

July 22, 1955

Applications 5169, 6534, 9267, 9247

Mr. Chester C. Taylor
Engineer-Manager
Washoe County Water Conservation District
Room 200, Title Insurance Building
Reno, Nevada

Dear Mr. Taylor:

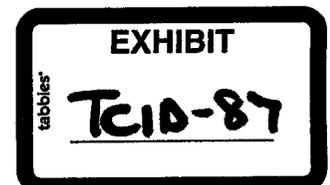
Receipt is acknowledged of your letter of July 6, 1955, asking whether or not the Sierra Pacific Power Company has a right to store water in Independence Lake adverse to the rights of Washoe County Water Conservation District or the Truckee-Carson Irrigation District.

Our records indicate that Washoe County Water Conservation District has the following appropriative rights for storage in Boca Reservoir: 40,850 acre-feet per annum, initiated by the filing of Application 5169 and confirmed by License 3723, dating from August 25, 1926; 19,150 acre-feet per annum under approved Application 6534, Permit 5287, dating from January 16, 1930. Both applications are for irrigation and domestic purposes.

Our records also indicate that Sierra Pacific Power Company has appropriative rights for storage in Independence Lake as follows: 17,500 acre-feet per annum for power generating purposes initiated by the filing of Application 9267 and confirmed by License 2607 dating from April 2, 1938; 17,500 acre-feet per annum for municipal purposes under Application 9247, Permit 5392, dating from February 24, 1938. Appropriative rights initiated prior to December 19, 1914, effective date of the Water Commission Act, are not of record in this office.

Relative to your inquiry regarding adverse use, your attention is directed to the pertinent paragraphs at pages (33) and (34) of the enclosed copy of our rules and regulations.

JUL 22 '55 JTB



Mr. Chester C. Taylor

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July 22, 1955

In this connection it may also be added that any attempt by a permittee or licensee to adverse another would be evidence of violation of the permit or license terms and may subject the permit or license to revocation for failure to comply with terms thereof.

Since adverse use is a question of fact, it is suggested that your attorney be consulted in the matter if further information in this regard is desired.

Very truly yours,

A. D. EDMONSTON, STATE ENGINEER

JUL 27 1955

By

L. C. Jopson
Principal Hydraulic Engineer

Enc.
JTE:md

JUL 27 1955

EDWARD M. PECKHAM, PRESIDENT
ROBT. S. GILBERT, VICE-PRESIDENT
E. S. YOAKAM, SECRETARY
ERNEST A. CAPURRO, TREASURER

WASHOE COUNTY
WATER CONSERVATION DISTRICT
ROOM 200, TITLE INSURANCE BLDG.
RENO, NEVADA

ERNEST J. KLEPPE, DIRECTOR
CHARLES J. GAULT, DIRECTOR
JOHN E. ROBINSON, ATTORNEY AND DIRECTOR
CHESTER C. TAYLOR, ENGINEER-MANAGER

LES

July 6, 1955

9247
9267

California Division of Water Resources
P. O. Box 1079
Sacramento 5, California

Gentlemen:

At a recent meeting of the Board of Directors of this District, I was directed to write you a letter asking whether or not the Sierra Pacific Power Company has a right to store water in Independence Lake adverse to the rights of this district or the Truckee Carson Irrigation District. The writer realizes that the Truckee River Agreement governs such matters to a great extent but this being an unusually dry year, the Power Company has filled Independence Lake to its capacity while Boca Reservoir will not be filled. There is also considerable shorage in the Lahonton Reservoir. We are wondering in view of the fact that we have a license from your office for 40,900 acre feet of water whether the Sierra Pacific Power Company has a right to fill Independence adverse to these rights.

Thanking you for the many past courtesies, I remain

Yours very truly,

Chester C. Taylor

Chester C. Taylor
Engineer-Manager

CCT:mm

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DIV. OF WATER RESOURCES
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