reservoir and the Unnamed Stream (aka Quail Lake Creek) between Quail Lake Reservoir and Lake Tahoe.
4. On April 22, 2024, the State Water Board initiated a minor change to modify Application A027988 by reducing the place of use with the removal of the unnamed stream (aka Quail Lake Creek) between Quail Lake Reservoir and Lake Tahoe.
5. On May 15, 2024, the State Water Board provided notice and an opportunity to provide comments regarding the minor change to the applicant, the protestants, and other interested parties. No comments were received.
6. The State Water Board may make a minor change to an application without requiring the filing of a petition for change if the Board finds all of the following:
  - a. The change does not enlarge or increase the authorized rate, amount, or season of diversion.
  - b. The change does not increase the total area subject to inundation by water diverted to storage or the area where facilities will be constructed.
  - c. The change is not substantial or constitutes a reduction, agreed to by the applicant, in the authorized diversion, affected area, or other feature of the application.
  - d. The change does not have the potential to adversely affect the water supply of other legal users of water or instream beneficial uses.

(Wat. Code, § 1700.4.)

7. The proposed changes will not enlarge or increase the authorized rate, amount, or season of diversion. The amount and season of diversion of water will not change.
8. The proposed changes will not increase the total area subject to inundation by water diverted to storage or the area where facilities will be constructed. There will be no new construction. The proposed capacity of Quail Lake Reservoir will not change.
9. The proposed changes are not substantial and constitute a reduction, agreed to by the applicant, in the authorized diversion, affected area, or other feature of the application. The affected area has been reduced by removing the Unnamed Stream (aka Quail Lake Creek) from the as a place of use.
10. The proposed changes do not have the potential to adversely affect the water supply of other legal users of water or instream beneficial uses. There are no diverters of record located on the Unnamed Stream (aka Quail Lake Creek). The

purpose of use for water is to enhance and preserve fish and wildlife in Quail Lake Reservoir.

11. Pursuant to Resolution 2012-0061, the State Water Board has delegated the authority to conduct and supervise the activities of the State Water Board to the Executive Director. By memorandum dated April 28, 2022, the Executive Director has redelegated the authority to act on minor changes to the Deputy Director for Water Rights. The Deputy Director for Water Rights has further redelegated this authority pursuant to a memorandum dated April 20, 2023.

**NOW, THEREFORE, IT IS ORDERED:**

1. The minor change to the application is approved.
2. The place of use is reduced by removing the portion of the Unnamed Stream (aka Quail Lake Creek) downstream of Quail Lake Reservoir.

STATE WATER RESOURCES CONTROL BOARD

ORIGINAL SIGNED BY:  
MATTHEW MCCARTHY FOR:

*Erik Ekdahl, Deputy Director  
Division of Water Rights*

Dated: June 5, 2024