



Water Resources ♦ Flood Control ♦ Water Rights

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January 16, 2020

Mr. Erik Ekdahl, Deputy Director
Division of Water Rights
State Water Resources Control Board
P.O. Box 2000
Sacramento, CA 95812-2000

**Subject: Walker River Irrigation District Petitions for Change Involving
Water Transfers and Instream Flow Dedication**

Dear Mr. Ekdahl:

Enclosed are the following documents relative to Petitions for Change Involving Water Transfers and Instream Flow Dedication (collectively, Petitions) under Walker River Irrigation District's (District) Licenses 6000 and 9407 (Applications 2221 and 1389, respectively):

1. Petition to License 6000 with Attachment and Exhibits (one original and one copy).
2. Petition to License 9407 with Attachment and Exhibits (one original and one copy).
3. Environmental Information Form with Attachment (one original and one copy per Petition).
4. Check payable to the State Water Resources Control Board in the amount of \$28,990 to cover the Division of Water Rights' (Division) fees associated with the Petitions.
5. Check payable to the Department of Fish and Wildlife (DFW) in the amount of \$850 to cover the fees associated with this project.

The District is petitioning to temporarily include additional places of use and an additional purpose of use to its Licenses 6000 and 9407 in order to transfer up to a total of 25,000 AF for instream flow dedication to assist with increasing the flows into Walker Lake for environmental restoration in the Walker River Basin. The Petitions identify the proposed transfer and instream flow dedication is for a period of up to one year following approval of the Petitions.

Enclosed is a consolidated Environmental Information Form to address the questions and provide the relevant information associated with the Petitions. Time is of the essence to process these Petitions for the implementation of the proposed temporary transfer and instream flow dedication; and we appreciate your attention to these Petitions.

As identified above, enclosed is a check in the amount of \$850, payable to the DFW to cover the relevant fee associated with these Petitions. This single filing fee to DFW is consistent with Public Resources Code Section 10005(e) for a single project.

Please call if you have any questions or require additional information.

Sincerely,
MBK Engineers



Darren B. Cordova

DC/kk

5280.2/DRAFT ERIK EKDAHL 01.16.2020

Enclosures

cc: Bert Bryan, Walker River Irrigation District
Gordon DePaoli, Attorney for Walker River Irrigation District
Dale Ferguson, Attorney for Walker River Irrigation District
Kathryn Gaffney, Division of Water Rights
Jeff Brandt, Department of Fish and Wildlife (via certified mail)
Steve Parmenter, Department of Fish and Wildlife (via certified mail)
Patty Kouyoumdjian, Regional Water Quality Control Board (via certified mail)
Board of Supervisors, County of Mono (via certified mail)
Board of Commissioners, Douglas County (via certified mail)
Board of Commissioners, Lyon County (via certified mail)
Board of Commissioners, Mineral County (via certified mail)

Please indicate County where your project is located here:

Mono County

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 INVOLVING WATER TRANSFERS

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, Point of Rediversion, Place of Use, Purpose of Use, Temporary Urgency, Temporary Change, Long-term Transfer, Instream Flow Dedication

Application 2221 Permit 2537 License 6000 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 1/4-1/4 level and California Coordinate System (NAD 83).

Present: See Attachment No. 1
Proposed: No Change Requested

Place of Use - Identify area using Public Land Survey System descriptions to 1/4-1/4 level; for irrigation, list number of acres irrigated.

Present: See Attachment No. 1
Proposed: See Attachment No. 1

Purpose of Use

Present: See Attachment No. 1
Proposed: See Attachment No. 1

Instream Flow Dedication - Provide source name and identify points using both Public Land Survey System descriptions to 1/4-1/4 level and California Coordinate System (NAD 83).

Upstream Location: See Attachment No. 1
Downstream Location: See Attachment No. 1

Table with 12 columns for months (Jan-Dec) and rows for flow quantities (cubic feet per second or gallons per day). Includes 'See Attachment No. 1' in the June column.

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.

Proposed New User(s)

Provide the names, addresses, and phone numbers for all proposed new user(s) of the water right.

Not Applicable.

Amount of Water to be Transferred

acre-feet will be transferred. If the basis of right is direct diversion, the average rate of diversion for the maximum 30-day period of use is cubic feet per second or million gallons per day.

General Information – Provide the following information, if applicable to your proposed change(s).

Have you attached an analysis which documents that the amount of water to be transferred or exchanged would have been consumptively used or stored in the absence of the proposed temporary change or long-term transfer? Yes No

Have you attached an analysis of any changes to streamflow, water quality, timing of diversion or use, return flows, or effects on legal users from the proposed temporary change or long-term transfer? Yes No

Have you attached an analysis that shows the proposed temporary change or long-term transfer will not unreasonably affect fish, wildlife, or other instream beneficial uses? 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.

Not applicable. This Petition involves a proposed water transfer for dedication to instream flow. There is no proposed point of diversion and the proposed place of use includes the East Walker River from Bridgeport Reservoir to the confluence of the Walker River, thence the Walker River to and encompassing Walker Lake.

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

There is no proposed change to the present point of diversion. We believe that no water user will be affected by the proposed change. Water users include those within the Walker River Irrigation District, the Walker River Paiute Tribe, U.S. Bureau of Indian Affairs, and the Nevada Department of Wildlife. Also, see files at the Division of Water Rights, State Water Resources Control Board and files with the Nevada State Engineer.

All Right Holders Must Sign Below: I (we) declare under penalty of perjury that this involves only the amount of water which would have been consumptively used or stored in the absence of the proposed temporary change, and that the above is true and correct to the best of my (our) knowledge and belief.

Dated at


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, available at: 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/
(3) Department of Fish and Wildlife fee of \$850 (Pub. Resources Code, § 10005)

Attachment No. 1
to Petition for Temporary Transfer and Instream Flow Dedication
License 6000 (Application 2221)
held by Walker River Irrigation District

PURPOSE OF PETITION

Walker River Irrigation District (District) is filing this Petition for Temporary Transfer and Instream Flow Dedication (Petition) to its License 6000 (Application 2221) in order to assist with increasing the flow into Walker Lake for environmental restoration in the Walker River Basin as provided in Public Law 111-85, which established the Walker River Restoration Program. In 2019, the District implemented an initial demonstration effort involving releases of water under License 6000, which increased flows into Walker Lake. Throughout the development and implementation of the initial demonstration, the District engaged stakeholders in order to solicit input, which assisted to develop a robust plan, while providing opportunities to adjust to additional information or changed circumstances. Overall, the releases during 2019 were successful and met all of the terms and conditions contained in the Division of Water Rights' (Division) Order, dated February 21, 2014 (Order), and the State Water Resources Control Board's (State Water Board) Order WR 2014-0020-EXEC (Amended Order), dated May 16, 2014. For reference, Exhibit A to this Petition is an excerpt of the Order identifying the terms and conditions; and Exhibit B to this Petition is an excerpt of the Amended Order identifying the amended terms and conditions. As indicated further below for the proposed releases during the second demonstration effort, the District anticipates similar terms and conditions to those that were included in the Order and the Amended Order.

The purpose of this Petition is to: (1) add to the existing place of use covered under License 6000 by including the West Walker River from Topaz Reservoir to the confluence of the Walker River, thence the Walker River to and encompassing Walker Lake, and (2) add Fish and Wildlife Preservation and Enhancement as an additional purpose of use for instream dedication to Walker Lake involving surface water that was previously stored or would have otherwise been held in storage at Topaz Reservoir absent the proposed transfer, some or all of which would have been released for irrigation purposes within the District. The release plan, which is discussed further below, will describe the proposed schedule and volume of releases to be made from each reservoir during the period of April 1 through October 31, which is generally the irrigation season. The releases by the District for the proposed temporary water transfer would occur during a period of up to one year following final approval by the State Water Board, the Federal District Court, and the Nevada State Engineer (NSE), which is discussed further below. It is the goal of the District for the second demonstration to occur in 2020; however, this will depend upon final approval and other factors such as hydrologic conditions.

The District has an agreement with the National Fish and Wildlife Foundation (NFWF), predecessor to the Walker Basin Conservancy (WBC), to administer and manage a "Stored Water Program" in the Walker River Basin. The purpose of the Stored Water Program is to release surface water from Topaz Reservoir for instream dedication to and including Walker Lake. In addition, the Stored Water Program involves releases of surface water by the District from Bridgeport Reservoir under its License 9407 (Application 1389). For this purpose, the District is filing a separate petition for temporary water transfer and instream flow dedication to

its License 9407. Combined, the two petitions are limited to a total of 25,000 AF released from Bridgeport Reservoir and Topaz Reservoir. Surface water will be made available for the proposed transfer by releases from Bridgeport Reservoir and Topaz Reservoir that was previously stored or would have otherwise been held in storage absent the proposed transfer, some or all of which would have been released for irrigation purposes within the District, as described further below in this Petition. Similar to the initial demonstration of the Stored Water Program during 2019, and to ensure a successful and efficient second demonstration, the District will seek additional approvals and will continue to coordinate as necessary with the NSE and other entities in order to obtain the authorizations for the proposed water transfer and instream flow dedication.

POINT OF DIVERSION OR REDIVERSION

Present Point of Diversion:

No change in the District's present point of diversion is proposed. The District's existing authorized point of diversion under License 6000 is:

Topaz Reservoir

South 23° 20' East 10,650 feet from the NE Corner of Section 2, T9N, R22E, MDB&M, being within SE ¼ of SE ¼ of Section 12, T9N, R22E, MDB&M. This present point of diversion is shown on a map filed with the State Water Resources Control Board (State Water Board) for License 6000.

Proposed Point of Diversion:

No change in the present point of diversion is proposed.

PLACE OF USE

Present:

79,174 acres net within the gross area of 132,573 acres, being within the boundaries of the District, as shown on a map filed with the State Water Board for License 6000.

Proposed:

No change in the present place of use is proposed. The District proposes to temporarily add the West Walker River from Topaz Reservoir to the confluence of the Walker River, thence the Walker River to and encompassing Walker Lake, which is within the Walker River Basin. This proposed addition to the authorized place of use is shown on a map filed with the State

Water Board for License 6000, together with maps included as Exhibit C, which were prepared by NFWF for the lower reaches of the Walker River to and including Walker Lake.

PURPOSE OF USE

Present:

The present purposes of use under License 6000 include Irrigation and Domestic.

Proposed:

No changes in the present purposes of use are proposed. The District proposes to temporarily add Fish and Wildlife Preservation and Enhancement as an additional purpose of use to License 6000.

INSTREAM FLOW DEDICATION

The proposed temporary water transfer and instream flow dedication includes adding to the existing place of use the West Walker River from Topaz Reservoir to the confluence of the Walker River, thence the Walker River to and encompassing Walker Lake, as described below. The quantities proposed to be dedicated to instream flows for the transfer are identified in the following section titled "Amount of Water to be Transferred/Dedicated".

Upstream Location:

Topaz Reservoir

South 23° 20' East 10,650 feet from the NE Corner of Section 2, T9N, R22E, MDB&M, being within SE ¼ of SE ¼ of Section 12, T9N, R22E, MDB&M, as shown on a map filed with the State Water Board for License 6000.

Downstream Location:

The terminus of the Walker River into and including Walker Lake, as shown on a map filed with the State Water Board for License 6000, together with the attached maps prepared by NFWF for the lower reaches of the Walker River to and including Walker Lake.

AMOUNT OF WATER TO BE TRANSFERRED/DEDICATED

The quantities of water to be released by the District for the temporary water transfer and instream flow dedication are variable and depend upon hydrologic conditions and participation in the Stored Water Program by individual growers within the District. The total quantity of surface water proposed for the temporary water transfer is up to 25,000 AF, combined under the

District's Licenses 6000 and 9407. The District proposes this total quantity as an upper limit for the Stored Water Program in order to optimize flexibility, recognizing that the actual volume of water dedicated to instream flows may be less than this quantity. For the purpose of identifying a potential quantity of water dedicated to instream flows under either License 6000 or License 9407, as requested in the petition form, the estimated maximum quantity of water that may be provided by the District from Topaz Reservoir or Bridgeport Reservoir, respectively, over a 30-day period is up to 25,000 AF. The average flow rate associated with this quantity is approximately 420 cfs over a 30-day period; and instantaneous releases from Topaz Reservoir and Bridgeport Reservoir may be up to approximately 750 cfs and 550 cfs, respectively. Note that the proposed total combined releases from Topaz Reservoir and Bridgeport Reservoir are up to 25,000 AF; and thus, the District anticipates these release rates will likely be less.

Similar to the District's approach for the initial demonstration during 2019, following evaluation of voluntary participation by growers in the second demonstration of the Stored Water Program, the District will develop a schedule of releases (release plan) in consultation with the Watermaster for the Walker River, NFWF/WBC, and the Walker River Paiute Tribe for the proposed temporary transfer and instream flow dedication. The release plan will describe the proposed schedule and volume of releases to be made from each reservoir during the period of April 1 through October 31, which is generally the irrigation season. The total release will be within the historic range of releases for each reservoir during the irrigation season. If the District determines that stored water releases will occur in amounts exceeding the historic range of releases, the District will consult with California Department of Fish and Wildlife (CDFW) and Mono County to identify potentially unreasonable impacts to fish and wildlife and instream beneficial uses, and to develop measures to avoid or mitigate any such impacts. Within 30 days following consultation, and at least one month prior to the period of releases for the transfer, the District will provide the release plan and verification of consultation to the Division. In addition, the District will promptly inform the Watermaster, NFWF/WBC, the Walker River Paiute Tribe, and the Division of any changes to the release plan. The District will rely upon existing water measurement gages in the Walker River Basin for the purpose of monitoring flows and accounting for the actual releases separately under the District's Licenses 6000 and 9407. The District is currently coordinating with the Watermaster for the Walker River and other stakeholders to identify opportunities to enhance measurement, accounting, and coordination for potential implementation of the second demonstration of the Stored Water Program.

GENERAL INFORMATION

As a result of this proposed temporary transfer and instream flow dedication, the flow in the West Walker River from Topaz Reservoir to the confluence of the Walker River, thence the Walker River to and encompassing Walker Lake will increase by up to 25,000 AF during the period of the transfer over what would have occurred absent the proposed transfer. There will be no injury to other legal water users or water quality; in fact, it is anticipated a beneficial effect on fish, wildlife, or other instream beneficial uses will occur as a result of this Petition because the proposed transfer involves the District's existing facilities and will result in increased flows to Walker Lake provided by the District. In addition, the increased flows will

result in water quality benefits downstream to and including Walker Lake during and following the period of the releases for the proposed transfer. In the absence of additional flows provided by the District for the proposed temporary transfer, some or all of these quantities would have been held in storage or would be released from the reservoir and delivered to growers during the irrigation season.

As a result of litigation initiated in 1902, Decree 731 was issued in 1919, by the United States District Court for the District of Nevada, as the first regulatory control on the system as a whole. However, Decree 731 did not include rights for the Walker River Indian Reservation and other irrigators in the Walker River Basin. Decree C-125 (hereinafter referred to as the "Walker River Decree") was issued by the United States District Court for the District of Nevada (Walker River Court) on April 14, 1936 (amended April 24, 1940) as the culmination of the suit *United States of America v. Walker River Irrigation District, et al.* For each water right owner, the Walker River Decree sets forth the source, priority date, the diversion rate at the point of diversion, the number of acres irrigated, and a general description of the place of use of the appropriation.

Water rights for the storage of water in numerous reservoirs are set forth in the Walker River Decree. There are several small reservoirs on the tributaries upstream from Bridgeport and Topaz Reservoirs, used to serve Bridgeport and Antelope Valleys, which are identified in the Walker River Decree. The two major storage facilities and rights documented in the Walker River Decree are for Bridgeport Reservoir and Topaz Reservoir, which are owned and operated by the District. The District uses the available stored water to supplement decreed natural flow rights, and as a primary source of supply for "new lands" (lands with no other surface water right). The Walker River system is a heavily administered and managed system, with coordination between the District, Watermaster for the Walker River, NSE, and other stakeholders. The Walker River Decree defines storage quantities and priorities, but the allocation of the available stored water from Bridgeport Reservoir and Topaz Reservoir is determined by the District. The surface water proposed for temporary transfer and instream flow dedication in this Petition involves previously stored water. It is water which is stored either during the non-irrigation season, or during the irrigation season when all other decreed natural flow rights being exercised are fully satisfied. It is water which was not available when the senior decreed natural flow rights were established by diversion to beneficial use under Nevada and California law.

