



BOARD OF SUPERVISORS

2014 MAY 21 A 10:24



EDMUND G. BROWN JR.
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MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

**NOTICE OF PETITION FOR TEMPORARY CHANGE
TO MODIFY THE DEPARTMENT OF WATER RESOURCES
PERMIT 16479 (APPLICATION 14443)
FOR TRANSFER OF WATER TO WESTLANDS WATER DISTRICT**

On May 8, 2014, the Department of Water Resources (DWR) filed a petition for temporary change to transfer water pursuant to California Water Code section 1725 et seq. The requested temporary change involves the transfer of up to 15,225 acre-feet (af) of water from Biggs-West Gridley Water District (Biggs) to Westlands Water District (Westlands). In order to facilitate the transfer, DWR has petitioned the State Water Resources Control Board to modify the authorized place of use of DWR's Permit 16479 to include the service area of Westlands.

Biggs diverts water at Thermalito Afterbay on the Feather River under pre-1914 water rights and a water right settlement agreement with DWR. A water user within Westlands executed a water purchase agreement with Biggs for the transfer of 15,225 af of water made available through idling land that would have been planted to rice. Due to the critically dry hydrologic conditions in 2014 and the agreement of DWR to store transfer water made available in May and June until it can be exported at Banks Pumping Plant, a portion of the transfer water will rely on water available under Permit 16479. Westlands is not within the authorized place of use of DWR's State Water Project. Temporary changes involving the transfer/exchange of water may be in effect for one year from the date of approval.

Any correspondence directed to the petitioner should be mailed to the Department of Water Resources, c/o Nancy Quan, P.O. Box 942836, Sacramento, CA 94236-0001 or via email at nancy.quan@water.ca.gov;

Pursuant to California Water Code section 1726(f), any interested party may file a comment regarding the petition. **Comments must be received by the Division of Water Rights by 4:30 p.m. on June 3, 2014. A copy must also be provided to the petitioner at the address above.** To obtain detailed information regarding the proposed transfer, you may view the petition by visiting the Division's website at: http://www.waterboards.ca.gov/waterrights/water_issues/programs/drought/petitions/transferpetitions.shtml

Should you have any other questions regarding this matter, please contact Patricia Fernandez at (916) 319-9141 or by email at patricia.fernandez@waterboards.ca.gov. Written correspondence or inquiries should be addressed as follows: State Water Resources Control Board, Division of Water Rights, Attn: Patricia Fernandez, P.O. Box 2000, Sacramento, CA 95812-2000.

Date of Notice: May 19, 2014

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE OFFICER

1001 I Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, Ca 95812-0100 | www.waterboards.ca.gov


Memorandum

Date: **MAY 27 2014**

BOARD OF SUPERVISORS

To: Ms. Barbara Evoy, Chief
Division of Water Rights
State Water Resources Control Board
Post Office Box 2000
Sacramento, California 95812-2000

2014 MAY 30 A 10:18

From: Robert B. Cooke, Chief 
State Water Project Analysis Office
Department of Water Resources

Subject: 2014 Petition for Temporary Change to Modify the State Water Project Authorized Place of Use to Facilitate a Water Transfer to San Luis & Delta Mendota Water Authority

Enclosed is the Department of Water Resources' (DWR) Petition for Temporary change to facilitate the transfer of water from Garden Highway Mutual Water Company (GHMWC) to the San Luis & Delta Mendota Water Authority (SLDMWA). The petition requests the Board temporarily modify the authorized Place of Use of Permit 16479 to include the SLDMWA service area.

GHMWC diverts water from the Feather River under water right license 2033 and a water right settlement agreement with DWR. GHMWC executed a water purchase agreement with SLDMWA for the transfer of up to 6,600 acre-feet of water made available through groundwater substitution. Due to the critically dry hydrologic conditions in 2014 and the agreement of DWR to store transfer water made available before July 1 until it can be exported at the Banks or Jones Pumping Plants, a portion of the transfer water will rely on water available under DWR's water right. SLDMWA is not within the authorized place of use of the State Water Project.

Also included are (1) a check for the \$3,977 fee to the State Water Resources Control Board, and (2) a check for \$850 to the Department of Fish and Game. If you or your staff wish to discuss this petition further, please contact me at (916) 653-4313 or Nancy Quan of my staff at (916) 653-0190.

