

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

DIVISION OF WATER RIGHTS

In the Matter of Water Right Permit 13525 (A017139)

North Tahoe Public Utility District

ORDER APPROVING MINOR CHANGE TO PERMIT

SOURCE: Lake Tahoe tributary to the Truckee River thence Pyramid Lake

COUNTY: Placer

WHEREAS:

1. North Tahoe Public Utility District (District) currently owns water right permit 13525 (A017139) on file with the State Water Resources Control Board (State Water Board or Board), Division of Water Rights (Division). The permit authorizes the diversion and use of water as follows:
 - a. The priority date is June 18, 1956.
 - b. The source of water is Lake Tahoe.
 - c. The season of diversion is June 1 to September 30 of each year.
 - d. The diversion method and amount is direct diversion that is limited to 600 acre-feet per year at a rate not to exceed 2.5 cubic feet per second.
 - e. The points of diversion are:
 - i. The District's Lake Tahoe Intake located at North 2,218,088 feet and East 7,114,163 feet by California Coordinate System, Zone 2, North American Datum 1983, within the Southwest quarter of the Northwest quarter of Section 14, Township 16 North, Range 17 East, Mount Diablo Base and Meridian.
 - ii. Old Brockway Golf Course's (Brockway) Lake Tahoe Intake located at North 2,218,188 feet and East 7,119,112 feet by California Coordinate System, Zone 2, North American Datum 1983, within the Southeast quarter of the Northeast quarter of Section 13, Township 16 North, Range 17 East, Mount Diablo Base and Meridian.
 - f. The purpose of use for water is municipal.

- g. The place of use is:
 - i. The District's service area, which is approximately 4,200 acres located within all or a portion of sections 11, 12, 13, 14, 15, 21, 22, 28, and 33, Township 16 North, Range 17 East, and sections 18, 19, and 30, Township 16 North, Range 18 East, Mount Diablo Base and Meridian.
 - ii. Brockway's property within portions of sections 12 and 13, Township 16 North, Range 17 East, Mount Diablo Base and Meridian.
 - 2. On April 2, 2026, the State Water Board initiated a minor change to modify permit 13525 by reducing the maximum amount of water authorized for diversion each year to 210 acre-feet per year and removing the District's point of diversion and place of use. The District indicated their concurrence with the minor change on May 11, 2026 and Brockway indicated their concurrence with the minor change on August 14, 2026.
 - 3. On August 26, 2026, the State Water Board provided notice and an opportunity to provide comments regarding the minor change to the owners of the permit and the California Department of Fish and Wildlife. No comments were received.
 - 4. 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 involves a minor adjustment of the point of diversion, place of use, or purpose of use.
 - b. The change will not result in an increase in consumptive use.
 - c. 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, § 1700.6.)
- 5. The proposed changes involve a minor adjustment of the point of diversion, place of use, or purpose of use. A point of diversion and a portion of the place of use will be removed. The purpose of use will not change.
 - 6. The proposed changes will not result in an increase in consumptive use. The maximum amount of water authorized for diversion will be reduced from 600 acre-feet per year to 210 acre-feet per year.
 - 7. The proposed changes do not have the potential to adversely affect the water supply of other legal users of water or instream beneficial uses. The reduction of the amount of water diverted, removal of a point of diversion, and removal of a portion of the place of use will not adversely affect the water supply of other legal users of water or instream beneficial uses.

8. The District is the lead agency for the purpose of compliance with the California Environmental Quality Act (Pub. Resources Code, § 21000 et seq.) (CEQA). On August 18, 2026, the District issued a Notice of Exemption (NOE) for the minor change. The District determined that the minor change is exempt under the categorical exemption for existing facilities “because it concerns continued permitting and operation of existing water supply facilities involving negligible or no expansion of existing or former use”. (Cal. Code Regs., tit. 23, § 15301.) The District also determined that the minor change is exempt “because it can be seen with certainty that there is no possibility the proposed action may have a significant effect on the environment”. The State Water Board is a CEQA responsible agency for the minor change. The District’s determination that the minor change is exempt from CEQA was not challenged, therefore the determination is final and conclusive on the State Water Board. (Pub. Resources Code, § 21080.1, subd. (a).)
9. In addition to any obligation the State Water Board may have under CEQA, the State Water Board has an independent obligation to consider the effect of the proposed changes on public trust resources and to protect those resources where feasible. (*National Audubon Society v. Superior Court* (1983) 33 Cal.3d 419 [189 Cal.Rptr. 346, 658 P.2d 709].) There is no evidence that the proposed changes will have any adverse effects on public trust resources.
10. 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 permit is approved.
2. The maximum amount of water authorized for diversion is changed to 210 acre-feet per year.
3. The points of diversion are changed by removing the District’s Lake Tahoe Intake.
4. The place of use is changed by removing the District’s service area.

STATE WATER RESOURCES CONTROL BOARD

ORIGINAL SIGNED BY:

Matthew McCarthy
Senior Environmental Scientist
Coastal and Inland Watersheds Permitting Unit
Division of Water Rights

Dated: September 30, 2026