Stored water right holders have a right to call on their stored water for beneficial use during an irrigation season; however, they do not have an obligation to leave any water in storage at the end of an irrigation season to benefit carryover storage for the subsequent year. There is no set pattern of releases from the reservoirs, and nothing prevents the early drawdown of reservoirs or fluctuating releases during the irrigation season. Similar to the initial demonstration of the Stored Water Program during 2019, it is likely that the water sought to be transferred under the Petition will be released from storage through the latter portion of the irrigation season. As indicated in the Division's Order, this will likely temporarily improve, and will not harm, summer recreation on Bridgeport Reservoir and Topaz Reservoir.

The question of whether the temporary transfer proposed here would injure any other legal user of water was fully litigated as a result of the February 21, 2014 Order as amended May 16, 2014, Exhibits A and B. In *United States v. United States Board of Water Commissioners*, 893 F.3d 578 (9th Cir. 2018), the Ninth Circuit Court of Appeals upheld the Board's conclusion that the proposed changes would not. 893 F.3d at 604.

In addition, the agreement between the District and NFWF requires the District to ensure that lands participating in the Stored Water Program do not receive water from other sources to replace this transferred water. Similar to the initial demonstration of the Stored Water Program during 2019, the District will coordinate with NSE staff prior to, during, and following the proposed transfer to track and account for water use by the District's customers to ensure that the individual allowances of water from all sources is not exceeded by the customers.

The District proposes to release water from Topaz Reservoir for the temporary transfer and instream flow dedication. These releases would increase flows downstream to Walker Lake during the transfer period, as compared to the condition absent the transfer, for the purpose of environmental restoration in the Walker River Basin. Topaz Reservoir, which is located partly in California and partly in Nevada, has a dead pool of approximately 65,000 acre-feet. The proposed releases under this Petition will not affect the size of the dead pool. In addition, the proposed releases will not adversely impact the West Walker River bypass flow, which relates to when the water is diverted to storage in Topaz Reservoir. Absent the proposed temporary transfer by reservoir release, the District would release this water to its growers for irrigation purposes or would retain this volume of surface water in storage pursuant to its water right. Although the instream flows provided by the District could reduce the quantity of water held in storage, the District would not transfer water such that it would adversely impact the District's growers. The District will continue the same stored surface water deliveries to its existing growers not participating in the Stored Water Program with or without the proposed temporary water transfer.

The CDFW and the Lahontan Regional Water Quality Control Board (LRWQCB) have been contacted regarding the Petitions. Copies of the Petitions have been provided to Jeff Brandt and Steve Parmenter (760-872-1123) of CDFW and Patty Kouyoumdjian (530-542-5412) of the LRWQCB for review and comment.

The Stored Water Program is authorized for three years; however, there is not a requirement that it occur three times nor occur during three consecutive years. The implementation of a program each year is dependent upon many factors such as obtaining the necessary regulatory approvals, hydrologic conditions, and the price offered for participation. Therefore, the District and other stakeholders plan to approach each year individually to determine if a lease program is viable and can be implemented. Based on initial review and reactions, the 2019 Stored Water Program has been viewed as a success by stakeholders. In addition, the District and other stakeholders did not receive reports of adverse effects resulting from the 2019 Stored Water Program. For additional information regarding the 2019 Stored Water Program, see the District's summary report filed with the Division on January 8, 2020. As indicated in the summary report, the District is currently coordinating with the Watermaster for

Walker River Irrigation District's License 6000
Attachment No. 1 to Petition for Temporary Transfer

the Walker River and other stakeholders to identify opportunities to enhance coordination and adaptation for potential future implementation. Therefore, the District is submitting this Petition for a second demonstration of the Stored Water Program.

DC/kk

5280.2/DRAFT ATTACHMENT 1 TO PETITION FOR TEMPORARY TRANSFER-INSTREAM A2221 01.05.2020.DOCX

EXHIBIT A

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

DIVISION OF WATER RIGHTS

**IN THE MATTER OF LICENSES 6000 AND 9407 (APPLICATIONS 2221 AND 1389)
OF WALKER RIVER IRRIGATION DISTRICT**

**PETITIONS FOR TEMPORARY CHANGE INVOLVING THE TRANSFER AND INSTREAM
FLOW DEDICATION OF 25,000 ACRE-FEET OF WATER**

ORDER APPROVING TEMPORARY CHANGES

BY THE DEPUTY DIRECTOR FOR WATER RIGHTS:

1.0 BACKGROUND

On February 28, 2013, the Walker River Irrigation District (District) filed petitions for temporary change involving the transfer of water and instream flow dedication under Licenses 6000 and 9407 with the California State Water Resources Control Board (State Water Board or Board), Division of Water Rights (Division), pursuant to Water Code section 1725 et seq. and section 1707. The petitions involve the waters of the interstate Walker River stream system. The District holds License 6000 for Topaz Reservoir, which is located on the West Walker River, and License 9407 for Bridgeport Reservoir, which is located on the East Walker River. The West Walker River and East Walker River arise in the Sierra Nevada of California and flow into Nevada where they join to create the main stem of the Walker River, which then flows to Walker Lake, a natural desert terminal lake in Nevada.

The purpose of the proposed temporary changes is to assist in implementation of the Walker Basin Restoration Program (Restoration Program), which is administered by the National Fish and Wildlife Foundation (NFWF). The Restoration Program was established in 2009 by Public Law 111-85 and related authorities for the primary purpose of restoring and maintaining Walker Lake, which is critical to recovery of the threatened Lahontan Cutthroat Trout and is an important stopover for migratory waterfowl. Due to insufficient freshwater inflows, Walker Lake's elevation has been declining since the early 1900s and increased salinity levels threaten its ecology. The Restoration Program seeks to increase instream flows to Walker Lake through various basin-wide initiatives.

The Restoration Program includes a three-year water leasing demonstration program to be administered and managed by the District pursuant to an agreement with NFWF. In 2012 the District entered into an amended grant agreement with NFWF to administer and manage a Stored Water Program (SWP) in the Walker River Basin.¹ Under the SWP, surface water will be released from Topaz and Bridgeport Reservoirs for instream dedication to and including Walker Lake. Through the SWP, individual farmers within the District may voluntarily dedicate a portion of their stored water supply to the SWP for at least one year. The District filed the petitions for temporary change in order to implement the SWP and thereby increase inflows to Walker Lake.

¹ First Amendment to [NFWF] Grant Agreement (Nov. 2012) for Project 2010-0059-101 (Water Leasing Demonstration Program in the Walker River Basin).

Deputy Director to perform duties related to processing change petitions in the Walker River action. This Order is adopted pursuant to the delegation of authority in sections 4.4.2 and 4.7.3 of Resolution 2012-0029.

10.0 CONCLUSIONS

The State Water Board has adequate information in its files to make the determinations required by Water Code sections 1707 and 1725 et seq.

The State Water Board concludes that, based on the available information:

1. The proposed transfers involve only an amount of water that would have been consumptively used or stored in the absence of the temporary change.
2. The proposed temporary changes will neither injure, nor unreasonably affect, any legal user of water, including during any potential hydrologic condition that the board determines is likely to occur during the proposed change, through significant changes in water quantity, water quality, timing of diversion or use, consumptive use of water or return flows.
3. The proposed temporary changes will not unreasonably affect fish, wildlife, or other instream beneficial uses.
4. The proposed temporary changes will not increase the amount of water the District is entitled to use.
5. The proposed temporary changes will otherwise meet the requirements of Division 2 of the Water Code.

ORDER

NOW, THEREFORE, IT IS ORDERED THAT the District's petitions for temporary transfer and dedication of water for instream purposes of 25,000 acre-feet pursuant to Water Code sections 1707 and 1725 et seq. are approved for a period of one year, which will commence on the date of final approval, as defined below.

All existing terms and conditions of Licenses 6000 and 9407 remain in effect, except as temporarily amended by the following provisions:


1. The temporary change is limited to a one-year period commencing on the date of final approval. Final approval means that all related approvals by the federal District Court have been obtained, including modification of the Walker River Decree by the federal District Court to recognize (i) the State Water Board's approval of the changes under this Order and (ii) approval by the Nevada State Engineer of a change application submitted by an individual within the District to implement the SWP. Within 30 days after receiving the final approval, the District shall notify, and provide copies to, the Deputy Director for Water Rights of the approval. The one-year period does not include any time required for monitoring, reporting, or mitigation before or after the temporary change is carried out.
2. In addition to all other purposes of use authorized by Licenses 6000 and 9407, the purpose of use of the licenses is temporarily amended to include preservation and enhancement of fish and wildlife within the following reaches: 1) for License 6000, the West Walker River from Topaz Reservoir to the confluence of the Walker River, thence

the Walker River to and encompassing Walker Lake; and 2) for License 9407, the East Walker River from Bridgeport Reservoir to the confluence of the Walker River, thence the Walker River to and encompassing Walker Lake.

3. The place of use under License 6000 is temporarily expanded to include preservation and enhancement of fish and wildlife within the reach between West Walker River from Topaz Reservoir to the confluence of the Walker River, thence the Walker River to and encompassing Walker Lake, within the following boundaries: Upstream Limit – Topaz Reservoir being within the SE ¼ of SE ¼ of Section 12, T9N, R22E, MDB&M; Downstream Limit – The terminus of Walker River into and including Walker Lake within T9 to 11N, R29 to 30E, MDB&M, as shown on map filed with the State Water Board for License 6000 and maps prepared by NFWF submitted with the petitions as Attachment A.
4. The place of use under License 9407 is temporarily expanded to include preservation and enhancement of fish and wildlife within the reach between East Walker River from Bridgeport Reservoir to the confluence of the Walker River, thence the Walker River to and encompassing Walker Lake, within the following boundaries: Upstream Limit – Bridgeport Reservoir being within the SE ¼ of the NE ¼ of Section 34, T36N, R25E, MDB&M; Downstream Limit – The terminus of Walker River into and including Walker Lake within T9-11N, R29-30E, MDB&M, as shown on map filed with the State Water Board for License 9407 and maps prepared by NFWF submitted with the petitions as Attachment A.
5. Water transferred pursuant to this Order shall be limited to a combined maximum of 25,000 af to be released from either Topaz Reservoir or Bridgeport Reservoir, or both.
6. The District shall develop and operate to a schedule of releases for the transfer in consultation with the Water Master, NFWF, and the Tribe. The District shall promptly inform these parties of any changes to the release schedule.
7. During the transfer period, the District landowners participating in the transfer authorized by this Order to implement the SWP shall not receive a supplemental or replacement water supply to offset, in any manner, the transferred water.
8. During the transfer period, the District shall comply with the section F, Annual Monitoring Plan, of Attachment A to First Amendment to [NFWF] Grant Agreement [November 2012] Regarding [District] Lease of Water Demonstration Program, Stored Water Program, and Water Measurement and Control Phase, and the public reporting provisions of section J.3 of that Attachment A. If section F or section J.3 of Attachment A are amended prior to, or during, the transfer period, the District shall promptly inform the Deputy Director for Water Rights.
9. During the transfer period, the District shall schedule reservoir releases to be made during the irrigation season (April 1 through October 31) to be within the historic range of releases during the irrigation season. The District may release stored water either (i) during the irrigation season in amounts exceeding the historic range of releases during the irrigation season, or (ii) after the irrigation season ends, if the District first consults with DFW and Mono County to avoid harm to fish and wildlife and downstream habitat. Such consultation shall include the establishment of a flow ramping schedule to avoid harm through rapid fluctuations in instream levels.

10. Within 90 days of completion of the transfer period, the District shall provide a report to the Deputy Director for Water Rights describing the transfer authorized by this Order. The report shall include the following information:
 - a. The daily, monthly, and total volumes of water transferred for instream flow dedication from 1) Topaz Reservoir and from 2) Bridgeport Reservoir pursuant to this Order.
 - b. Documentation that the water transferred did not result in an increase in water diverted to storage in both Topaz Reservoir and Bridgeport Reservoir from the source waters of the District's licenses beyond the quantities that would otherwise have been diverted absent the transfer.
 - c. Documentation of compliance with all other conditions of this order.
 11. No water shall be diverted or used pursuant to this Order, and no construction related to such diversion shall commence, unless petitioner has obtained and is in compliance with all necessary permits or other approvals required by other agencies.
 12. Pursuant to Water Code sections 100 and 275 and the common law public trust doctrine, all rights and privileges under this temporary change Order, including method of use and quantity of water diverted, are subject to the continuing authority of the State Water Board in accordance with the law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.
 13. This order does not authorize any act that results in the taking of an endangered, threatened or candidate species or any act that is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish & G. Code, § 2050 et seq.) or the federal Endangered Species Act (16 U.S.C.A. § 1531 et seq.). If a "take" will result from any act authorized under this transfer, the petitioner shall obtain authorization for an incidental take permit prior to construction or operation. Petitioner shall be responsible for meeting all requirements of the applicable Endangered Species Acts for the temporary change authorized under this Order.
- (0000014)
14. I reserve jurisdiction to supervise the transfer, exchange, and use of water under this Order, and to coordinate or modify terms and conditions, for the protection of vested rights, fish, wildlife, instream beneficial uses and the public interest as future conditions may warrant.

STATE WATER RESOURCES CONTROL BOARD



*Barbara Evoy, Deputy Director
Division of Water Rights*

Dated: FEB 21 2014

EXHIBIT B

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
ORDER WR 2014-0020-EXEC

In the Matter of the Petitions for Reconsideration by
**United States Board of Water Commissioners for the Walker River
and
Mono County**

Regarding Walker River Irrigation District's Petitions for Temporary Transfer and
Change

SOURCE: East and West Walker Rivers

COUNTY: Mono

**ORDER DENYING RECONSIDERATION AND MODIFYING THE DIVISION'S
ORDER CONDITIONALLY APPROVING THE PETITIONS**

BY THE EXECUTIVE DIRECTOR¹:

1.0 INTRODUCTION

On February 21, 2014, the State Water Resources Control Board's (State Water Board), Division of Water Rights (Division), through its Deputy Director for Water Rights, conditionally approved the Walker River Irrigation District's (District) two petitions for temporary change involving the transfer of water and instream flow dedication under Water Code section 1725 et seq. and section 1707.² The District

¹ State Water Board Resolution 2002-0104 delegates to the Executive Director the authority to conduct and supervise the activities of the State Water Board. Unless a petition for reconsideration raises matters that the State Water Board wishes to address or requires an evidentiary hearing before the board, the Executive Director's consideration of petitions for reconsideration of a staff decision or order falls within the scope of the authority delegated under Resolution 2002-0104. Accordingly, the Executive Director has the authority to refuse to reconsider the decision or order, deny the petition, set aside or modify the decision or order, or take other appropriate action. (Cal. Code Regs., tit. 23, § 770.)

² The Division's February 21, 2014 Order Approving Temporary Changes is referred to herein as the "Order." Pursuant to authority delegated by the State Water Board in Resolution 2012-0029, the Deputy Director for Water Rights may perform the duties that are the subject of this proceeding.

To the extent that this order does not address all of the issues raised in the petitions for reconsideration, the State Water Board finds either that the requirements for a petition for reconsideration under California Code of Regulations, title 23, section 770 have not been met, the issues raised are insubstantial, or the issues are appropriately addressed in the Division's Order.

ORDER

IT IS HEREBY ORDERED THAT, for the foregoing reasons, the petitions for reconsideration of USBWC and Mono County are denied, and the Division's Order is affirmed except as modified below. Conditions 6 and 9 of the Division's Order are amended as follows:

1. Condition 6 on page 21 is amended as follows:

The District shall develop and operate to a schedule of releases for the transfer in consultation with the Water Master, NFWF, and the Tribe. Within 30 days after consultation, the District shall provide verification to the Division of Water Rights that such consultation has occurred and information regarding any actions taken or that will be taken as the result of the consultation. The District shall promptly inform ~~these parties~~ the Water Master, NFWF, the Tribe, and the Division of Water Rights of any changes to the release schedule.

If any dispute arises during consultation regarding potential injury to legal users of water, the Deputy Director for Water Rights shall decide the matter. Consultation is required only when necessary to carry out this transfer; unless otherwise required by law, consultation is not required for releases of stored water for purposes unrelated to the transfer, such as irrigation, flood control, and dam safety.