Attachments

cc: (See attached list.)

cc: Frances Mizuno
Assistant Executive Director
San Luis Delta Mendota Water Authority
842 – 6th Street, Suite 7
Post Office Box 2157
Los Banos, California 93635-2157

Nicole Van Vleck
Garden Highway Mutual Water Company
12755 Garden Highway
Yuba City, California 95691

Mr. Terry Erlewine
General Manager
State Water Contractors
1121 L Street, Suite 1050
Sacramento, California 95814

Paul Fujitani
U.S. Department of Interior
Bureau of Reclamation
3310 El Camino Avenue
Sacramento, California 95825

Mr. Ray Sahlberg
Bureau of Reclamation
U.S. Department of the Interior
2800 Cottage Way
Sacramento, California 95825

David Sholes
Central Valley Regional Water
Quality Control Board
1685 E Street
Fresno, California 93706-2007

California Department of
Fish and Game, Region 4
1234 East Shaw
Fresno, California 93710

U.S. Fish and Wildlife Service
Habitat Conservation
2800 Cottage Way, Room W-2605
Sacramento, California 95825-1846

Fresno County Board of Supervisors
2281 Tulare-Hall of Records, Room 301
Fresno, California 93721-2198

Kings County Board of Supervisors
1400 West Lacey Boulevard
Hanford, California 93230

Merced County Board of Supervisors
2222 M Street
Merced, California 95340

San Joaquin County
Board of Supervisors
222 East Weber Avenue
Stockton, California 95202

Stanislaus County Board of Supervisors
City/County Administration Building
1010 10th Street, Suite 6500
Modesto, California 95354

Please indicate County where your project is located here:

See Supplement

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** Wat. Code, § 1701
 Point of Rediversion Wat. Code, § 1701
 Place of Use Wat. Code, § 1701
 Purpose of Use Wat. Code, § 1701
 Temporary Urgency Wat. Code, § 1435
 Temporary Change Wat. Code, § 1725
 Long-term Transfer Wat. Code, §§ 382, 1735
 Instream Flow Dedication Wat. Code, § 1707

Application Permit License Statement

I (we) hereby petition for change(s) noted above and described as follows:

Point of Diversion or Rediversion – Provide source name and identify points using both Public Land Survey System descriptions to ¼-¼ level and California Coordinate System (NAD 83).

Present: Lake Oroville and Harvey O. Banks Pumping Plant and Jones (formerly Tracy) Pumping Plant as described in Water Rights Decision 1641
 Proposed: include Jones Pumping Plant export by U.S. Bureau of Reclamation for Transfer Water

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

Present: As shown on the maps on file with the SWRCB
 Proposed: Add San Luis & Delta Mendota Water Authority service area as shown on the attached map and the CVP POU maps on file with the SWRCB, to the authorized place of use of the State Water Project.

Purpose of Use

Present: Municipal, Industrial, Domestic, Irrigation, Fish & Wildlife Enhancement, Recreation, Streamflow Enhancement, Salinity Control, Incidental Power
 Proposed: No Change

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

Upstream Location:
 Downstream Location:

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

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

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.

See Supplement

Amount of Water to be Transferred

6,600 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.

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.

None

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 May 27, 2014 at Sacramento, California

Mary J
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)

SUPPLEMENT TO 2014 PETITION FOR CHANGE TO TEMPORARILY ADD THE SAN LUIS & DELTA MENDOTA WATER AUTHORITY TO SWP PLACE OF USE

Requested Change

The Department of Water Resources (DWR) requests that the State Water Resources Control Board (SWRCB) modify Permit 16479 to temporarily add the service area of the San Luis & Delta Mendota Water Authority (SLDMWA) to DWR's authorized place of use. The requested change will facilitate the transfer of water from Garden Highway Mutual Water Company (GHMWC), a water user on the Feather River downstream of Oroville Dam which has a water right settlement agreement with DWR, to SLDMWA. SLDMWA is an organization which represents a number of Central Valley Project (CVP) agricultural contractors located in western San Joaquin Valley.

