

SMC  
A016517

STATE WATER RESOURCES  
CONTROL BOARD

2016 MAR 11 AM 11:21

DIV OF WATER RIGHTS  
SACRAMENTO

Please indicate County where  
your project is located here:

Placer

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

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 Cal. Code Regs., tit. 23, § 791(e)   
  Place of Use Wat. Code, § 1701   
  Purpose of Use Wat. Code, § 1701  
 Distribution of Storage Cal. Code Regs., tit. 23, § 791(e)   
  Temporary Urgency Wat. Code, § 1435   
  Instream Flow Dedication Wat. Code, § 1707   
  Waste Water Wat. Code, § 1211  
 Split Cal. Code Regs., tit. 23, § 836   
  Terms or Conditions Cal. Code Regs., tit. 23, § 791(e)   
  Other   
 Application A016517   
 Permit    
 License 007335   
 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 ¼-¼ level and California Coordinate System (NAD 83).

Present: Cody Creek, Tributary of Andrew Gray Creek, tributary of North Fork American River. T16N, R 12E, Sec. 26, NE1/4 NW1/4. UTM NAD 83 Zone 10 N4344666 E707522

Proposed: No change <sup>2</sup> N. 2,211,988 ft. & E. 6,959,162 ft.

**Place of Use** – Identify area using Public Land Survey System descriptions to ¼-¼ level; for irrigation, list number of acres irrigated.

Present: T16N, R 12E, Sec. 26, NW1/4 NW1/4. UTM NAD 83 Zone 10 N4344634 E706872 (approximately)

Proposed: Reach identified on map

**Purpose of Use**

Present: Was used in the past for domestic, irrigation and fire protection.

Proposed: Fish and Wildlife Preservation & Enhancement

**Split**

Provide the names, addresses, and phone numbers for all proposed water right holders.

In addition, provide a separate sheet with a table describing how the water right will be split between the water right holders: for each party list amount by direct diversion and/or storage, season of diversion, maximum annual amount, maximum diversion to offstream storage, point(s) of diversion, place(s) of use, and purpose(s) of use. Maps showing the point(s) of diversion and place of use for each party should be provided.

**Distribution of Storage**

Present:

Proposed:

AC  
see  
e-mail  
10/7/16

Rec'd 5/13/16  
\$850.00  
IPP 101036151735-704  
AC

**Temporary Urgency**

This temporary urgency change will be effective from [ ] to [ ]

Include an attachment that describes the urgent need that is the basis of the temporary urgency change and whether the change will result in injury to any lawful user of water or have unreasonable effects on fish, wildlife or instream uses.

**Instream Flow Dedication** – Provide source name and identify points using both Public Land Survey System descriptions to ¼-¼ level and California Coordinate System (NAD 83).

Upstream Location: Cody Creek, Tributary of Andrew Gray Creek, tributary of North Fork American River. T16N, R 12E, Sec. 26. NE1/4 NW1/4. UTM NAD 83 Zone 10° N4344866 E707522

Downstream Location: Andrew Gray creek at confluence with North Fork American River. T16N, R 12E, Sec. 35. NE1/4 NW1/4. UTM NAD 83 Zone 10° N4343107 E707516

AC  
see  
e-mail  
10/7/16

SPC Zone 2, N. 2,211,988 ft. & E. 6,959,162 ft.  
N4343103 E707486 N. 2,206,436 ft. & E. 6,959,220 ft.

List the quantities dedicated to instream flow in either:  cubic feet per second or  gallons per day:

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
			0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	

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.

[Empty box for diversion details]

**Waste Water**

If applicable, provide the reduction in amount of treated waste water discharged in cubic feet per second.

Will this change involve water provided by a water service contract which prohibits your exclusive right to this treated waste water?  Yes  No

Will any legal user of the treated waste water discharged be affected?  Yes  No

**General Information** – For all Petitions, provide the following information, if applicable to your proposed change(s).

Will any current Point of Diversion, Point of Storage, or Place of Use be abandoned?  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.

[Empty box for access details]

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

There are no other known water uses downstream from the point of diversion to the North Fork American River. The ownership is entirely within the Tahoe National Forest.

**All Right Holders Must Sign This Form:** I (we) declare under penalty of perjury that this change does not involve an increase in the amount of the appropriation or the season of diversion, and that the above is true and correct to the best of my (our) knowledge and belief. Dated 7/12/13 at NEVADA CITY, CA

Right Holder or Authorized Agent Signature

Right Holder or Authorized Agent Signature

- NOTE: All petitions must be accompanied by:
- (1) the form Environmental Information for Petitions, including required attachments, available at: [http://www.waterboards.ca.gov/waterrights/publications\\_forms/forms/docs/pet\\_info.pdf](http://www.waterboards.ca.gov/waterrights/publications_forms/forms/docs/pet_info.pdf)
  - (2) Division of Water Rights fee, per the Water Rights Fee Schedule, available at: [http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/fees/](http://www.waterboards.ca.gov/waterrights/water_issues/programs/fees/)
  - (3) Department of Fish and Wildlife fee of \$850 (Pub. Resources Code, § 10005)

## ENVIRONMENTAL INFORMATION FOR PETITIONS

This form is required for all petitions.