2. Condition 9 on page 21 is amended as follows:

During the transfer period, the District shall schedule reservoir releases to be made during the irrigation season (April 1 through October 31) to be within the historic range of releases during the irrigation season.

The historic range of releases are those releases that have taken place under existing license conditions, including any requirements for reservoir surface water elevation, minimum pool, bypass flows, or ramping schedules. At least one month prior to the transfer period, the District must develop a plan that identifies the historic range of releases during the irrigation season and that evaluates whether water to be transferred during the irrigation season is within the historic range of releases. The District shall provide the plan to the Division of Water Rights and make the plan publically available.

In order for ~~T~~the District ~~may~~ to release stored water either (1) during the irrigation season in amounts exceeding the historic range of releases during the irrigation season, or (2) after the irrigation season ends, if the District first shall consults with DFW and Mono County to identify potentially unreasonable impacts ~~avoid harm~~ to fish and wildlife and ~~downstream habitat~~ instream beneficial uses and to develop measures to avoid or mitigate any such impacts. Such consultation shall include (a) development of a schedule of releases for each reservoir; (b) the establishment of a flow ramping rates; (c) establishment of stream flow release limitations, if necessary; and (d) development of a monitoring plan for implementation to ensure that release of stored water under (1) or (2) does not result in unreasonable impacts to fish, wildlife, or instream beneficial uses. ~~schedule to avoid harm through rapid fluctuations in instream levels.~~ The monitoring plan shall focus on specific fisheries concerns during the periods of release under (1) or (2) above. A monthly monitoring report shall be submitted to DFW, Mono County, and the Deputy Director for Water Rights and a

final report of the results of the monitoring submitted no later than 90 days after the transfer period ends.

Within 30 days after consultation, the District shall provide verification to the Division of Water Rights that such consultation has occurred and information regarding any actions taken or that will be taken as the result of the consultation. If any dispute arises during consultation regarding unreasonable impacts to fish, wildlife, and other instream beneficial uses, or measures to avoid or mitigate such impacts, the Deputy Director for Water Rights shall decide the matter. Consultation is required only when necessary to carry out this transfer; unless otherwise required by law, consultation is not required for releases of stored water for purposes unrelated to the transfer, such as irrigation, flood control, and dam safety.

Dated:

5/16/14



Thomas Howard
Executive Director

EXHIBIT C

STATE OF NEVADA
COUNTY OF WASHOE



CERTIFICATE
I, Darren B. Cordova, 435 University Avenue, Suite 100, Sacramento, California, hereby certify that this map was amended under my supervision on January 27, 2020, from information which I believe to be accurate, and that it correctly represents the items described in the petition submitted on January 16, 2020.

Darren B. Cordova
Engineer
January 27, 2020
Certificate No. C-0678008
Expires June 30, 2021



MICHAEL D. BUSCHELMAN BEING FIRST TO SIGN, OPOSE AND SAY THAT THE MAP CONSISTING OF SIX SHEETS, NUMBERED ONE THROUGH SIX, INCLUSIVE, HAS BEEN CORRECTLY DRAWN TO THE DESIGNATED SCALE ON OR BEFORE MARCH 18, 2011, BASED ON A SURVEY MADE UNDER MY SUPERVISION AND DIRECTION, BEING UPON ANALYSIS OF RECORDS OF SURVEY DOCUMENTS AND OTHER DOCUMENTS IN THE LYON COUNTY RECORDER'S OFFICE, US BUREAU OF LAND MANAGEMENT, THE WALKER RIVER IRRIGATION DISTRICT, THE US FEDERAL WATERMASTERS OFFICE, WALKER RIVER, AND THE NEVADA DIVISION OF WATER RESOURCES THAT THIS MAP TRULY AND CORRECTLY REPRESENTS THE EXISTING AND PROPOSED POINTS OF DIVERSION AND PLACES OF USE OF A PORTION OF THE WALKER RIVER AND ITS TRIBUTARIES, AS DESCRIBED IN THAT PARTICULAR DOCUMENT ENTITLED UNITED STATES VS. WALKER RIVER IRRIGATION DISTRICT ET AL., DOCKET C-125, CLAIMS 23, 24, 35, 44, 67, AND 89, FOR WILDLIFE PURPOSES IN ACCORDANCE WITH NRS CHAPTER 533 IN LYON COUNTY, NEVADA.

MICHAEL D. BUSCHELMAN SVRS #792

Michael D. Buschelman
5-4-11

SUBSCRIBED AND SWORN TO before me on this 4th DAY OF March, 2011, before me, Notary Public in and for Washoe County, Nevada.
MY COMMISSION EXPIRES July 6, 2014.
Sally G.



BASIS OF BEARING

1. STATE PLANE - NEVADA WEST, NAD 83 (FEET)
2. ALL PUBLIC LAND SURVEY DATA SHOWN IN MOUNT DIABLO BASE & MERIDIAN (N.D.B. & M.)

REFERENCES

1. PUBLIC LAND SURVEY SYSTEM (PLSS) EXTRACTED FROM THE USBLM GEOGRAPHIC COORDINATE DATABASE (GCOB), STATE PLANE NEVADA WEST, NAD 83 (FEET)
2. WALKER RIVER BASIN BOUNDARY DERIVED FROM THE GIS DATASET "STATE ENGINEER, BASIN BOUNDARIES SHP", DATED 4/17/2006, PROVIDED BY THE NEVADA DIVISION OF WATER RESOURCES AND THE CALWATER HYDROGRAPHIC BASINS 1:24,000 GIS DATASET PROVIDED BY THE NRCS
3. WALKER LAKE, BRIDGEPORT RESERVOIR, TOPAZ LAKE RESERVOIR, AND WEBER RESERVOIR BOUNDARIES TAKEN FROM USGS DIGITAL LINE GRAPHS (DLG) 1:24,000
4. WALKER RIVER (EAST, WEST, AND MAIN FORKS) CENTERLINES AND CHANNEL BOUNDARIES DIGITIZED FROM LYON COUNTY 2007 AERIAL PHOTOGRAPHY (1 FT RESOLUTION), AND USDA 2006 NATIONAL AGRICULTURAL IMAGERY PROGRAM (NAIP) PHOTOGRAPHY (1M RESOLUTION)

Sheet 1 of 6

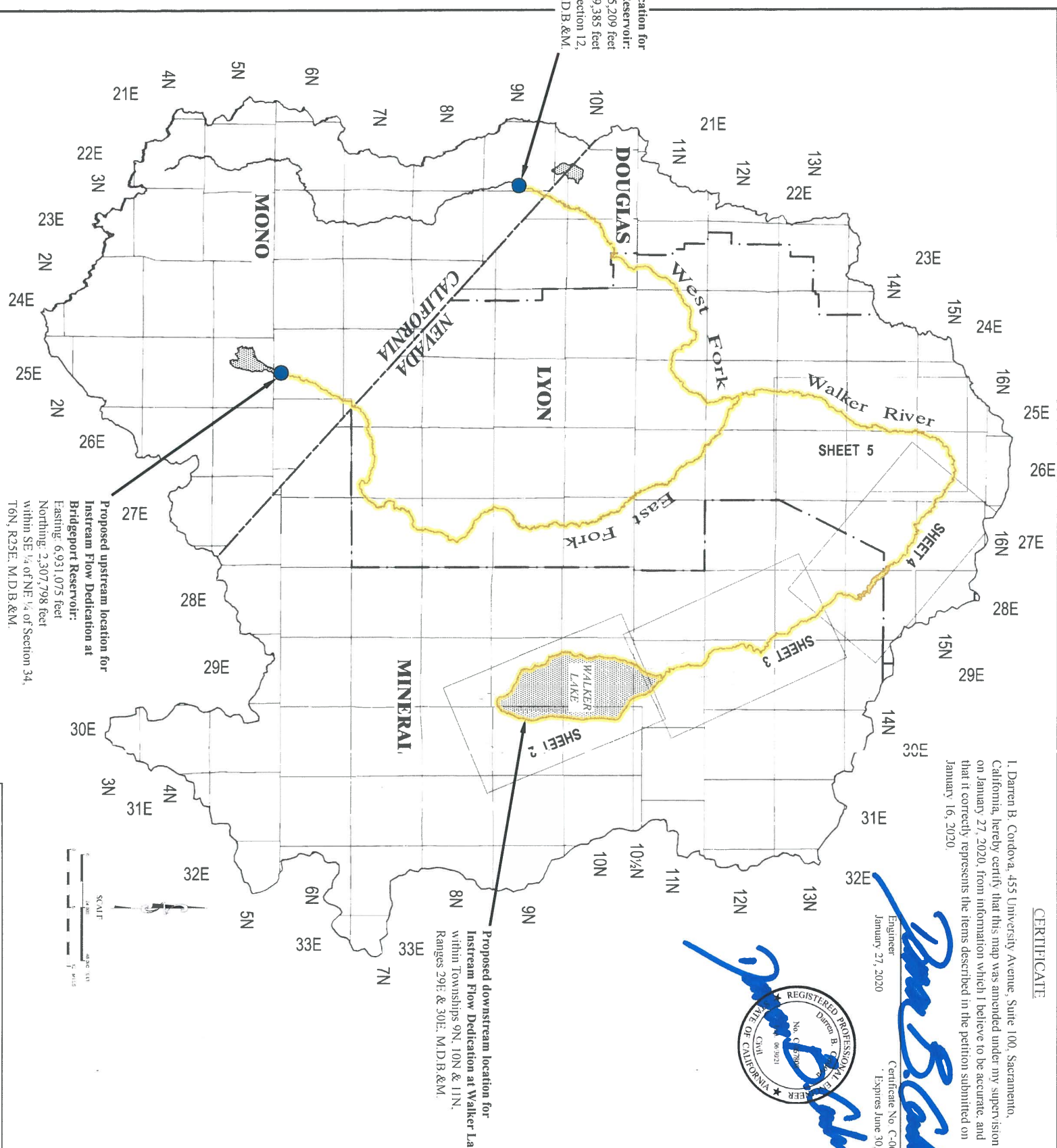
Michael D. Buschelman Consulting, Inc.
Post Office Box 51571
Sparks, Nevada 89435
(775) 335-9625 Office 354-9629 FAX

MAP TO ACCOMPANY APPLICATION 80700 TO CHANGE THE PLACE AND MANNER OF USE OF PORTIONS OF THE WALKER RIVER DECREE C-125, CLAIMS 23, 24, 35, 44, 67, AND 89

FOR WILDLIFE PURPOSES IN ACCORDANCE WITH NRS CHAPTER 533

BY THE NATIONAL FISH AND WILDLIFE FOUNDATION

FROM THE WALKER RIVER AND ITS TRIBUTARIES LYON/MINERAL COUNTIES NEVADA



Proposed upstream location for Instream Flow Dedication at Topaz Reservoir:
Easting: 6,845,209 feet
Northing: 2,419,385 feet
within SE 1/4 of SE 1/4 of Section 12, T9N, R22E, M.D.B. & M.

Proposed downstream location for Instream Flow Dedication at Walker Lake:
within Townships 9N, 10N & 11N, Ranges 29E & 30E, M.D.B. & M.

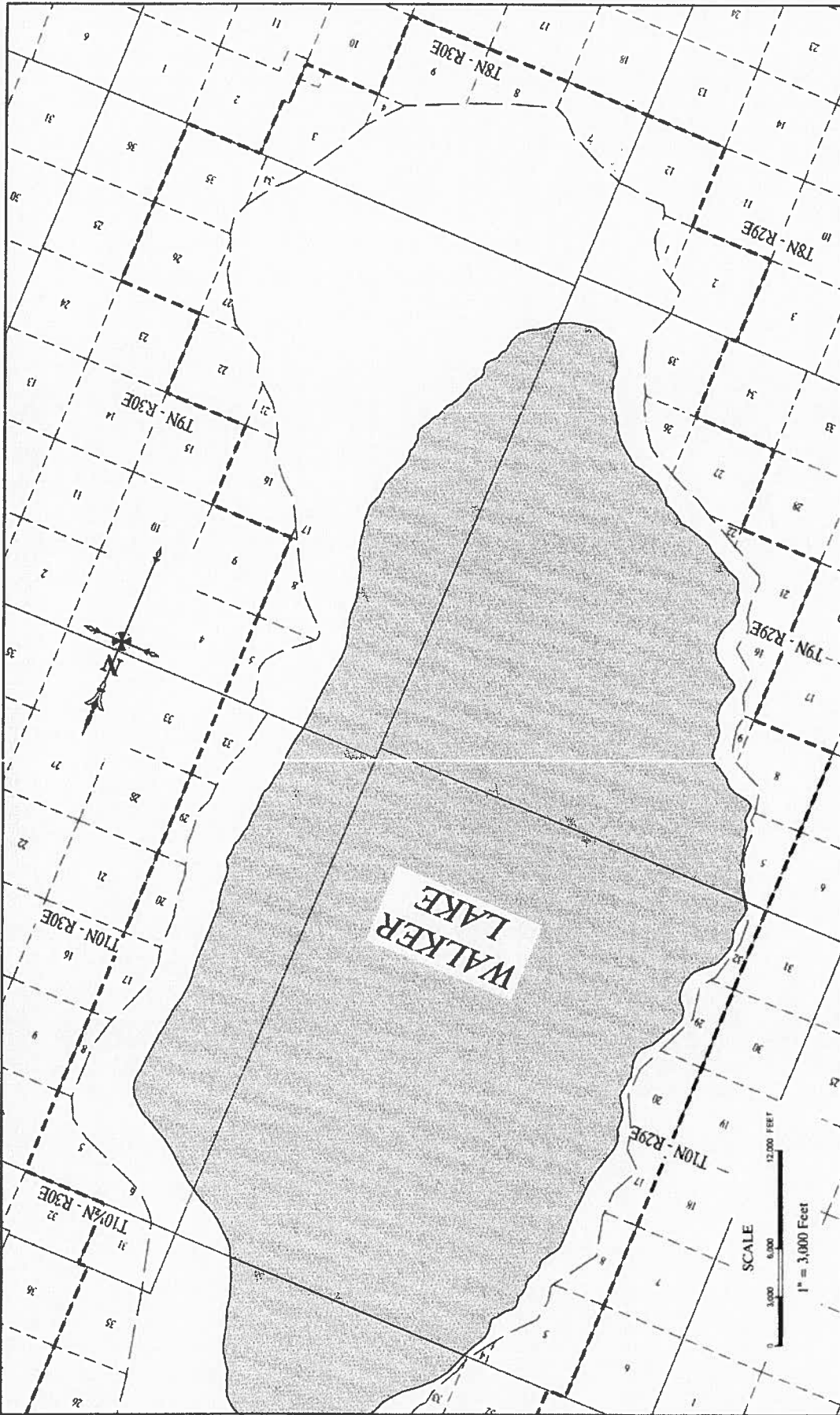
Proposed upstream location for Instream Flow Dedication at Bridgeport Reservoir:
Easting: 6,931,075 feet
Northing: 2,307,798 feet
within SE 1/4 of NE 1/4 of Section 34, T6N, R25E, M.D.B. & M.

LEGEND
WALKER RIVER BASIN BOUNDARY
COUNTY LINE
STATE LINE
TOWNSHIP

Note:
Proposed upstream locations for Instream Flow Dedications are referenced to California Coordinate System Zone III NAD 83, based on the CA Division of Water Rights eWRRIMS database.