Background

Water supply conditions are critically dry for both the Sacramento and San Joaquin River basins. The critically dry conditions in 2014 follow two previous dry years. The Bureau of Reclamation (Reclamation) allocated no CVP water to its agricultural contractors south of the Sacramento/San Joaquin Delta (Delta) in 2014. The districts within SLDMWA are experiencing severe water supply shortages within their service areas. SLDMWA negotiated a one-year agreement with GHMWC for the transfer of up to 6,600 acre-feet to augment the limited water supplies available within SLDMWA's service area. Under the agreement, the transfer water will be made available through groundwater substitution and will be delivered by the U.S. Bureau of Reclamation or DWR to SLDMWA's service area through the Delta Mendota Canal or California Aqueduct June 1 through October 30, 2014. Any export of Transfer Water outside July through September will require the concurrence of the National Marine Fisheries Service (NMFS), U.S. Fish and Wildlife Service (FWS) and Department of Fish and Wildlife (DFW).

Reason for the Requested Changes

GHMWC diverts water from the Feather River below Oroville Dam under License 2033 and a water rights settlement agreement between DWR and GHMWC dated May 17, 1977 (Settlement Agreement). The water available to GHMWC under the Settlement Agreement is comprised of water available its water rights license and water developed under DWR's Feather River water rights.

A portion of the water made available for the GHMWC to SLDMWA transfer will rely on the water rights held by DWR including any water stored in Lake Oroville, as well as any transfer water provided after the date of any curtailment notice issued by the SWRCB on License 2033 as a result of the critically dry hydrologic conditions in the Feather River watershed. The SLDMWA service area is located outside the SWP authorized place of use. The addition of the SLDMWA service area to the SWP place of use will allow delivery of the transfer water made available through groundwater substitution undertaken by GHMWC during the 2014 irrigation season. The requested change will

to some extent alleviate the impacts of the severe water shortages within the service areas of the SLDMWA districts.

The Amount of Water to be Transferred Would Have Been Consumptively Used or Stored in the Absence of the Transfer

Due to the historically dry conditions, available water supplies to districts in the San Joaquin Valley are extremely limited. The districts within SLDMWA will have critical unmet demands throughout the irrigation season and their growers will rely heavily on the availability of transfer water and groundwater pumping to meet the minimum demands for valuable permanent crops.

As noted above, GHMWC diverts water from the Feather River under water right License 2033 and the settlement agreement. Under the terms of the Settlement Agreement, GHMWC has been allocated its full supply for 2014. GHMWC will continue its typical agricultural practices, but in lieu of meeting the majority of its demand with surface water diversions it will pump groundwater to supply a portion of the crop demand within its service area. GHMWC and SLDMWA negotiated a purchase agreement whereby GHMWC will make transfer water available for delivery to SLDMWA. The transfer water will be exported from the Delta at either Reclamation's Jones Pumping Plant (Jones) or DWR's Banks Pumping Plant (Banks) in the Delta.

The amount of transfer water made available through groundwater substitution is based on the amount of additional water pumped by the seller above their normal baseline pumping adjusted by a streamflow depletion factor. The streamflow depletion factor is intended to account for depletions in surface water during the period when the Delta is in balanced conditions that may occur as a result of the increased groundwater pumping in order to minimize potential impacts to other legal users of water and the environment. Therefore, the transfer water represents only water that would have been consumptively used in the absence of the transfer.

The transfer can be made without injuring other legal users of water.

The change in place of use requested by DWR can be made without injuring other legal users of water. The water to be transferred is limited to the quantity that would have been consumptively used in the absence of the transfer. As noted above, the water will be made available through groundwater substitution. Any transfer water made available will accrue in Lake Oroville or be directly exported at Jones or Banks on the same pattern as the water is made available from the additional groundwater pumping. DWR and Reclamation limit the quantity of Transfer Water from groundwater substitution to the amount of additional groundwater pumped for the transfer less a streamflow depletion factor to avoid a reduction in the quantity of water available for diversion by other legal users of water downstream of the point of transfer. The release of any stored Transfer Water or direct conveyance of transfer water will be coordinated between DWR and Reclamation to coincide with availability of export capacity.