Before the State Water Resources Control Board (State Water Board) can approve a petition, the State Water Board must consider the information contained in an environmental document prepared in compliance with the California Environmental Quality Act (CEQA). This form is not a CEQA document. If a CEQA document has not yet been prepared, a determination must be made of who is responsible for its preparation. As the petitioner, you are responsible for all costs associated with the environmental evaluation and preparation of the required CEQA documents. Please answer the following questions to the best of your ability and submit any studies that have been conducted regarding the environmental evaluation of your project. If you need more space to completely answer the questions, please number and attach additional sheets.

### DESCRIPTION OF PROPOSED CHANGES OR WORK REMAINING TO BE COMPLETED

For a petition for change, provide a description of the proposed changes to your project including, but not limited to, type of construction activity, structures existing or to be built, area to be graded or excavated, increase in water diversion and use (up to the amount authorized by the permit), changes in land use, and project operational changes, including changes in how the water will be used. For a petition for extension of time, provide a description of what work has been completed and what remains to be done. Include in your description any of the above elements that will occur during the requested extension period.

This petition is to change the use from domestic, irrigation and fire protection to an instream flow use on Cody and Andrew Gray Creeks. Currently water is not being diverted out of the channel, so no disturbance to the stream channel or surrounding area would be needed to implement this change.

Insert the attachment number here, if applicable:

**Coordination with Regional Water Quality Control Board**

For change petitions only, you must request consultation with the Regional Water Quality Control Board regarding the potential effects of your proposed change on water quality and other instream beneficial uses. (Cal. Code Regs., tit. 23, § 794.) In order to determine the appropriate office for consultation, see: [http://www.waterboards.ca.gov/waterboards\\_map.shtml](http://www.waterboards.ca.gov/waterboards_map.shtml). Provide the date you submitted your request for consultation here, then provide the following information.

Date of Request

7/3/2013

Will your project, during construction or operation, (1) generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or (2) cause erosion, turbidity or sedimentation?

Yes  No

Will a waste discharge permit be required for the project?

Yes  No

If necessary, provide additional information below:

Carol Purchase of the Tahoe National Forest consulted with Elizabeth Lee, Senior Water Resource Engineer of the Central Valley Regional Water Quality Control Board. It was determined that no permits are necessary from the water quality control board.

Insert the attachment number here, if applicable:

**Local Permits**

For temporary transfers only, you must contact the board of supervisors for the county(ies) both for where you currently store or use water and where you propose to transfer the water. (Wat. Code § 1726.) Provide the date you submitted your request for consultation here.

Date of Contact

For change petitions only, you should contact your local planning or public works department and provide the information below.

Person Contacted: Roy Schaefer, Associate Planner

Date of Contact: 7/12/2013

Department: Planning Dept, Placer County

Phone Number: 530 745-3061

County Zoning Designation: Agriculture / timber lands

Are any county permits required for your project? If yes, indicate type below.  Yes  No

- Grading Permit  Use Permit  Watercourse  Obstruction Permit
- Change of Zoning  General Plan Change  Other (explain below)

If applicable, have you obtained any of the permits listed above? If yes, provide copies.  Yes  No

If necessary, provide additional information below:

This action does not require any permits from Placer County, as discussed with Roy Schaefer by telephone on 7/12/2013

Insert the attachment number here, if applicable:

**Federal and State Permits**

Check any additional agencies that may require permits or other approvals for your project:

- Regional Water Quality Control Board       Department of Fish and Game
- Dept of Water Resources, Division of Safety of Dams       California Coastal Commission
- State Reclamation Board       U.S. Army Corps of Engineers       U.S. Forest Service
- Bureau of Land Management       Federal Energy Regulatory Commission
- Natural Resources Conservation Service

Have you obtained any of the permits listed above? If yes, provide copies.       Yes       No

For each agency from which a permit is required, provide the following information:

Agency	Permit Type	Person(s) Contacted	Contact Date	Phone Number

If necessary, provide additional information below:

Insert the attachment number here, if applicable:

**Construction or Grading Activity**

Does the project involve any construction or grading-related activity that has significantly altered or would significantly alter the bed, bank or riparian habitat of any stream or lake?       Yes       No

If necessary, provide additional information below:

Insert the attachment number here, if applicable:

**Archeology**

Has an archeological report been prepared for this project? If yes, provide a copy.  Yes  No

Will another public agency be preparing an archeological report?  Yes  No

Do you know of any archeological or historic sites in the area? If yes, explain below.  Yes  No

If necessary, provide additional information below:

As no ground disturbance would occur, an archeological report is not necessary.