81704 80700



Sheet 2 of 6

Michael D. Buschelman Consulting, Inc.
 Post Office Box 5171
 Sparks, Nevada 89413
 (775) 333-4629 FAX: (775) 333-4629

MAP TO ACCOMPANY APPLICATION 80700 TO CHANGE THE PLACE AND MANNER OF USE OF PORTIONS OF THE WALKER RIVER DECEIT C-125, CLAIMS 21, 23A, 35, 44, 47, and 49 FOR WILDLIFE PURPOSES IN ACCORDANCE WITH NRS CHAPTER 333 BY THE NATIONAL FISH AND WILDLIFE FOUNDATION FROM THE WALKER RIVER AND ITS TRIBUTARIES LYONMINERAL COUNTIES NEVADA

BASIS OF BEARING
 1. STATE PLUMB - ANCHOR WELLS, MO 80 (GREEN)
 2. ALL PUBLIC LAND SURVEY DATA SHOWN IN WHITE (MOUNTAIN BASE & SECTIONAL PLATS)



STATE ENGINEER'S USE

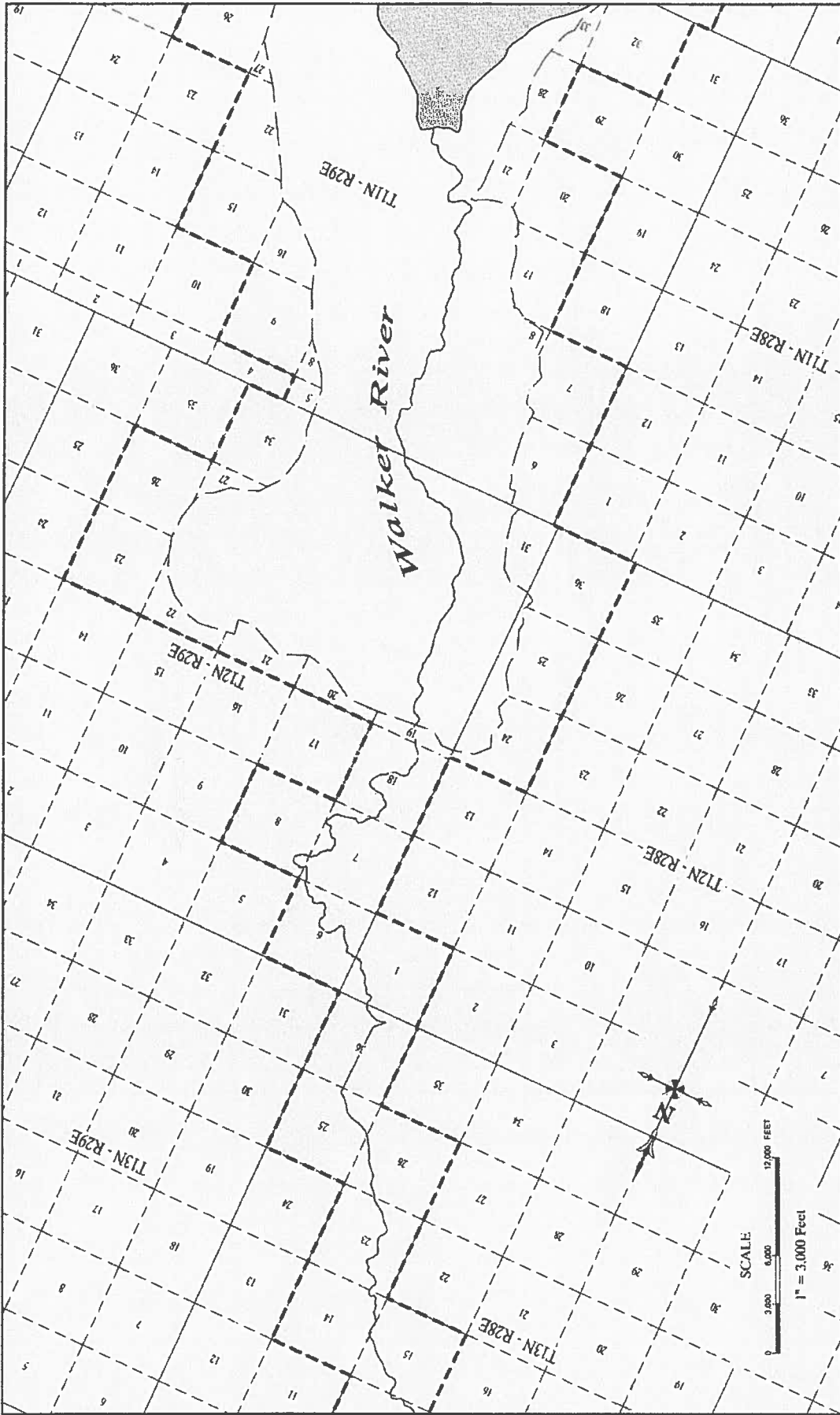
LEGEND

- WALKER RIVER BASIN BOUNDARY
- COUNTY LINE
- STATE LINE
- TOWNSHIP
- SECTION
- ANCHOR WELLS PER NLS
- PROPOSED PLACE OF USE



81704 80700

Exhibit A



Sheet 3 of 6

Michael D. Bischoffman Consulting, Inc.
 10000 E. 10th St.
 Suite 100
 Denver, Colorado 80231
 (303) 751-1111 FAX (303) 751-1112

FOR WILDLIFE PURPOSES IN ACCORDANCE WITH NRS CHAPTER 303
 OF THE NATIONAL FISH AND WILDLIFE FOUNDATION
 THE WALKER RIVER AND ITS TRIBUTARIES
 LYON/MINERAL COUNTIES NEVADA

STATE ENGINEER'S USE

BASIS OF BEARING
 1. STATE PLUMB - REMANUFACTURED (DIPNET)
 2. ALL PUBLIC LAND SURVEY DATA KNOWN IN MOUNTAIN OREGON BASE 1 MERIDIAN (NAD 83)

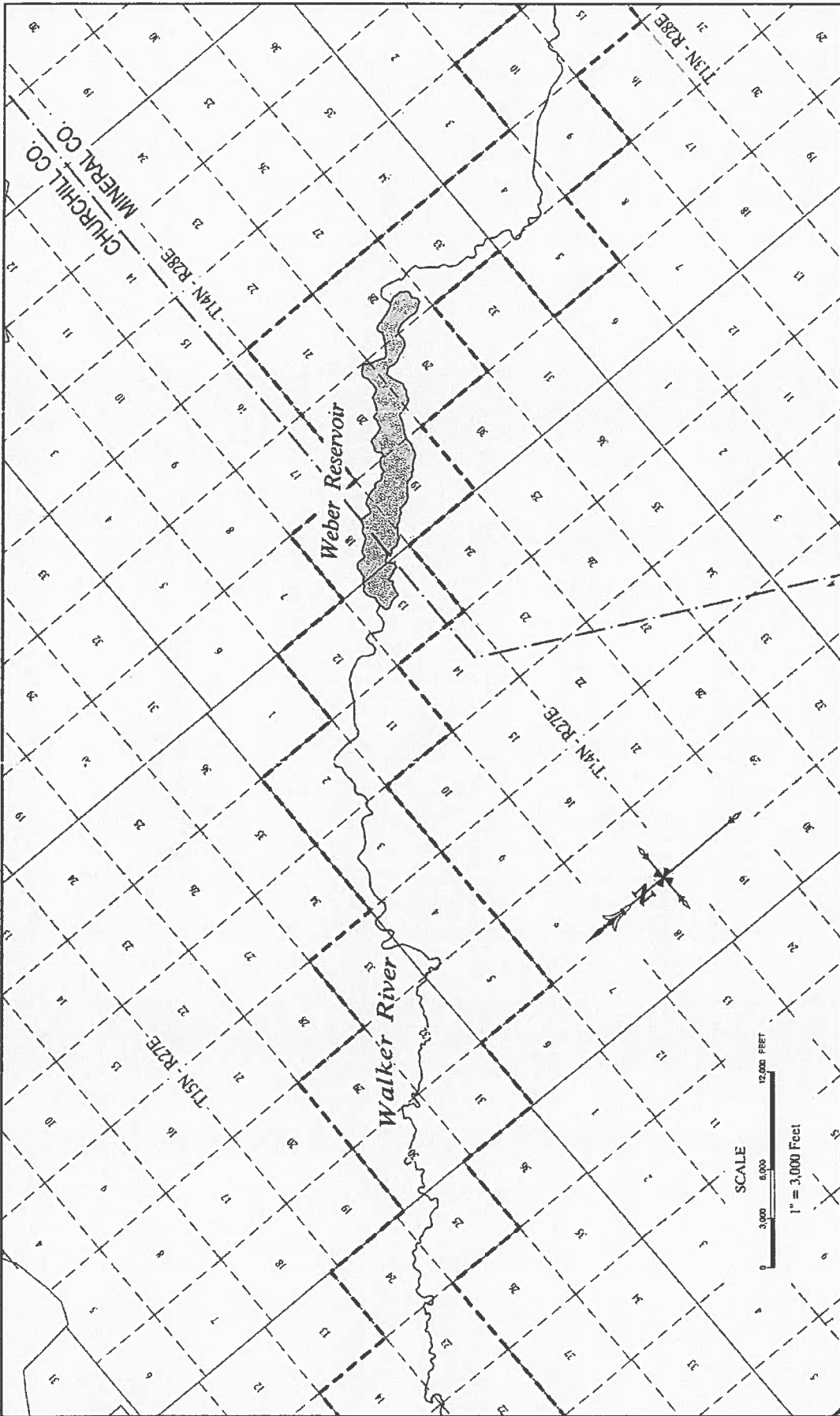


- LEGEND**
- WALKER RIVER BASH BOUNDARY
 - COUNTY LINE
 - STATE LINE
 - TOWNSHIP
 - SECTION
 - RANGE/LINES PER BLM
 - PROPOSED PLACE OF USE



81704 80700

Exhibit A



Sheet 4 of 6

Michael D. Benschelmann Consulting, Inc.
 1001 Office Bldg 107B
 Sparks, Nevada 89411
 (775) 751-9222 (C) 2004 US-A-SURVEX

- BASIS OF BEARING**
1. STATE PLANE - NEVADA WEST, NAD 83 (FEET)
 2. ALL PUBLIC LAND SURVEY DATA SHOWN IN ACCORDANCE WITH THE BUREAU OF LAND MANAGEMENT (BLM) SURVEY DATA

STATE ENGINEER'S USE

LEGEND

- WALKER RIVER BASIN BOUNDARY
- COUNTY LINE
- STATE LINE
- TOWNSHIP
- SECTION
- - - PROPOSED PLACE OF USE



MAP TO ACCOMPANY APPLICATION #070 TO CHANGE THE PLACE AND MANNER OF USE OF PORTIONS OF THE WALKER RIVER DECREE C-124, CLAUSES 21, 2A, 33, 34, 37, AND 38

WILDLIFE PURPOSES IN ACCORDANCE WITH NRS CHAPTER 333

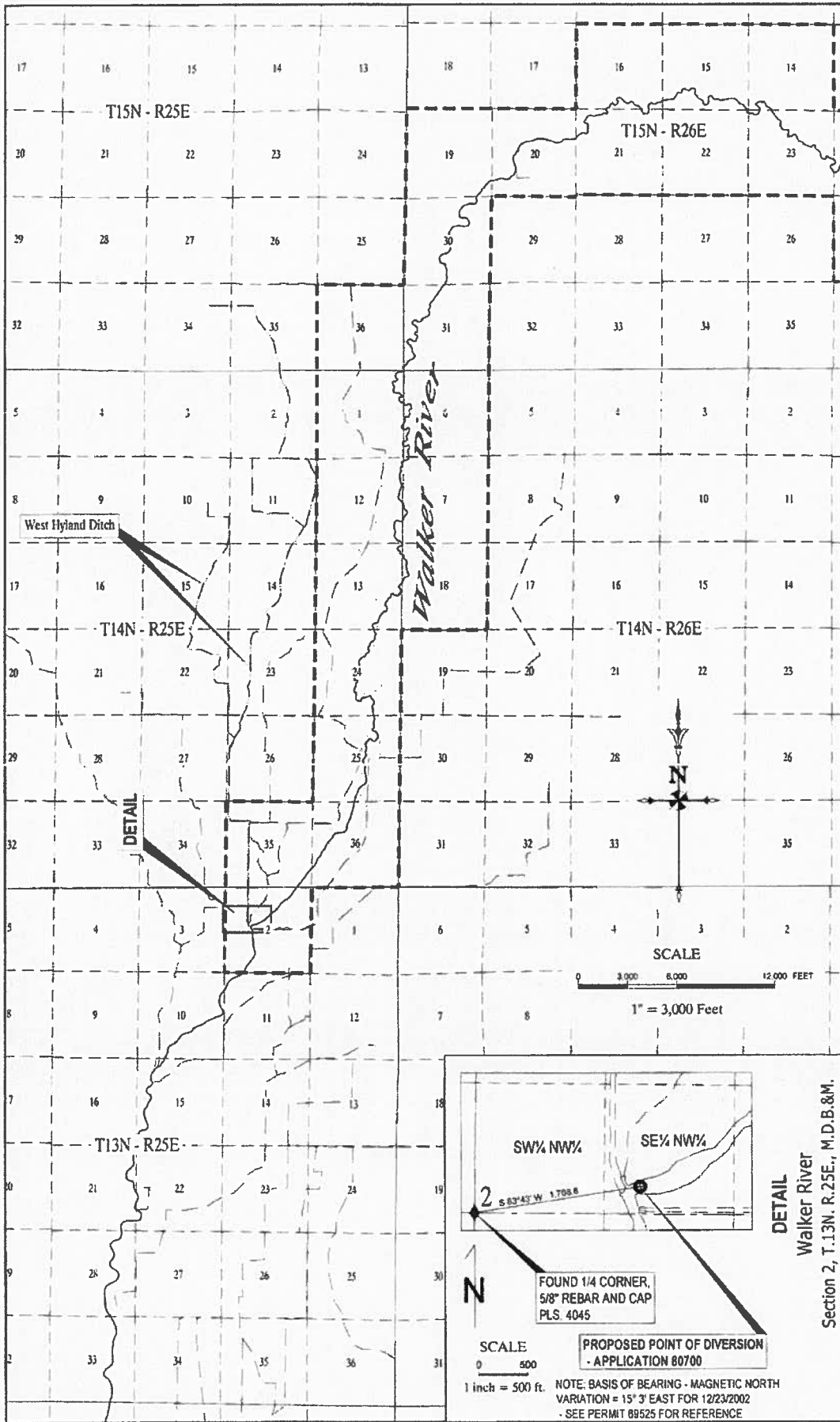
THE NATIONAL FISH AND WILDLIFE FOUNDATION
 1900
 THE WALKER RIVER AND ITS TRIBUTARIES

LYON/MINERAL COUNTIES NEVADA



Exhibit A

81704 80700



Sheet 5 of 6

Michael D. Buschlin Consulting, Inc.
 Professional Engineer
 State of Nevada (PE) No. 4187
 (702) 335-9233 OFFICE SPASART@MDCI.COM

THIS IS TO ACCOMPANY APPLICATION TO CHANGE THE PLACE AND MANNER OF USE OF PORTIONS OF THE WALKER RIVER DECREE C-125 CLAIMS 23, 22A, 25, 14, 67, AND 88 FOR WILDLIFE PURPOSES IN ACCORDANCE WITH NRS CHAPTER 533

THE NATIONAL FISH AND WILDLIFE FOUNDATION
 THE WALKER RIVER TRIBUTARIES

LYONMINERAL COUNTIES NEVADA

81704 80700

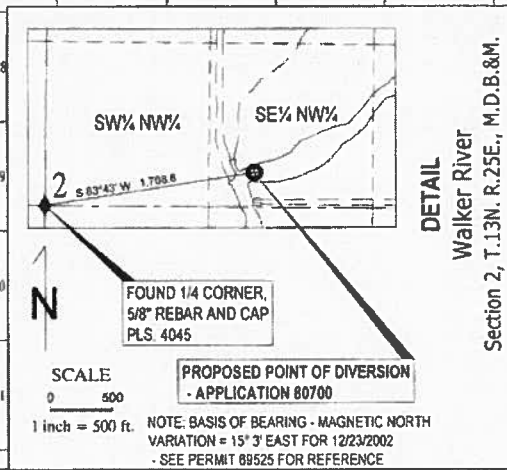
BASIS OF BEARING
 1. STATE PLANE - REVUDA WEST, NAD 83 (FEET)
 2. ALL PUBLIC LAND SURVEY DATA SHOWN IN WHITE ON A BASE 1:62,500 (M.D.B. & M.)

STATE ENGINEER'S LIST



LEGEND

- VALUED RIVER BASH BOUNDARY
- COUNTY LINE
- STATE LINE
- TOWNSHIP
- SECTION
- DITCH/RIVER
- PROPOSED PLACE OF USE



Section 2, T.13N. R. 25E., M.D.B. & M.



