

STATE OF CALIFORNIA
STATE WATER RIGHTS BOARD

In the Matter of Application 18084,)
)
18085, 18086 and 18087 of Placer)
)
County Water Agency to Appropriate)
)
from North Fork American River,)
)
Middle Fork American River, Rubicon)
)
River, Duncan Creek, North Fork Long)
)
Canyon and South Fork Long Canyon in)
)
El Dorado and Placer Counties)
)

Decision D 1104

DECISION APPROVING APPLICATIONS

(Intervening descriptive material omitted)

ORDER

IT IS HEREBY ORDERED that the proposed changes in points of diversion and places of use set forth in amended Applications 18084, 18085, 18086, and 18087 be, and the same are, approved.

IT IS FURTHER ORDERED that Applications 18084, 18085, 18086, and 18087, as amended, be and the same are, approved and that permits be issued to the applicant, subject to vested rights and to the following limitations and conditions:

1. The amount of water to be appropriated under the permit issued pursuant to Application 18084 for power and incidental recreational purposes shall be limited to the amount that can be beneficially used and shall not exceed (a) 150 cubic feet per second (cfs) by direct diversion, year-round, and 25,000 acre-feet (af) to off-stream storage at a maximum rate of 400 cfs from about November 1 of each year to about July 1 of the succeeding year from Duncan Creek to French Meadows Reservoir, (b) 290 cfs by direct diversion, year-round, and 95,000 af by storage from about November 1 of each year to about July 1 of the succeeding year from the Middle Fork American River at French Meadows Reservoir, (c) 675 cfs by direct diversion, year-round, and 129,000 af by storage from about November 1 of each year to about July 1 of the succeeding year from Rubicon River at Hell Hole Reservoir, (d) 400 cfs by direct diversion, year-round,

from South Fork Long Canyon to Hell Hole Reservoir (for regulation) or to Middle Fork power plant and (e) 100 cfs by direct diversion, year-round, from North Fork Long Canyon to Hell Hole Reservoir (for regulation) or to Middle Fork power plant and (f) 1,000 cfs by direct diversion, year-round, from Middle Fork American River at the Ralston Interbay and 1,225 cfs by direct diversion, year-round, from Middle Fork American River at Ralston Afterbay.

2. The amount of water to be appropriated under the permit issued pursuant to Application 18085 for irrigation and incidental domestic, recreational, municipal and industrial purposes shall be limited to the amount that can be beneficially used and shall not exceed (a) 1,225 cfs by direct diversion from about November 1 of each year to about July 1 of the succeeding year from North Fork American River, (b) 25,000 af by off-stream storage, at a maximum rate of diversion of 400 cfs, from about November 1 of each year to about July 1 of the succeeding year from Duncan Creek to French Meadows Reservoir, (c) 95,000 af by storage from about November 1 of each year to about July 1 of the succeeding year from Middle Fork American River at French Meadows Reservoir, (d) 129,000 af by storage from about November 1 of each year to about July 1 of the succeeding year from Rubicon River at Hell Hole Reservoir.

3. The amount of water to be appropriated under Application 18086 for power and recreational purposes shall be limited to the amount that can be beneficially used and shall not exceed (a) 50 cfs by direct diversion, year-round, from Duncan Creek, (b) 110 cfs by direct diversion, year-round, and 10,000 af by storage from about November 1 of each year to about July 1 of the succeeding year from Middle Fork American River at French Meadows Reservoir, (c) 155 cfs by direct diversion, year-round, and 36,000 af by storage from about November 1 of each year to about July 1 of the succeeding year from Rubicon River at Hell Hole Reservoir, (d) 13,000 af by off-stream storage from about November 1 of each year to about July 1 of the succeeding year from South Fork Long Canyon, at a maximum rate of diversion of 830 cfs to be stored at Hell Hole Reservoir, (e) 7,000 af by off-stream storage from about November 1 of each year to about July 1 of the succeeding year from North Fork Long Canyon, at a maximum rate of 830 cfs to be stored at Hell Hole Reservoir, (f) 705 cfs by direct diversion, year-round, from Middle Fork American River at Ralston Afterbay.

4. The amount of water to be appropriated under the permit issued pursuant to Application 18087 for irrigation and incidental domestic, recreation, municipal and industrial purposes shall be limited to the amount that can be beneficially used and shall not exceed (a) 800 cfs by direct diversion from about November 1 of each year to about July 1 of the succeeding year from North Fork American River, (b) 10,000 af by storage from about November 1 of each year to about July 1 of the succeeding year from Middle Fork American River at French Meadows Reservoir, (c) 36,000 af by storage from about November 1 of each year to about July 1 of the succeeding year from Rubicon River at Hell Hole Reservoir,

(d) 13,000 af by off-stream storage from about November 1 of each year to about July 1 of the succeeding year from South Fork Long Canyon at a maximum rate of diversion of 830 cfs to be stored at Hell Hole Reservoir, (e) 7,000 af by off-stream storage from about November 1 of each year to July 1 of the succeeding year from North Fork Long Canyon, at a maximum rate of diversion of 830 cfs, to be stored at Hell Hole Reservoir.

5. The maximum amount of water to be diverted to storage under all permits during any one season shall not exceed (a) 133,700 acre-feet at French Meadows Reservoir and (b) 208,400 acre-feet at Hell Hole Reservoir.