Insert the attachment number here, if applicable:

**Photographs**

For all petitions other than time extensions, attach complete sets of color photographs, clearly dated and labeled, showing the vegetation that exists at the following three locations:

- Along the stream channel immediately downstream from each point of diversion
- Along the stream channel immediately upstream from each point of diversion
- At the place where water subject to this water right will be used

**Maps**

For all petitions other than time extensions, attach maps labeled in accordance with the regulations showing all applicable features, both present and proposed, including but not limited to: point of diversion, point of rediversion, distribution of storage reservoirs, point of discharge of treated wastewater, place of use, and location of instream flow dedication reach. (Cal. Code Regs., tit. 23, §§ 715 et seq., 794.)

Pursuant to California Code of Regulations, title 23, section 794, petitions for change submitted without maps may not be accepted.

**All Water Right Holders Must Sign This Form:**

I (we) hereby certify that the statements I (we) have furnished above and in the attachments are complete to the best of my (our) ability and that the facts, statements, and information presented are true and correct to the best of my (our) knowledge. Dated 7/12/13 at NEVADA CITY, CA.

Water Right Holder or Authorized Agent Signature

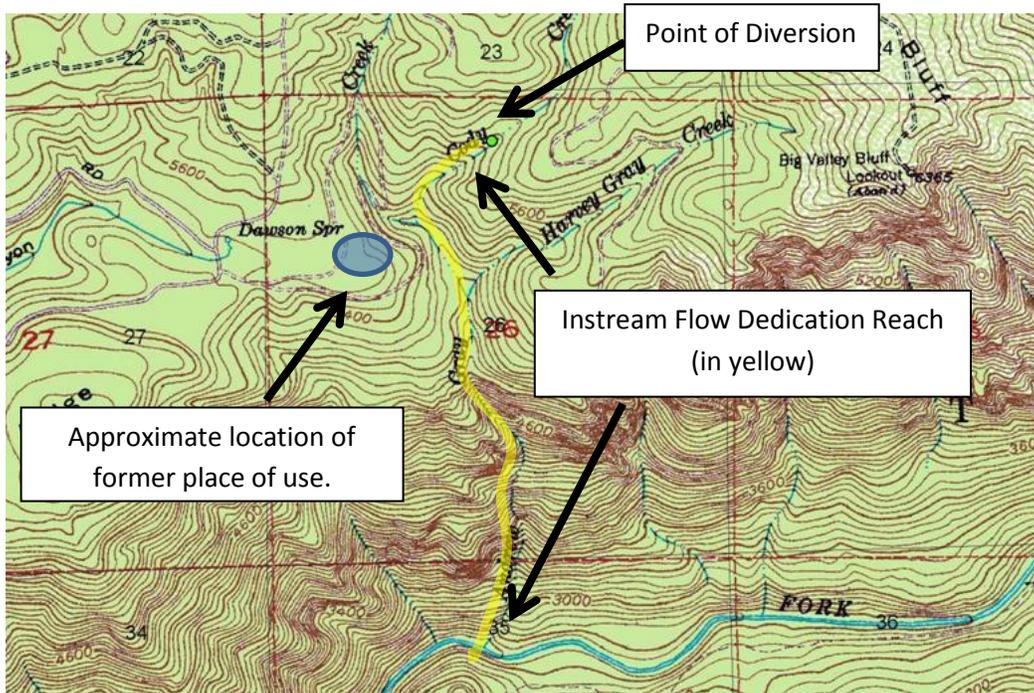
Water Right Holder or Authorized Agent Signature

**NOTE:**

- Petitions for Change may not be accepted unless you include proof that a copy of the petition was served on the Department of Fish and Game. (Cal. Code Regs., tit. 23, § 794.)
- Petitions for Temporary Transfer may not be accepted unless you include proof that a copy of the petition was served on the Department of Fish and Game and the board of supervisors for the county(ies) where you currently store or use water and the county(ies) where you propose to transfer the water. (Wat. Code § 1726.)

**Attachment 1**  
**Maps and Photographs for Petition for Change**  
**License 007335**

This petition is to change the use for Water Right License 007335 to an instream use on the Tahoe National Forest.



**Figure 1. Point of diversion, place of use and location of proposed instream flow dedication reach.**



**Figure 2. Cody Creek just upstream of diversion point. (June 28. 2013)**



**Figure 3. Cody Creek where diversion was located. (June 28. 2013)**



**Figure 4. Cody Creek downstream of diversion point, within the instream flow dedication reach. (June 28. 2013)**