Exhibit A

Please indicate County where your project is located here:

Mono County

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 INVOLVING WATER TRANSFERS

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, Point of Rediversion, Place of Use, Purpose of Use, Temporary Urgency, Temporary Change, Long-term Transfer, Instream Flow Dedication

Application 1389 Permit 2536 License 9407 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 1/4-1/4 level and California Coordinate System (NAD 83).

Present: See Attachment No. 1
Proposed: No Change Requested

Place of Use - Identify area using Public Land Survey System descriptions to 1/4-1/4 level; for irrigation, list number of acres irrigated.

Present: See Attachment No. 1
Proposed: See Attachment No. 1

Purpose of Use

Present: See Attachment No. 1
Proposed: See Attachment No. 1

Instream Flow Dedication - Provide source name and identify points using both Public Land Survey System descriptions to 1/4-1/4 level and California Coordinate System (NAD 83).

Upstream Location: See Attachment No. 1
Downstream Location: See Attachment No. 1

Table with 12 columns for months (Jan-Dec) and a row for flow quantities. Includes text: List the quantities dedicated to instream flow in either: cubic feet per second or gallons per day.

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.

Proposed New User(s)

Provide the names, addresses, and phone numbers for all proposed new user(s) of the water right.

Not Applicable.

Amount of Water to be Transferred

acre-feet will be transferred. If the basis of right is direct diversion, the average rate of diversion for the maximum 30-day period of use is cubic feet per second or million gallons per day.

General Information – Provide the following information, if applicable to your proposed change(s).

Have you attached an analysis which documents that the amount of water to be transferred or exchanged would have been consumptively used or stored in the absence of the proposed temporary change or long-term transfer? Yes No

Have you attached an analysis of any changes to streamflow, water quality, timing of diversion or use, return flows, or effects on legal users from the proposed temporary change or long-term transfer? Yes No

Have you attached an analysis that shows the proposed temporary change or long-term transfer will not unreasonably affect fish, wildlife, or other instream beneficial uses? 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.

Not applicable. This Petition involves a proposed water transfer for dedication to instream flow. There is no proposed point of diversion and the proposed place of use includes the West Walker River from Topaz Reservoir to the confluence of the Walker River, thence the Walker River to and encompassing Walker Lake.

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

There is no proposed change to the present point of diversion. We believe that no water user will be affected by the proposed change. Water users include those within the Walker River Irrigation District, the Walker River Paiute Tribe, U.S. Bureau of Indian Affairs, and the Nevada Department of Wildlife. Also, see files at the Division of Water Rights, State Water Resources Control Board and files with the Nevada State Engineer.

All Right Holders Must Sign Below: I (we) declare under penalty of perjury that this involves only the amount of water which would have been consumptively used or stored in the absence of the proposed temporary change, and that the above is true and correct to the best of my (our) knowledge and belief.

Dated at



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, available at: 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/
(3) Department of Fish and Wildlife fee of \$850 (Pub. Resources Code, § 10005)

Attachment No. 1
to Petition for Temporary Transfer and Instream Flow Dedication
License 9407 (Application 1389)
held by Walker River Irrigation District

PURPOSE OF PETITION

Walker River Irrigation District (District) is filing this Petition for Temporary Transfer and Instream Flow Dedication (Petition) to its License 9407 (Application 1389) in order to assist with increasing the flow into Walker Lake for environmental restoration in the Walker River Basin as provided in Public Law 111-85, which established the Walker River Restoration Program. In 2019, the District implemented an initial demonstration effort involving releases of water under License 9407, which increased flows into Walker Lake. Throughout the development and implementation of the initial demonstration, the District engaged stakeholders in order to solicit input, which assisted to develop a robust plan, while providing opportunities to adjust to additional information or changed circumstances. Overall, the releases during 2019 were successful and met all of the terms and conditions contained in the Division of Water Rights' (Division) Order, dated February 21, 2014 (Order), and the State Water Resources Control Board's (State Water Board) Order WR 2014-0020-EXEC (Amended Order), dated May 16, 2014. For reference, Exhibit A to this Petition is an excerpt of the Order identifying the terms and conditions; and Exhibit B to this Petition is an excerpt of the Amended Order identifying the amended terms and conditions. As indicated further below for the proposed releases during the second demonstration effort, the District anticipates similar terms and conditions to those that were included in the Order and the Amended Order.

The purpose of this Petition is to: (1) add to the existing place of use covered under License 9407 by including the East Walker River from Bridgeport Reservoir to the confluence of the Walker River, thence the Walker River to and encompassing Walker Lake, and (2) add Fish and Wildlife Preservation and Enhancement as an additional purpose of use for instream dedication to Walker Lake involving surface water that was previously stored or would have otherwise been held in storage at Bridgeport Reservoir absent the proposed transfer, some or all of which would have been released for irrigation purposes within the District. The release plan, which is discussed further below, will describe the proposed schedule and volume of releases to be made from each reservoir during the period of April 1 through October 31, which is generally the irrigation season. The releases by the District for the proposed temporary water transfer would occur during a period of up to one year following final approval by the State Water Board, the Federal District Court, and the Nevada State Engineer (NSE), which is discussed further below. It is the goal of the District for the second demonstration to occur in 2020; however, this will depend upon final approval and other factors such as hydrologic conditions.

The District has an agreement with the National Fish and Wildlife Foundation (NFWF), predecessor to the Walker Basin Conservancy (WBC), to administer and manage a "Stored Water Program" in the Walker River Basin. The purpose of the Stored Water Program is to release surface water from Bridgeport Reservoir for instream dedication to and including Walker Lake. In addition, the Stored Water Program involves releases of surface water by the District from Topaz Reservoir under its License 6000 (Application 2221). For this purpose, the District is filing a separate petition for temporary water transfer and instream flow dedication to its

License 6000. Combined, the two petitions are limited to a total of 25,000 AF released from Bridgeport Reservoir and Topaz Reservoir. Surface water will be made available for the proposed transfer by releases from Bridgeport Reservoir and Topaz Reservoir that was previously stored or would have otherwise been held in storage absent the proposed transfer, some or all of which would have been released for irrigation purposes within the District, as described further below in this Petition. Similar to the initial demonstration of the Stored Water Program during 2019, and to ensure a successful and efficient second demonstration, the District will seek additional approvals and will continue to coordinate as necessary with the NSE and other entities in order to obtain the authorizations for the proposed water transfer and instream flow dedication.

POINT OF DIVERSION OR REDIVERSION

Present Point of Diversion:

No change in the District's present point of diversion is proposed. The District's existing authorized point of diversion under License 9407 is:

Bridgeport Reservoir

South 27° 09' West 2,503 feet from NE Corner of Section 34, T6N, R25E, MDB&M, being within SE ¼ of NE ¼ of said Section 34. This present point of diversion is shown on a map filed with the State Water Board for License 9407.

Proposed Point of Diversion:

No change in the present point of diversion is proposed.

PLACE OF USE

Present:

52,062 acres net within the gross area of the District, as shown on a map filed with the State Water Board for License 9407.

Proposed:

No change in the present place of use is proposed. The District proposes to temporarily add the East Walker River from Bridgeport Reservoir to the confluence of the Walker River, thence the Walker River to and encompassing Walker Lake, which is within the Walker River Basin. This proposed addition to the authorized place of use is shown on a map filed with the State Water Board for License 9407, together with maps included as Exhibit C, which were prepared by NFWF for the lower reaches of the Walker River to and including Walker Lake.

PURPOSE OF USE

Present:

The present purposes of use under License 9407 include Irrigation and Recreation.

Proposed:

No changes in the present purposes of use are proposed. The District proposes to temporarily add Fish and Wildlife Preservation and Enhancement as an additional purpose of use to License 9407.

INSTREAM FLOW DEDICATION

The proposed temporary water transfer and instream flow dedication includes adding to the existing place of use the East Walker River from Bridgeport Reservoir to the confluence of the Walker River, thence the Walker River to and encompassing Walker Lake, as described below. The quantities proposed to be dedicated to instream flows for the transfer are identified in the following section titled "Amount of Water to be Transferred/Dedicated".

Upstream Location:

Bridgeport Reservoir

South 27° 09' West 2,503 feet from NE Corner of Section 34, T6N, R25E, MDB&M, being within SE ¼ of NE ¼ of said Section 34, as shown on a map filed with the State Water Board for License 9407.

Downstream Location:

The terminus of the Walker River into and including Walker Lake, as shown on a map filed with the State Water Board for License 9407, together with the attached maps prepared by NFWF for the lower reaches of the Walker River to and including Walker Lake.

AMOUNT OF WATER TO BE TRANSFERRED/DEDICATED

The quantities of water to be released by the District for the temporary water transfer and instream flow dedication are variable and depend upon hydrologic conditions and participation in the Stored Water Program by individual growers within the District. The total quantity of surface water proposed for the temporary water transfer is up to 25,000 AF, combined under the District's Licenses 6000 and 9407. The District proposes this total quantity as an upper limit for the Stored Water Program in order to optimize flexibility, recognizing that the actual volume of water dedicated to instream flows may be less than this quantity. For the purpose of identifying a potential quantity of water dedicated to instream flows under either License 6000 or License

9407, as requested in the petition form, the estimated maximum quantity of water that may be provided by the District from Topaz Reservoir or Bridgeport Reservoir, respectively, over a 30-day period is up to 25,000 AF. The average flow rate associated with this quantity is approximately 420 cfs over a 30-day period; and instantaneous releases from Topaz Reservoir and Bridgeport Reservoir may be up to approximately 750 cfs and 550 cfs, respectively. Note that the proposed total combined releases from Topaz Reservoir and Bridgeport Reservoir are up to 25,000 AF; and thus, the District anticipates these release rates will likely be less.

Similar to the District's approach for the initial demonstration during 2019, following evaluation of voluntary participation by growers in the second demonstration of the Stored Water Program, the District will develop a schedule of releases (release plan) in consultation with the Watermaster for the Walker River, NFWF/WBC, and the Walker River Paiute Tribe for the proposed temporary transfer and instream flow dedication. The release plan will describe the proposed schedule and volume of releases to be made from each reservoir during the period of April 1 through October 31, which is generally the irrigation season. The total release will be within the historic range of releases for each reservoir during the irrigation season. If the District determines that stored water releases will occur in amounts exceeding the historic range of releases, the District will consult with California Department of Fish and Wildlife (CDFW) and Mono County to identify potentially unreasonable impacts to fish and wildlife and instream beneficial uses, and to develop measures to avoid or mitigate any such impacts. Within 30 days following consultation, and at least one month prior to the period of releases for the transfer, the District will provide the release plan and verification of consultation to the Division. In addition, the District will promptly inform the Watermaster, NFWF/WBC, the Walker River Paiute Tribe, and the Division of any changes to the release plan. The District will rely upon existing water measurement gages in the Walker River Basin for the purpose of monitoring flows and accounting for the actual releases separately under the District's Licenses 6000 and 9407. The District is currently coordinating with the Watermaster for the Walker River and other stakeholders to identify opportunities to enhance measurement, accounting, and coordination for potential implementation of the second demonstration of the Stored Water Program.

GENERAL INFORMATION

As a result of this proposed temporary transfer and instream flow dedication, the flow in the East Walker River from Bridgeport Reservoir to the confluence of the Walker River, thence the Walker River to and encompassing Walker Lake will increase by up to 25,000 AF during the period of the transfer over what would have occurred absent the proposed transfer. There will be no injury to other legal water users or water quality; in fact, it is anticipated a beneficial effect on fish, wildlife, or other instream beneficial uses will occur as a result of this Petition because the proposed transfer involves the District's existing facilities and will result in increased flows to Walker Lake provided by the District. In addition, the increased flows will result in water quality benefits downstream to and including Walker Lake during and following the period of the releases for the proposed transfer. In the absence of additional flows provided by the District for the proposed temporary transfer, some or all of

these quantities would have been held in storage or would be released from the reservoir and delivered to growers during the irrigation season.

As a result of litigation initiated in 1902, Decree 731 was issued in 1919, by the United States District Court for the District of Nevada, as the first regulatory control on the system as a whole. However, Decree 731 did not include rights for the Walker River Indian Reservation and other irrigators in the Walker River Basin. Decree C-125 (hereinafter referred to as the "Walker River Decree") was issued by the United States District Court for the District of Nevada (Walker River Court) on April 14, 1936 (amended April 24, 1940) as the culmination of the suit *United States of America v. Walker River Irrigation District, et al.* For each water right owner, the Walker River Decree sets forth the source, priority date, the diversion rate at the point of diversion, the number of acres irrigated, and a general description of the place of use of the appropriation.

Water rights for the storage of water in numerous reservoirs are set forth in the Walker River Decree. There are several small reservoirs on the tributaries upstream from Bridgeport and Topaz Reservoirs, used to serve Bridgeport and Antelope Valleys, which are identified in the Walker River Decree. The two major storage facilities and rights documented in the Walker River Decree are for Bridgeport Reservoir and Topaz Reservoir, which are owned and operated by the District. The District uses the available stored water to supplement decreed natural flow rights, and as a primary source of supply for "new lands" (lands with no other surface water right). The Walker River system is a heavily administered and managed system, with coordination between the District, Watermaster for the Walker River, NSE, and other stakeholders. The Walker River Decree defines storage quantities and priorities, but the allocation of the available stored water from Bridgeport Reservoir and Topaz Reservoir is determined by the District. The surface water proposed for temporary transfer and instream flow dedication in this Petition involves previously stored water. It is water which is stored either during the non-irrigation season, or during the irrigation season when all other decreed natural flow rights being exercised are fully satisfied. It is water which was not available when the senior decreed natural flow rights were established by diversion to beneficial use under Nevada and California law.

Stored water right holders have a right to call on their stored water for beneficial use during an irrigation season; however, they do not have an obligation to leave any water in storage at the end of an irrigation season to benefit carryover storage for the subsequent year. There is no set pattern of releases from the reservoirs, and nothing prevents the early drawdown of reservoirs or fluctuating releases during the irrigation season. Similar to the initial demonstration of the Stored Water Program during 2019, it is likely that the water sought to be transferred under the Petition will be released from storage through the latter portion of the irrigation season. As indicated in the Division's Order, this will likely temporarily improve, and will not harm, summer recreation on Bridgeport Reservoir and Topaz Reservoir.

The question of whether the temporary transfer proposed here would injure any other legal user of water was fully litigated as a result of the February 21, 2014 Order as amended May

16, 2014, Exhibits A and B. In *United States v. United States Board of Water Commissioners*, 893 F.3d 578 (9th Cir. 2018), the Ninth Circuit Court of Appeals upheld the Board's conclusion that the proposed changes would not. 893 F.3d at 604.

In addition, the agreement between the District and NFWF requires the District to ensure that lands participating in the Stored Water Program do not receive water from other sources to replace this transferred water. Similar to the initial demonstration of the Stored Water Program during 2019, the District will coordinate with NSE staff prior to, during, and following the proposed transfer to track and account for water use by the District's customers to ensure that the individual allowances of water from all sources is not exceeded by the customers.

The District proposes to release water from Bridgeport Reservoir for the temporary transfer and instream flow dedication. These releases would increase flows downstream to Walker Lake during the transfer period, as compared to the condition absent the transfer, for the purpose of environmental restoration in the Walker River Basin. The proposed releases from Bridgeport Reservoir for the transfer and instream flow dedication would be made in accordance with the District's Bridgeport Reservoir Operations Manual. This includes, but is not limited to, satisfying requirements relative to minimum pool, release ramping, and minimum releases. Absent the proposed temporary transfer by reservoir release, the District would release this water to its growers for irrigation purposes or would retain this volume of surface water in storage pursuant to its water right. Although the instream flows provided by the District could reduce the quantity of water held in storage, the District would not transfer water such that it would adversely impact the District's growers. The District will continue the same stored surface water deliveries to its existing growers not participating in the Stored Water Program with or without the proposed temporary water transfer.

The CDFW and the Lahontan Regional Water Quality Control Board (LRWQCB) have been contacted regarding the Petitions. Copies of the Petitions have been provided to Jeff Brandt and Steve Parmenter (760-872-1123) of CDFW and Patty Kouyoumdjian (530-542-5412) of the LRWQCB for review and comment.

