

§418.1

43 CFR, Subtitle B, Ch. I (10-1-10 Edition)

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APPENDIX A TO PART 418—CALCULATION OF EFFICIENCY EQUATION

AUTHORITY: 43 U.S.C. 391, et seq.; 43 U.S.C. 373; 43 U.S.C. 614, et seq.; 104 Stat. 3289, Pub. L. 101-618.

SOURCE: 62 FR 66467, Dec. 18, 1997, unless otherwise noted.

GENERAL PROVISIONS

§418.1 Definitions.

Bureau means the Bureau of Reclamation.

Decrees means the *Alpine* decree (*United States v. Alpine Land and Reservoir Co.*, 503 F. Supp. 877 (D. Nev. 1980)) and the *Orr Ditch* decree (*United States v. Orr Water Ditch Co.*, Equity No. A-3 (D. Nev.))

District means the Truckee-Carson Irrigation District or any other approved Newlands Project operator.

Eligible land means Project land which at the time of delivery has a valid water right and either:

- (1) Is classified as irrigable under Bureau land classification standards (Reclamation Instruction Series 510); or
- (2) Has a paid out Project water right.

Full reservoir means 295,500 acre-feet in Lahontan Reservoir using Truckee River diversions. The Reservoir can fill above 295,500 acre-feet to 316,500 acre-feet with Carson River inflow and the use of flash boards. Intentional storage on the flash boards will occur only after the peak runoff.

Project means the Newlands Irrigation Project in western Nevada.

§418.2 How Project water may be used.

Project water may be delivered only to serve valid water rights used for:

- (a) Maintenance of wetlands and fish and wildlife including endangered and threatened species;
- (b) Recreation;
- (c) Irrigation of eligible land; and
- (d) Domestic and other uses of Project water as defined by the decrees.

§418.3 Effect of these regulations on water rights.

This part governs water uses within existing rights. This part does not in any way change, amend, modify, abandon, diminish, or extend existing rights. Water rights transfers will be determined by the Nevada State Engineer under the provisions of the *Alpine* decree.

§418.4 Prohibited deliveries.

The District must not deliver Project water or permit its use except as provided in this part. No Project water will be released in excess of the maximum allowable diversion or delivered to ineligible lands. Delivery of water to