6. The maximum amounts herein stated may be reduced in the licenses if investigations warrant.

7. Actual construction work shall begin on or before September 1, 1963, and shall thereafter be prosecuted with reasonable diligence, and if not so commenced and prosecuted, these permits may be revoked.

8. Construction work shall be completed on or before December 1, 1967.

9. Complete application of the water to the proposed uses shall be made on or before December 1, 2007.

10. Progress reports shall be filed promptly by permittee on forms which will be provided annually by the State Water Rights Board until licenses are issued.

11. All rights and privileges under these permits including methods of diversion, methods of use, and quantities 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 waters.

12. These permits are subject to the prior rights of any county in which the water sought to be appropriated originates to the use of such water as may be necessary for the development of such county as provided for in Section 10505 of the Water Code.

13. To the extent that their provisions relate to matters within the jurisdiction of the State Water Rights Board, these permits are subject to stipulations and agreements between the permittee and the California Department of Fish and Game, dated July 20, 1962, San Juan Suburban Water District et al., dated May 21, 1962, Sacramento Municipal Utility District, dated May 21, 1962, and the City of Sacramento, dated May 21, 1962, which were filed for record at the hearing on Application 18084, 18085, 18086, and 18087 as Placer County Water Agency's Exhibits 19, 20, 21, and 22 respectively.

14. These permits do not authorize collection of water to storage, during the period outside of the collection seasons specified in Paragraphs 1, 2, 3, and 4 to offset evaporation or seepage losses or for any other purpose.

15. Permittee shall allow representatives of the State Water Rights Board and other parties as may be authorized from time to time by said Board reasonable access to project works to determine compliance with the terms of the permits.

16. In accordance with requirements of Water Code Section 1393, permittee shall clear the site of each of the proposed reservoirs of all structures, trees, and other vegetation which would interfere with the use of the reservoir for water storage and recreational purposes.

17. These permits are subject to compliance by permittee with Section 10504.5(a) of the Water Code.

18. Separate applications for the approval of plans and specifications for construction of the dams described in these approved water right applications shall be filed with and approved by the Department of Water Resources prior to commencement of construction of the dams.

Adopted as the decision and order of the State Water Rights Board at a meeting duly called and held at Sacramento, California, on this 21st day of November, 1962.

SEAL

(Signed) Kent Silverthorne
Kent Silverthorne, Chairman

(Signed) Ralph J. McGill
Ralph J. McGill, Member

(Signed) W. A. Alexander
W. A. Alexander, Member

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PLACER COUNTY WATER AGENCY
and
MIDDLE FORK AMERICAN RIVER HYDROELECTRIC PROJECT
WATER RIGHTS

DIVERSION POINTS, AMOUNTS, AND CONDITIONS									
Application No. & Date	Permit # & Date	Duncan Dam	French Meadows Dam	Hell Hole Dam	North Fork Long Canyon Dam	South Fork Long Canyon Dam	Interbay Dam	Ralston Afterbay Dam	Auburn Tunnel
18084/4-7-1958	13855/1-10-1963	150 cfs, dd,ay,p&r; 25,000 af, st 11/1-7/1	290 cfs, dd,ay,p&r; 95,000 af, st 11/1-7/1	675 cfs, dd,ay,p&r; 129,000 af, st 11/1-7/1	100 cfs, dd,ay,p&r	400 cfs, dd,ay,p&r	1000 cfs, dd,ay,p&r	1225 cfs, dd,ay,p&r	
18085/4-7-1958	13856/1-10-1963	25,000 af, st,idrm&i 11/1-7/1	95,000 af, st,idrm&i 11/1-7/1	129,000 af, st,idrm&i 11/1-7/1					1225 cfs, dd,idrm&i 11/1-7/1
18086/4-8-1958	13857/1-10-1963	50 cfs, dd,ay,p&r	110 cfs, dd,ay,p&r; 10,000 af, st 11/1-7/1	155 cfs, dd,ay,p&r; 36,000 af, st 11/1-7/1	7000 af, st,dd,p&r 11/1-7/1	13000 af, st,dd,p&r 11/1-7/1		705 cfs, dd,ay,p&r	
18087/4-8-1958	13858/1-10-1963		10,000 af, st,idrm&i 11/1-7/1	36,000 af, st,idrm&i 11/1-7/1	7000 af, st,dd,idrm&i 11/1-7/1	13000 af, st,dd,idrm&i 11/1-7/1			800 cfs, dd,idrm&i 11/1-7/1
26637/12-1-1980	18380/10-28-1981			20 cfs, dd 5/16-12/14; 10 cfs, dd 12/15-5/15 power generation					
29721/4-18-1990	20754/8-10-94			20 cfs, dd 5/16-12/14; 30 cfs, dd 12/15-5/15, 17,640 af maximum per year; power					
Notes: cfs = cubic feet per second; dd = direct diversion; ay = all year; p&r = power & recreation; af = acre-feet; st = storage									
idrm&i = irrigation, domestic, recreation, municipal, and industrial									
Application No. 26637, Permit No. 18380, in response to a "Request For License" filed on Dec. 30, 1988, was granted license 12644 on May 17, 1990.									