The Stored Water Program is authorized for three years; however, there is not a requirement that it occur three times nor occur during three consecutive years. The implementation of a program each year is dependent upon many factors such as obtaining the necessary regulatory approvals, hydrologic conditions, and the price offered for participation. Therefore, the District and other stakeholders plan to approach each year individually to determine if a lease program is viable and can be implemented. Based on initial review and reactions, the 2019 Stored Water Program has been viewed as a success by stakeholders. In addition, the District and other stakeholders did not receive reports of adverse effects resulting from the 2019 Stored Water Program. For additional information regarding the 2019 Stored Water Program, see the District's summary report filed with the Division on January 8, 2020. As indicated in the summary report, the District is currently coordinating with the Watermaster for the Walker River and other stakeholders to identify opportunities to enhance coordination and adaptation for potential future implementation. Therefore, the District is submitting this Petition for a second demonstration of the Stored Water Program.

Walker River Irrigation District's License 9407
Attachment No. 1 to Petition for Temporary Transfer

DC/kk

5280.2/DRAFT ATTACHMENT 1 TO PETITION FOR TEMPORARY TRANSFER-INSTREAM A1389 01.15.2020

EXHIBIT A

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

DIVISION OF WATER RIGHTS

**IN THE MATTER OF LICENSES 6000 AND 9407 (APPLICATIONS 2221 AND 1389)
OF WALKER RIVER IRRIGATION DISTRICT**

**PETITIONS FOR TEMPORARY CHANGE INVOLVING THE TRANSFER AND INSTREAM
FLOW DEDICATION OF 25,000 ACRE-FEET OF WATER**

ORDER APPROVING TEMPORARY CHANGES

BY THE DEPUTY DIRECTOR FOR WATER RIGHTS:

1.0 BACKGROUND

On February 28, 2013, the Walker River Irrigation District (District) filed petitions for temporary change involving the transfer of water and instream flow dedication under Licenses 6000 and 9407 with the California State Water Resources Control Board (State Water Board or Board), Division of Water Rights (Division), pursuant to Water Code section 1725 et seq. and section 1707. The petitions involve the waters of the interstate Walker River stream system. The District holds License 6000 for Topaz Reservoir, which is located on the West Walker River, and License 9407 for Bridgeport Reservoir, which is located on the East Walker River. The West Walker River and East Walker River arise in the Sierra Nevada of California and flow into Nevada where they join to create the main stem of the Walker River, which then flows to Walker Lake, a natural desert terminal lake in Nevada.

The purpose of the proposed temporary changes is to assist in implementation of the Walker Basin Restoration Program (Restoration Program), which is administered by the National Fish and Wildlife Foundation (NFWF). The Restoration Program was established in 2009 by Public Law 111-85 and related authorities for the primary purpose of restoring and maintaining Walker Lake, which is critical to recovery of the threatened Lahontan Cutthroat Trout and is an important stopover for migratory waterfowl. Due to insufficient freshwater inflows, Walker Lake's elevation has been declining since the early 1900s and increased salinity levels threaten its ecology. The Restoration Program seeks to increase instream flows to Walker Lake through various basin-wide initiatives.

The Restoration Program includes a three-year water leasing demonstration program to be administered and managed by the District pursuant to an agreement with NFWF. In 2012 the District entered into an amended grant agreement with NFWF to administer and manage a Stored Water Program (SWP) in the Walker River Basin.¹ Under the SWP, surface water will be released from Topaz and Bridgeport Reservoirs for instream dedication to and including Walker Lake. Through the SWP, individual farmers within the District may voluntarily dedicate a portion of their stored water supply to the SWP for at least one year. The District filed the petitions for temporary change in order to implement the SWP and thereby increase inflows to Walker Lake.

¹ First Amendment to [NFWF] Grant Agreement (Nov. 2012) for Project 2010-0059-101 (Water Leasing Demonstration Program in the Walker River Basin).

Deputy Director to perform duties related to processing change petitions in the Walker River action. This Order is adopted pursuant to the delegation of authority in sections 4.4.2 and 4.7.3 of Resolution 2012-0029.

10.0 CONCLUSIONS

The State Water Board has adequate information in its files to make the determinations required by Water Code sections 1707 and 1725 et seq.

The State Water Board concludes that, based on the available information:

1. The proposed transfers involve only an amount of water that would have been consumptively used or stored in the absence of the temporary change.
2. The proposed temporary changes will neither injure, nor unreasonably affect, any legal user of water, including during any potential hydrologic condition that the board determines is likely to occur during the proposed change, through significant changes in water quantity, water quality, timing of diversion or use, consumptive use of water or return flows.
3. The proposed temporary changes will not unreasonably affect fish, wildlife, or other instream beneficial uses.
4. The proposed temporary changes will not increase the amount of water the District is entitled to use.
5. The proposed temporary changes will otherwise meet the requirements of Division 2 of the Water Code.

ORDER

NOW, THEREFORE, IT IS ORDERED THAT the District's petitions for temporary transfer and dedication of water for instream purposes of 25,000 acre-feet pursuant to Water Code sections 1707 and 1725 et seq. are approved for a period of one year, which will commence on the date of final approval, as defined below.

All existing terms and conditions of Licenses 6000 and 9407 remain in effect, except as temporarily amended by the following provisions:


1. The temporary change is limited to a one-year period commencing on the date of final approval. Final approval means that all related approvals by the federal District Court have been obtained, including modification of the Walker River Decree by the federal District Court to recognize (i) the State Water Board's approval of the changes under this Order and (ii) approval by the Nevada State Engineer of a change application submitted by an individual within the District to implement the SWP. Within 30 days after receiving the final approval, the District shall notify, and provide copies to, the Deputy Director for Water Rights of the approval. The one-year period does not include any time required for monitoring, reporting, or mitigation before or after the temporary change is carried out.
2. In addition to all other purposes of use authorized by Licenses 6000 and 9407, the purpose of use of the licenses is temporarily amended to include preservation and enhancement of fish and wildlife within the following reaches: 1) for License 6000, the West Walker River from Topaz Reservoir to the confluence of the Walker River, thence

the Walker River to and encompassing Walker Lake; and 2) for License 9407, the East Walker River from Bridgeport Reservoir to the confluence of the Walker River, thence the Walker River to and encompassing Walker Lake.

3. The place of use under License 6000 is temporarily expanded to include preservation and enhancement of fish and wildlife within the reach between West Walker River from Topaz Reservoir to the confluence of the Walker River, thence the Walker River to and encompassing Walker Lake, within the following boundaries: Upstream Limit – Topaz Reservoir being within the SE ¼ of SE ¼ of Section 12, T9N, R22E, MDB&M; Downstream Limit – The terminus of Walker River into and including Walker Lake within T9 to 11N, R29 to 30E, MDB&M, as shown on map filed with the State Water Board for License 6000 and maps prepared by NFWF submitted with the petitions as Attachment A.
4. The place of use under License 9407 is temporarily expanded to include preservation and enhancement of fish and wildlife within the reach between East Walker River from Bridgeport Reservoir to the confluence of the Walker River, thence the Walker River to and encompassing Walker Lake, within the following boundaries: Upstream Limit – Bridgeport Reservoir being within the SE ¼ of the NE ¼ of Section 34, T36N, R25E, MDB&M; Downstream Limit – The terminus of Walker River into and including Walker Lake within T9-11N, R29-30E, MDB&M, as shown on map filed with the State Water Board for License 9407 and maps prepared by NFWF submitted with the petitions as Attachment A.
5. Water transferred pursuant to this Order shall be limited to a combined maximum of 25,000 af to be released from either Topaz Reservoir or Bridgeport Reservoir, or both.
6. The District shall develop and operate to a schedule of releases for the transfer in consultation with the Water Master, NFWF, and the Tribe. The District shall promptly inform these parties of any changes to the release schedule.
7. During the transfer period, the District landowners participating in the transfer authorized by this Order to implement the SWP shall not receive a supplemental or replacement water supply to offset, in any manner, the transferred water.
8. During the transfer period, the District shall comply with the section F, Annual Monitoring Plan, of Attachment A to First Amendment to [NFWF] Grant Agreement [November 2012] Regarding [District] Lease of Water Demonstration Program, Stored Water Program, and Water Measurement and Control Phase, and the public reporting provisions of section J.3 of that Attachment A. If section F or section J.3 of Attachment A are amended prior to, or during, the transfer period, the District shall promptly inform the Deputy Director for Water Rights.
9. During the transfer period, the District shall schedule reservoir releases to be made during the irrigation season (April 1 through October 31) to be within the historic range of releases during the irrigation season. The District may release stored water either (i) during the irrigation season in amounts exceeding the historic range of releases during the irrigation season, or (ii) after the irrigation season ends, if the District first consults with DFW and Mono County to avoid harm to fish and wildlife and downstream habitat. Such consultation shall include the establishment of a flow ramping schedule to avoid harm through rapid fluctuations in instream levels.

10. Within 90 days of completion of the transfer period, the District shall provide a report to the Deputy Director for Water Rights describing the transfer authorized by this Order. The report shall include the following information:
 - a. The daily, monthly, and total volumes of water transferred for instream flow dedication from 1) Topaz Reservoir and from 2) Bridgeport Reservoir pursuant to this Order.
 - b. Documentation that the water transferred did not result in an increase in water diverted to storage in both Topaz Reservoir and Bridgeport Reservoir from the source waters of the District's licenses beyond the quantities that would otherwise have been diverted absent the transfer.
 - c. Documentation of compliance with all other conditions of this order.
 11. No water shall be diverted or used pursuant to this Order, and no construction related to such diversion shall commence, unless petitioner has obtained and is in compliance with all necessary permits or other approvals required by other agencies.
 12. Pursuant to Water Code sections 100 and 275 and the common law public trust doctrine, all rights and privileges under this temporary change Order, including method of use and quantity of water diverted, are subject to the continuing authority of the State Water Board in accordance with the law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.
 13. This order does not authorize any act that results in the taking of an endangered, threatened or candidate species or any act that is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish & G. Code, § 2050 et seq.) or the federal Endangered Species Act (16 U.S.C.A. § 1531 et seq.). If a "take" will result from any act authorized under this transfer, the petitioner shall obtain authorization for an incidental take permit prior to construction or operation. Petitioner shall be responsible for meeting all requirements of the applicable Endangered Species Acts for the temporary change authorized under this Order.
- (0000014)
14. I reserve jurisdiction to supervise the transfer, exchange, and use of water under this Order, and to coordinate or modify terms and conditions, for the protection of vested rights, fish, wildlife, instream beneficial uses and the public interest as future conditions may warrant.

STATE WATER RESOURCES CONTROL BOARD



*Barbara Evoy, Deputy Director
Division of Water Rights*

Dated: FEB 21 2014

EXHIBIT B

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
ORDER WR 2014-0020-EXEC

In the Matter of the Petitions for Reconsideration by
**United States Board of Water Commissioners for the Walker River
and
Mono County**

Regarding Walker River Irrigation District's Petitions for Temporary Transfer and
Change

SOURCE: East and West Walker Rivers

COUNTY: Mono

**ORDER DENYING RECONSIDERATION AND MODIFYING THE DIVISION'S
ORDER CONDITIONALLY APPROVING THE PETITIONS**

BY THE EXECUTIVE DIRECTOR¹:

1.0 INTRODUCTION

On February 21, 2014, the State Water Resources Control Board's (State Water Board), Division of Water Rights (Division), through its Deputy Director for Water Rights, conditionally approved the Walker River Irrigation District's (District) two petitions for temporary change involving the transfer of water and instream flow dedication under Water Code section 1725 et seq. and section 1707.² The District

¹ State Water Board Resolution 2002-0104 delegates to the Executive Director the authority to conduct and supervise the activities of the State Water Board. Unless a petition for reconsideration raises matters that the State Water Board wishes to address or requires an evidentiary hearing before the board, the Executive Director's consideration of petitions for reconsideration of a staff decision or order falls within the scope of the authority delegated under Resolution 2002-0104. Accordingly, the Executive Director has the authority to refuse to reconsider the decision or order, deny the petition, set aside or modify the decision or order, or take other appropriate action. (Cal. Code Regs., tit. 23, § 770.)

² The Division's February 21, 2014 Order Approving Temporary Changes is referred to herein as the "Order." Pursuant to authority delegated by the State Water Board in Resolution 2012-0029, the Deputy Director for Water Rights may perform the duties that are the subject of this proceeding.

To the extent that this order does not address all of the issues raised in the petitions for reconsideration, the State Water Board finds either that the requirements for a petition for reconsideration under California Code of Regulations, title 23, section 770 have not been met, the issues raised are insubstantial, or the issues are appropriately addressed in the Division's Order.

ORDER

IT IS HEREBY ORDERED THAT, for the foregoing reasons, the petitions for reconsideration of USBWC and Mono County are denied, and the Division's Order is affirmed except as modified below. Conditions 6 and 9 of the Division's Order are amended as follows:

1. Condition 6 on page 21 is amended as follows:

The District shall develop and operate to a schedule of releases for the transfer in consultation with the Water Master, NFWF, and the Tribe. Within 30 days after consultation, the District shall provide verification to the Division of Water Rights that such consultation has occurred and information regarding any actions taken or that will be taken as the result of the consultation. The District shall promptly inform ~~these parties~~ the Water Master, NFWF, the Tribe, and the Division of Water Rights of any changes to the release schedule.

If any dispute arises during consultation regarding potential injury to legal users of water, the Deputy Director for Water Rights shall decide the matter. Consultation is required only when necessary to carry out this transfer; unless otherwise required by law, consultation is not required for releases of stored water for purposes unrelated to the transfer, such as irrigation, flood control, and dam safety.

2. Condition 9 on page 21 is amended as follows:

During the transfer period, the District shall schedule reservoir releases to be made during the irrigation season (April 1 through October 31) to be within the historic range of releases during the irrigation season.

The historic range of releases are those releases that have taken place under existing license conditions, including any requirements for reservoir surface water elevation, minimum pool, bypass flows, or ramping schedules. At least one month prior to the transfer period, the District must develop a plan that identifies the historic range of releases during the irrigation season and that evaluates whether water to be transferred during the irrigation season is within the historic range of releases. The District shall provide the plan to the Division of Water Rights and make the plan publically available.

In order for ~~T~~the District ~~may~~ to release stored water either (1) during the irrigation season in amounts exceeding the historic range of releases during the irrigation season, or (2) after the irrigation season ends, if the District first shall consults with DFW and Mono County to identify potentially unreasonable impacts ~~avoid harm~~ to fish and wildlife and ~~downstream habitat~~ instream beneficial uses and to develop measures to avoid or mitigate any such impacts. Such consultation shall include (a) development of a schedule of releases for each reservoir; (b) the establishment of a flow ramping rates; (c) establishment of stream flow release limitations, if necessary; and (d) development of a monitoring plan for implementation to ensure that release of stored water under (1) or (2) does not result in unreasonable impacts to fish, wildlife, or instream beneficial uses. ~~schedule to avoid harm through rapid fluctuations in instream levels.~~ The monitoring plan shall focus on specific fisheries concerns during the periods of release under (1) or (2) above. A monthly monitoring report shall be submitted to DFW, Mono County, and the Deputy Director for Water Rights and a

final report of the results of the monitoring submitted no later than 90 days after the transfer period ends.

Within 30 days after consultation, the District shall provide verification to the Division of Water Rights that such consultation has occurred and information regarding any actions taken or that will be taken as the result of the consultation. If any dispute arises during consultation regarding unreasonable impacts to fish, wildlife, and other instream beneficial uses, or measures to avoid or mitigate such impacts, the Deputy Director for Water Rights shall decide the matter. Consultation is required only when necessary to carry out this transfer; unless otherwise required by law, consultation is not required for releases of stored water for purposes unrelated to the transfer, such as irrigation, flood control, and dam safety.

Dated: 5/16/14



Thomas Howard
Executive Director

EXHIBIT C

STATE OF NEVADA
COUNTY OF WASHOE



I, MICHAEL D. BUSCHLEINER, BEING FIRST DAILY SURVEYOR, DEPOSE AND SAY THAT THIS MAP, AND THE BOUNDARIES THEREON, WERE PREPARED BY ME OR UNDER MY SUPERVISION AND DIRECTION, RELYING UPON ANALYSIS OF RECORDED SURVEY DOCUMENTS AND OTHER DOCUMENTS IN THE WALKER RIVER DISTRICT, THE US FEDERAL LAND MANAGEMENT, THE WALKER RIVER RECREATION DISTRICT, THE US FEDERAL BUREAU OF LAND MANAGEMENT, THE NATIONAL FISH AND WILDLIFE FOUNDATION, AND THE NATIONAL FISH AND WILDLIFE FOUNDATION. I HAVE BEEN ADVISED BY THE US FEDERAL BUREAU OF LAND MANAGEMENT, THE NATIONAL FISH AND WILDLIFE FOUNDATION, AND THE NATIONAL FISH AND WILDLIFE FOUNDATION THAT THIS MAP TRULY AND CORRECTLY REPRESENTS THE EXISTING AND PROPOSED POINTS OF OVERFLOW AND PLACES OF USE OF A PORTION OF THE WALKER RIVER AND ITS TRIBUTARIES, AS DESCRIBED IN THAT PARTICULAR DOCUMENT ENTITLED UNITED STATES VS. WALKER RIVER DISTRICT, CIVIL ACTION NO. 03-1-00001, AND CIVIL ACTION NO. 03-1-00002, FOR WALKER RIVER DISTRICT, AS DESCRIBED IN CHAPTER 133.1, STATE ENGINEER'S MANUAL.

Michael D. Buschleiner
STATE ENGINEER
NOV 11 2011

SUBSCRIBED AND SIGNED TO BE FOR ME
THIS 11th DAY OF March 2011
MY COMMISSION EXPIRES September 6, 2011
COUNTY, NEVADA



BASIS OF BEARING
1. STATE PLANE - NEVADA WEST, MAG 81 (FEET)
2. ALL PUBLIC LAND SURVEY DATA SHOWN IN SHOROT DOUBLE BASE 3. MERRIAM (N.D.B.S.)

REFERENCES
1. PUBLIC LAND SURVEY SYSTEM (PLS) EXTRACTED FROM THE USBLM GEOGRAPHIC COORDINATE DATABASE (GCOB), STATE PLANE NEVADA WEST, MAG 81 (FEET)
2. WALKER RIVER BASIN BOUNDARY DERIVED FROM THE GSD DATASET "STATE ENGINEER BASIN BOUNDARIES SHP," DATED 6/1/08, PROVIDED BY THE NEVADA DIVISION OF WATER RESOURCES; AND THE CAL WATER HYDROGRAPHIC BASINS 1-SHOW GSD DATASET, PROVIDED BY THE WRCS
3. WALKER RIVER BOUNDARY DERIVED FROM LOGS DIGITAL LINE GRAPHS (DLG) 1-24-09
4. WALKER RIVER EAST, WEST, AND MAIN FORKS CENTERLINES AND CHANNEL CENTERLINES DERIVED FROM LOGS DIGITAL LINE GRAPHS (DLG) 1-24-09
5. USBLM 2008 NATIONAL AGRICULTURAL BUDGET PROGRAM (NABP) PHOTOGRAPHY (1:6 RESOLUTION)

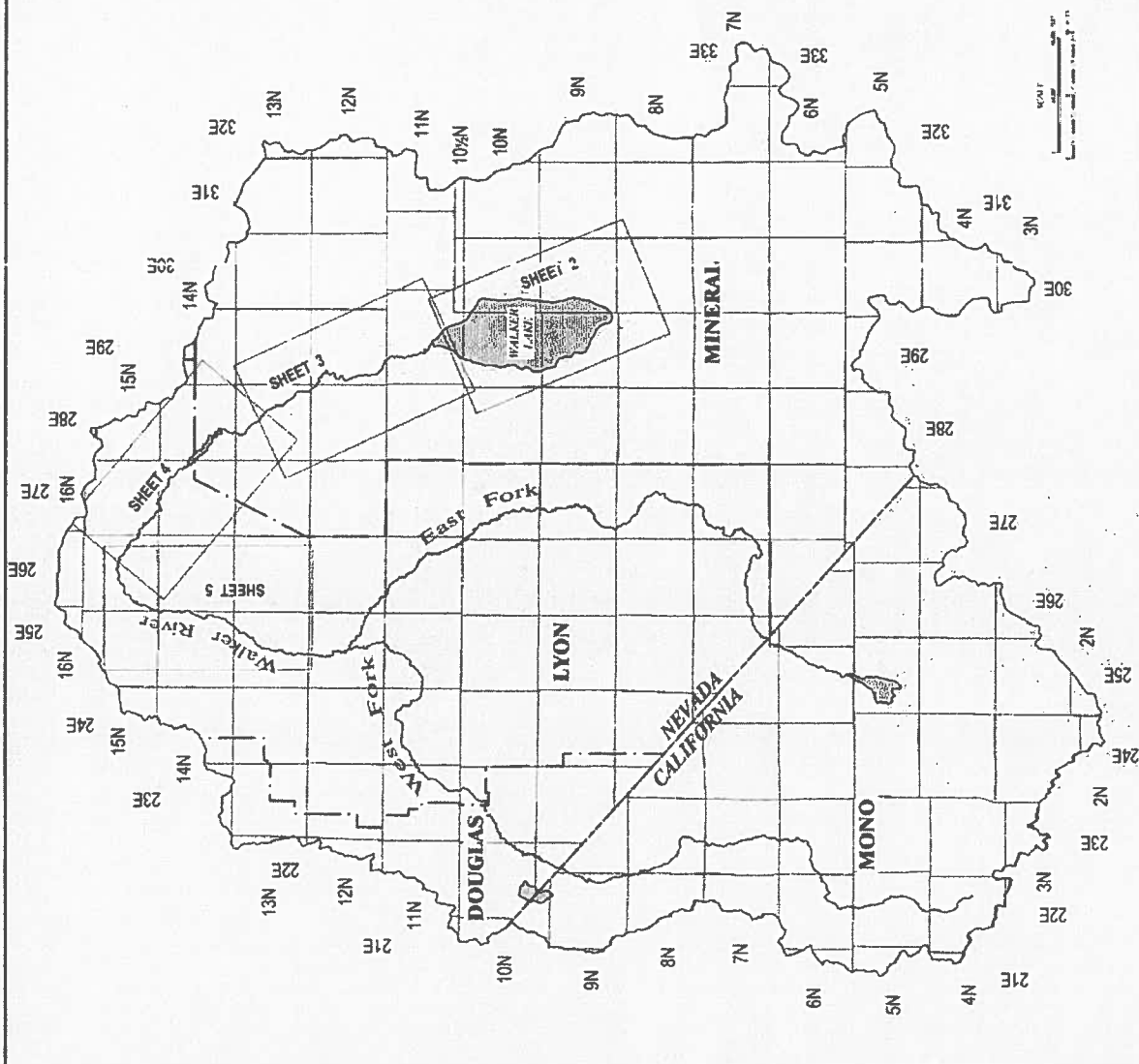
Sheet 1 of 6

Michael D. Buschleiner Consulting, Inc.
P.O. Box 1111
Sparks, Nevada 89426
(775) 350-1111
FAX: (775) 350-1111

MAP TO ACCOMPANY APPLICATION 80700 TO CHANGE THE PLACE AND NUMBER OF USE OF PORTIONS OF THE WALKER RIVER DECREE C-135, CHAPTERS 23, 22A, 33, 34, 67, AND 89
FOR WILDLIFE PURPOSES IN ACCORDANCE WITH NRS CHAPTER 533
THE NATIONAL FISH AND WILDLIFE FOUNDATION
THE WALKER RIVER BASINS TRIBUTARIES
LYON/MINERAL COUNTIES NEVADA



STATE ENGINEER'S USE

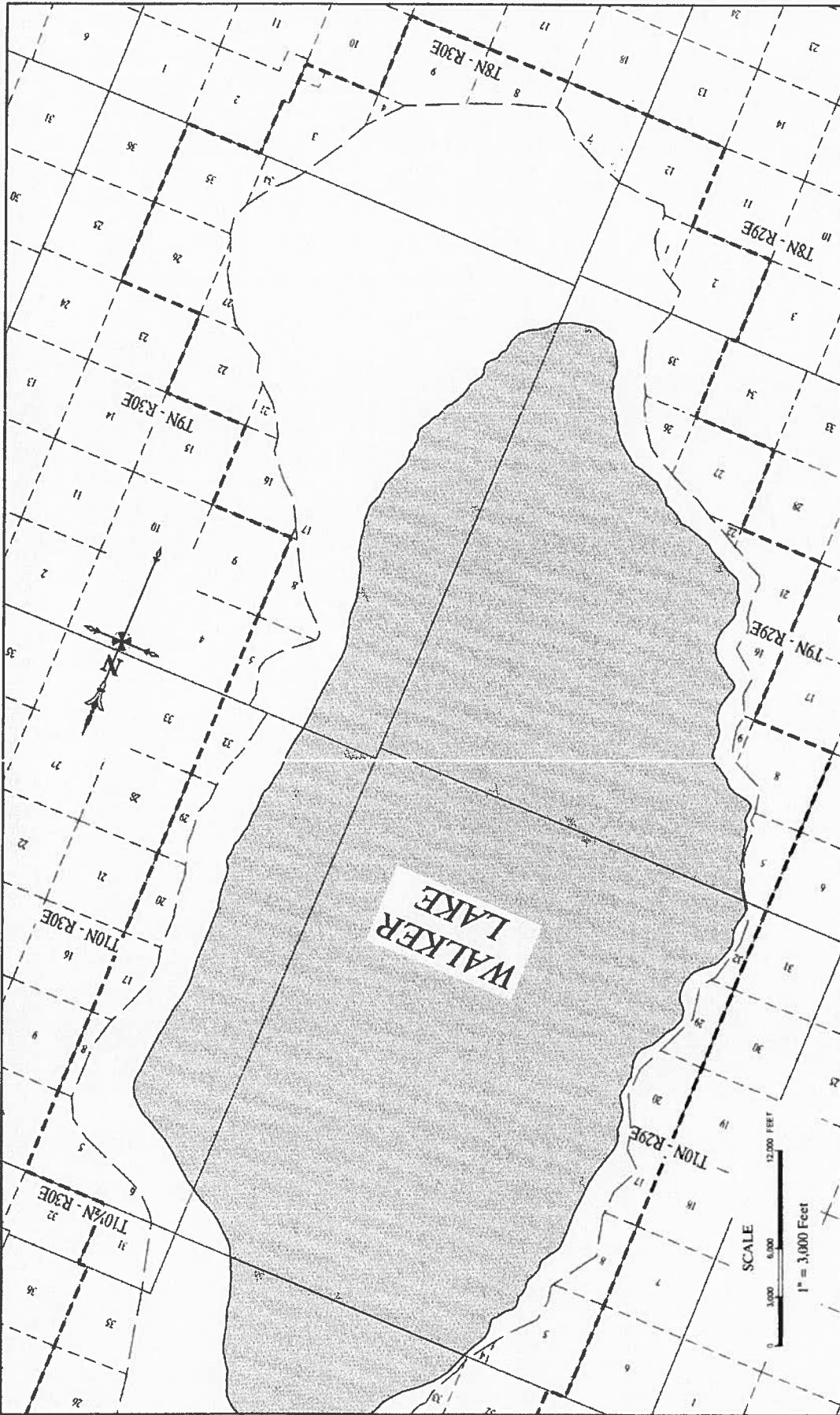


LEGEND
WALKER RIVER BASIN BOUNDARY
COUNTY LINE
STATE LINE
TOWNSHIP



Exhibit A

81704 80700



Sheet 2 of 6

Michael D. Buschelman Consulting, Inc.
 Post Office Box 5171
 Sparks, Nevada 89413
 (775) 333-4629 (Cell: 333-4629 FAX)

MAP TO ACCOMPANY APPLICATION 80700 TO CHANGE THE PLACE AND MANNER OF USE OF PORTIONS OF THE WALKER RIVER DECEIT C-125, CLAIMS 21, 23A, 35, 44, 47, and 49 FOR WILDLIFE PURPOSES IN ACCORDANCE WITH NRS CHAPTER 333 BY THE NATIONAL FISH AND WILDLIFE FOUNDATION through THE WALKER RIVER AND ITS TRIBUTARIES LYONMINERAL COUNTIES NEVADA

BASIS OF BEARING
 1. SURE POINT - ANCHORAGE WEST, MO 80 (GREEN)
 2. ALL PUBLIC LAND SURVEY DATA SHOWN IN WHITE (MOUNTAIN BASE & SECTIONAL PLATS)



STATE ENGINEER'S USE

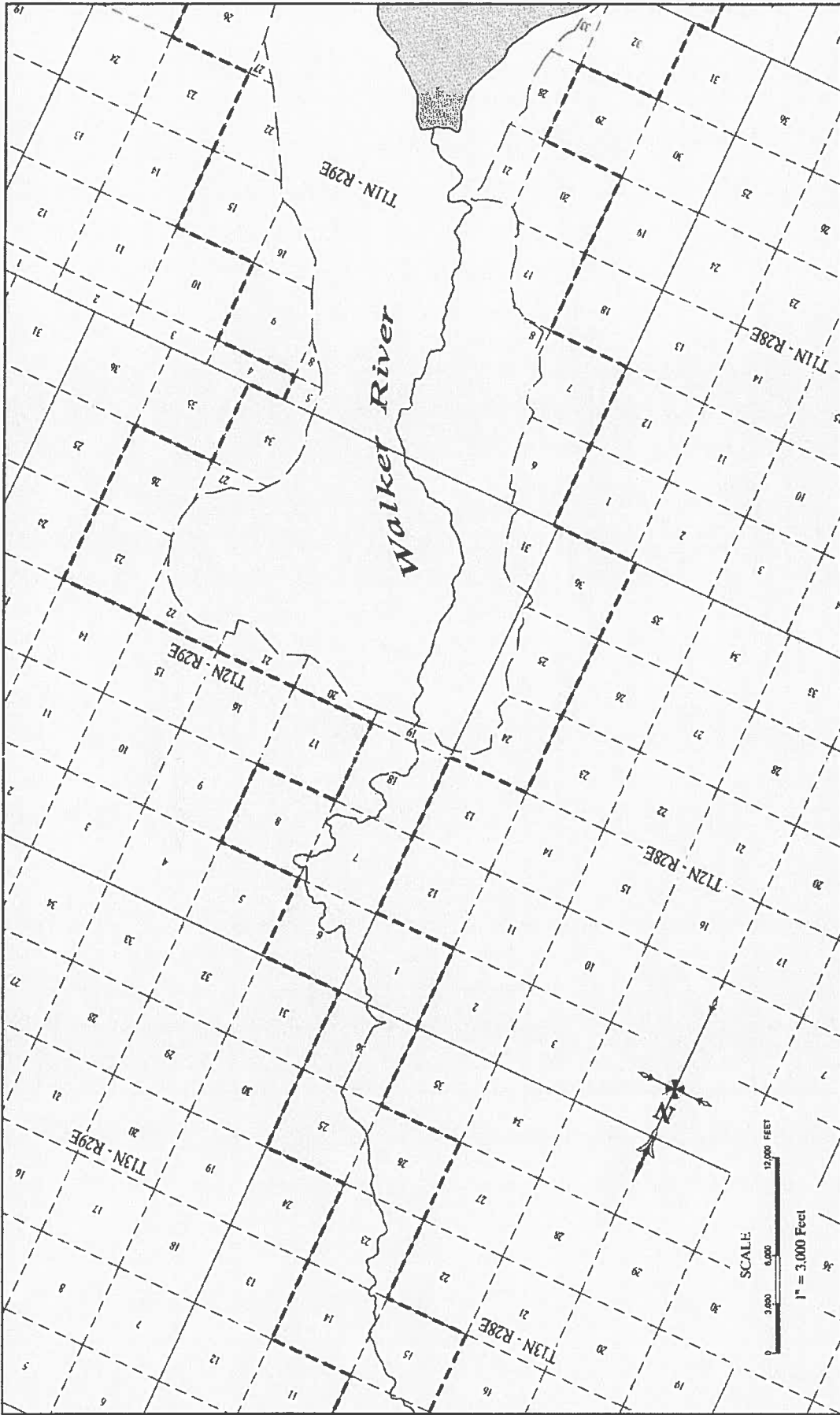
LEGEND

- WALKER RIVER BASIN BOUNDARY
- COUNTY LINE
- STATE LINE
- TOWNSHIP
- SECTION
- USACER LINE PER BLM
- PROPOSED PLACE OF USE



81704 80700

Exhibit A



Sheet 3 of 6

Michael D. Bischoffman Consulting, Inc.
 10000 E. 10th St.
 Suite 100
 Aurora, CO 80012
 (303) 733-1111

BASIS OF BEARING
 1. STATE PLUMB - REMONSTRATED (NO D.P.F.T.)
 2. ALL PUBLIC LAND SURVEY DATA KNOWN IN
 MOUNTAIN PLAIN (M.P.)

MAP TO ACCOMPANY APPLICATION TO CHANGE THE PLACE AND
 MANNER OF USE OF PORTIONS OF THE WALKER RIVER DECREE C-123,
 CLAIMS 23, 23A, 33, 44, 67, AND 89
 FOR
 WILDLIFE PURPOSES IN ACCORDANCE WITH
 NRS CHAPTER 303
 BY
 THE NATIONAL FISH AND WILDLIFE FOUNDATION
 AND
 THE WALKER RIVER AND ITS TRIBUTARIES
 LYON/MINERAL COUNTIES NEVADA

FILLED
 MAR 17 1988

STATE ENGINEER'S USE

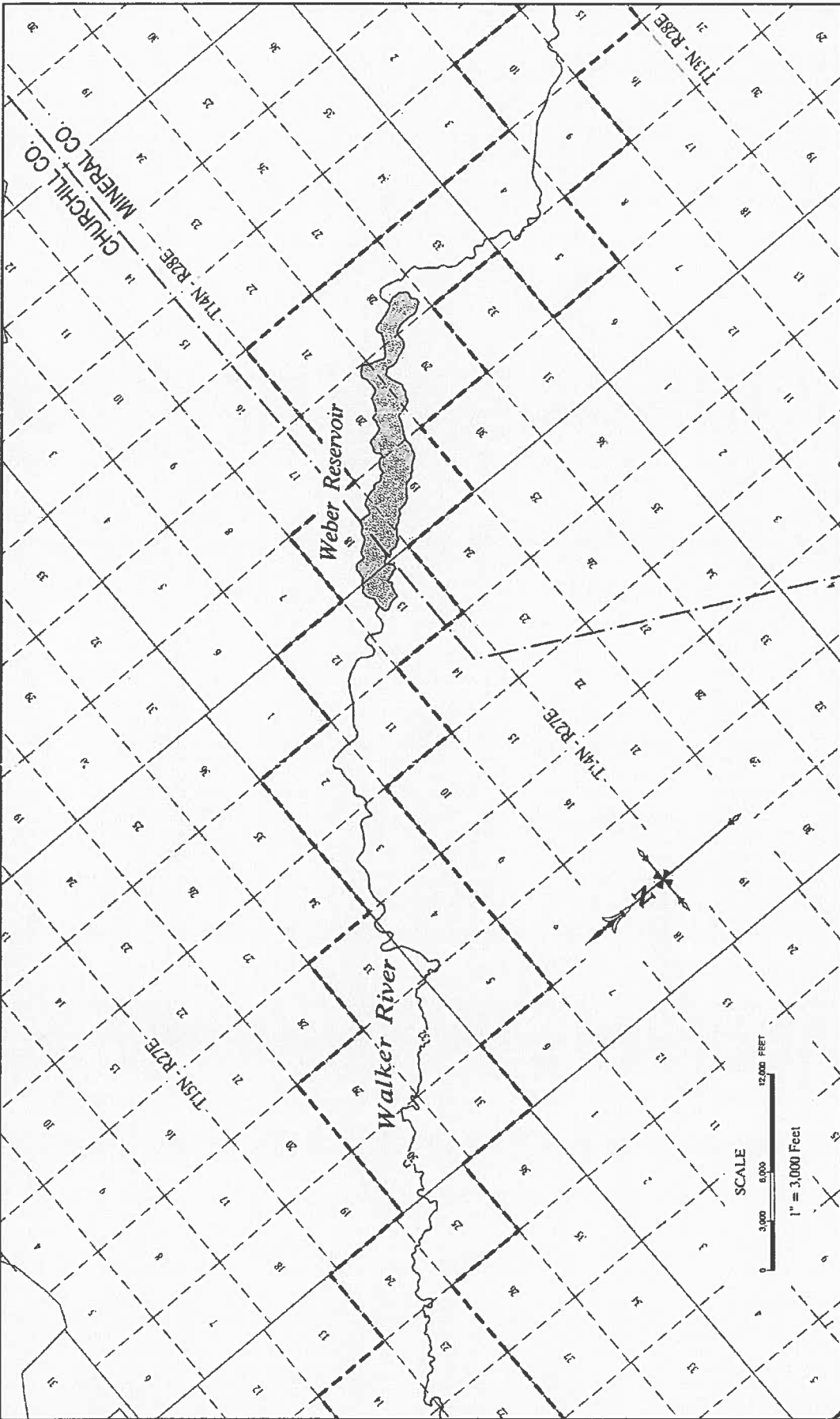
LEGEND

- WALKER RIVER BASH BOUNDARY
- COUNTY LINE
- STATE LINE
- TOWNSHIP
- SECTION
- RANGE/LINES PER BLM
- PROPOSED PLACE OF USE



Exhibit A

81704 80700



Sheet 4 of 6

Michael D. Benschelmann Consulting, Inc.
 1001 Office Building
 1001 Nevada Street
 1001 Nevada Street, Carson City, NV 89401

BASIS OF BEARING
 1. STATE PLANE - NEVADA WEST, NAD 83 (FEET)
 2. ALL PUBLIC LAND SURVEY DATA SHOWN IN
 ACCORDANCE WITH THE BUREAU OF LAND MANAGEMENT

STATE ENGINEER'S USE



LEGEND

- WALKER RIVER BASIN BOUNDARY
- COUNTY LINE
- STATE LINE
- TOWNSHIP
- SECTION
- - - PROPOSED PLACE OF USE

MAP TO ACCOMPANY APPLICATION #070 TO CHANGE THE PLACE AND
 MANNER OF USE OF PORTIONS OF THE WALKER RIVER DECREE C-124
 CLAUSES 21, 24, 35, 41, 47, AND 50

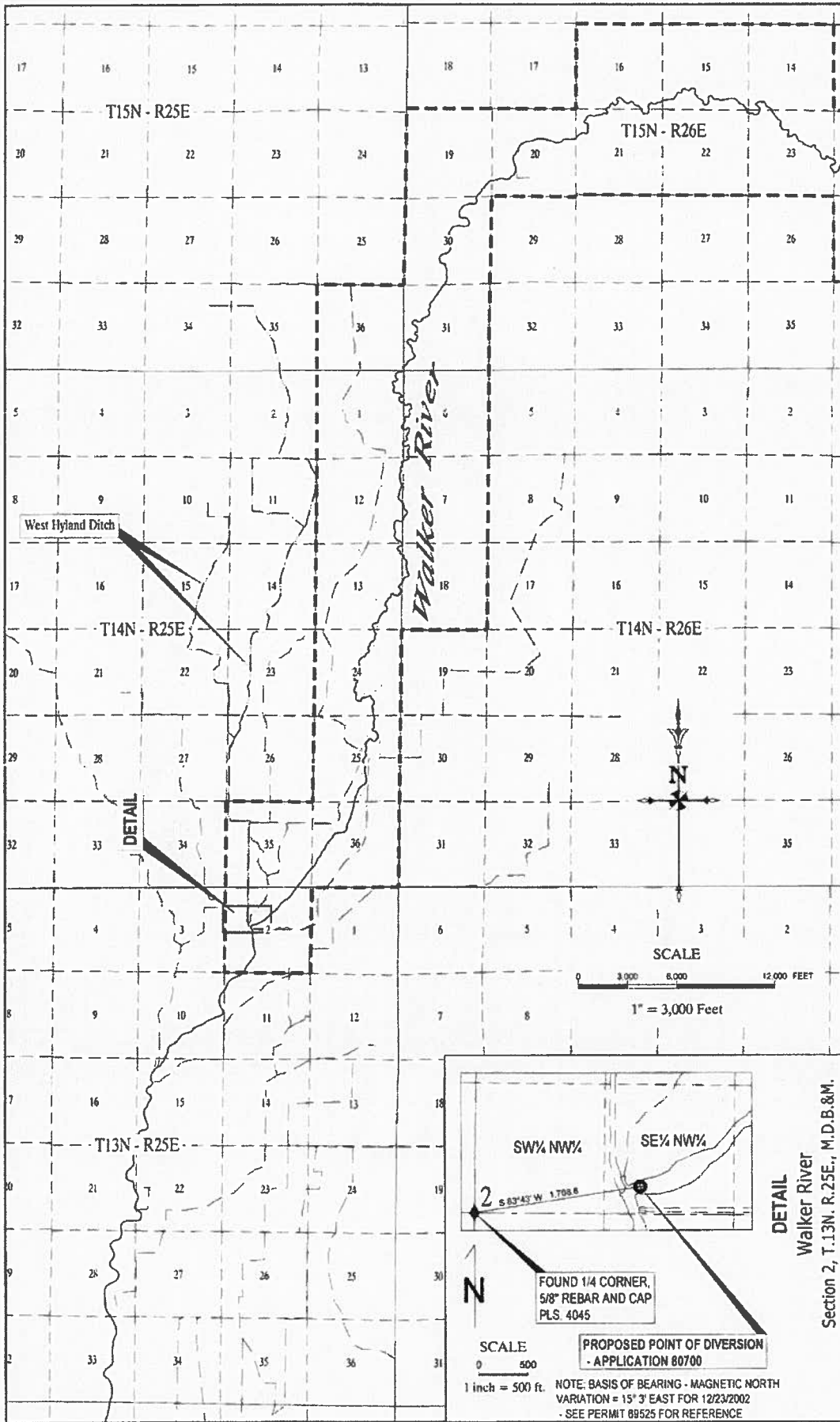
WILDLIFE PURPOSES IN ACCORDANCE WITH
 NRS CHAPTER 533

THE NATIONAL FISH AND WILDLIFE FOUNDATION
 1900
 THE WALKER RIVER AND ITS TRIBUTARIES
 LYON/MINERAL COUNTIES NEVADA



Exhibit A

81704 80700



Sheet 5 of 6

Michael D. Buschlin Consulting, Inc.
 Professional Engineer
 State of Nevada (PE) #10000
 (702) 335-9233

THIS IS TO ACCOMPANY APPLICATION TO CHANGE THE PLACE AND MANNER OF USE OF PORTIONS OF THE WALKER RIVER DECREE C-125 CLAIMS 23, 22A, 25, 14, 67, AND 88 FOR WILDLIFE PURPOSES IN ACCORDANCE WITH NRS CHAPTER 533

THE NATIONAL FISH AND WILDLIFE FOUNDATION
 THE WALKER RIVER TRIBUTARIES

LYONMINERAL COUNTIES NEVADA

81704 80700

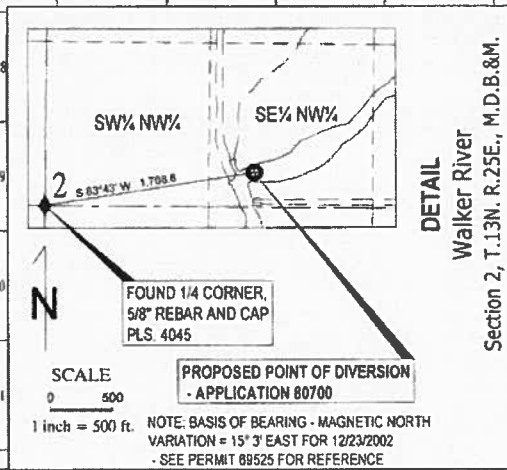
BASIS OF BEARING
 1. STATE PLANE - REVUDA WEST, NAD 83 (FEET)
 2. ALL PUBLIC LAND SURVEY DATA SHOWN IN WHITE ON THIS BASE 1 (MCDONALD (M.D.))

STATE ENGINEER'S LIST



LEGEND

- VALUED RIVER BASH BOUNDARY
- COUNTY LINE
- STATE LINE
- TOWNSHIP
- SECTION
- DITCH/RIVER
- PROPOSED PLACE OF USE



Section 2, T.13N. R.25E., M.D.B.&M.



Exhibit A

State of California
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>

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.

See Attachment No. 1 to Environmental Information.

Insert the attachment number here, if applicable:

1

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. Provide the date you submitted your request for consultation here, then provide the following information.

Date of Request

01/15/2020

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:

Not Applicable.

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

01/16/2020

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

Person Contacted:

Date of Contact:

Department:

Phone Number:

County Zoning Designation:

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:

Not Applicable.

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
Not Applicable.				

If necessary, provide additional information below:

Not Applicable.

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:

Not Applicable.

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:

Not Applicable.

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:

See Attachment No. 1

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 See Attachment No. 1

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 redirection, 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 at .



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 No. 1
to Environmental Information for
Petition for Temporary Transfer and Instream Flow Dedication
by Walker River Irrigation District

DESCRIPTION OF PROPOSED CHANGES

Walker River Irrigation District (District) is filing Petitions for Temporary Transfer and Instream Flow Dedication (Petitions) to its Licenses 6000 and 9407 (Applications 2221 and 1389, respectively) in order to assist with increasing the flow into Walker Lake for environmental restoration in the Walker River Basin as provided in Public Law 111-85, which established the Walker River Restoration Program. The purpose of these Petitions is to add to the existing places of use covered under Licenses 6000 and 9407 by including the downstream river segments of the West Walker River and the East Walker River, respectively, and the Walker River to and encompassing Walker Lake. In addition, the purpose of the Petitions is to add Fish and Wildlife Preservation and Enhancement as an additional purpose of use under Licenses 6000 and 9407. There are no changes to the existing points of diversion, places of use, or purposes of use identified in Licenses 6000 and 9407.

The District has an agreement with the National Fish and Wildlife Foundation (NFWF), predecessor to the Walker Basin Conservancy (WBC), to administer and manage a “Stored Water Program” in the Walker River Basin. The purpose of the Stored Water Program is to release surface water from Topaz Reservoir and Bridgeport Reservoir for instream flow dedication to and including Walker Lake. The District proposes to release up to 25,000 AF for instream dedication to Walker Lake involving surface water that was previously stored or would have otherwise been held in storage at Topaz Reservoir or Bridgeport Reservoir under Licenses 6000 and 9407, respectively, absent the proposed transfer, some or all of which would have been released for irrigation purposes within the District. Combined, the Petitions are limited to a total of 25,000 AF released from Topaz Reservoir and Bridgeport Reservoir. The releases by the District for the proposed temporary water transfer would occur during a period of up to one year following approval of the Petitions.

The Petitions do not involve a physical change to the District’s existing diversion facilities or its existing conveyance system, including the existing Topaz Reservoir and Bridgeport Reservoir. The proposed quantities of water to be released by the District for the water transfer and instream flow dedication are variable and depend upon hydrologic conditions and participation in the Stored Water Program by individual growers within the District. Following evaluation of participation by growers in the Stored Water Program, the District will develop a schedule of releases (release plan) for the proposed temporary transfer and instream flow dedication, in consultation with the Watermaster for the Walker River, NFWF/WBC, and the Walker River Paiute Tribe. For additional information, refer to Attachment No. 1 to the Petitions.

PHOTOGRAPHS

No changes to the present authorized points of diversion or places of use are proposed. Photographs along the stream channel at the present points of diversion and within the present places of use are included in the State Water Board's files for Licenses 6000 and 9407; and thus, the District respectfully requests that said photographs be made a part of the record for these Petitions. The proposed additional places of use, including the East Walker River from Bridgeport Reservoir to the confluence of the Walker River, and the West Walker River from Topaz Reservoir to the confluence of the Walker River, thence the Walker River to and encompassing Walker Lake, are well known and documented. For reference, see the website for the Walker River Restoration Program < www.walkerbasin.org >, which contains several photographs. Additional photographs may be made available upon request.

MAPS

The present authorized points of diversion and present places of use are shown on a map filed with the State Water Board for Licenses 6000 and 9407. The proposed additional places of use and instream flow dedication reach are shown on a map filed with the State Water Board for Licenses 6000 and 9407, together with maps included as Exhibit C to the Petitions, which were prepared by NFWF for the lower reaches of the Walker River to and including Walker Lake.

DC/kk

5280.2/DRAFT ATTACHMENT 1 TO ENVIRONMENTAL FORM WALKER TEMPORARY TRANSFER-INSTREAM 01.15.2020