The water to be transferred or exchanged is diverted out of the watershed from which it originates in conformance with the provisions of the DWR's water right. Water made

available through the proposed transfers cannot be exported at Jones or Banks if the export will impact SWP and/or CVP (collectively Projects) operations, including the Projects' ability to comply with all applicable regulatory requirements. All water exported at the SWP and CVP Delta facilities is pumped consistent with the criteria contained in D-1641 and the requirements contained in the applicable Biological Opinions issued by the NMFS and the FWS for the protection of Delta Smelt, anadromous fish and Marine mammal species (BiOps). DWR and Reclamation, will continue to meet the objectives specified in D-1641, as modified by Water Right Order 2008-0029 EXEC over which the Projects have control, and as modified by any subsequent orders in effect at the time of the export as well as the requirements of the BiOps.

The conveyance can be made without unreasonably affecting fish, wildlife, or other instream beneficial uses.

The change requested by DWR will not result in unreasonable impacts to fish and wildlife or the environment. The SWP water conveyed for the transfer is water previously diverted at Oroville and exported at Jones or Banks in conformance with the provisions of DWR's water rights permits governing SWP operations. In the absence of the transfer, growers within GHMWC would have diverted surface water in an amount equivalent to the transfer water, and that surface water diverted would have been consumptively used within the GHMWC service area. None of the water would have been available to other downstream users or would have contributed to streamflow. DWR and Reclamation limit the quantity of Transfer Water from groundwater substitution to the amount of additional groundwater pumped for the transfer less a streamflow depletion factor to avoid a reduction in the quantity of water available downstream of the point of transfer. Conveyance of the transfer water will result in a slight increase in streamflow from the GHMWC diversion facilities on the Feather River to Jones.

The surface water foregone will be exported from the Delta by DWR at Banks or by Reclamation at Jones. All water exported at Jones and Banks is pumped in accordance with the criteria contained in D-1641 and the BiOps. DWR and USBR will continue to meet the objectives specified in D-1641, as modified by Water Right Order 2008-0029 EXEC over which we have control, or as modified by any subsequent orders in effect at the time of the export, as well as the requirements contained in the BiOps. The quantity of transfer water to be conveyed through the Delta, including other currently planned transfers, is well within the quantities analyzed in the environmental documents issued for the BiOps.

The exchanges will not result in a measurable change in quantity or quality of return flows. There will be no increase in CVP allocation to the SLDMWA districts as a result of the proposed transfer.

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.

The Department of Water Resources (DWR) requests that the State Water Resources Control Board (SWRCB) modify Permit 16479 to temporarily add the service area of the San Luis & Delta Mendota Water Authority (SLDMWA) to DWR's authorized place of use. The requested change will facilitate the transfer of water from Garden Highway Mutual Water Company (GHMWC), a water user on the Feather River downstream of Oroville Dam which has a water right settlement agreement with DWR, to SLDMWA. SLDMWA is an organization which represents a number of Central Valley Project (CVP) agricultural contractors located in western San Joaquin Valley. The critically dry conditions in 2014 follow two previous dry years. The Bureau of Reclamation (Reclamation) allocated no CVP water to its agricultural contractors south of the Sacramento/San Joaquin Delta (Delta) in 2014. The districts within SLDMWA are experiencing severe water supply shortages within their service areas. SLDMWA negotiated a one-year agreement with GHMWC for the transfer of up to 6,600 acre-feet to augment the limited water supplies available within SLDMWA's service area. Under the agreement, the transfer water will be made available through groundwater substitution and will be delivered by the U.S. Bureau of Reclamation or DWR to SLDMWA's service area through the Delta Mendota Canal or California Aqueduct June 1 through October 30, 2014. Any export of Transfer Water outside July through September will require the concurrence of the National Marine Fisheries Service (NMFS), U.S. Fish and Wildlife Service (FWS) and Department of Fish and Wildlife (DFW).

A portion of the water made available for the GHMWC to SLDMWA transfer will rely on the water rights held by DWR. The SLDMWA service area is located outside the SWP authorized place of use. The addition of the SLDMWA service area to the SWP place of use will allow delivery of the transfer water made available through groundwater substitution undertaken by GHMWC during the 2014 irrigation season. The amount of water to be transferred is limited to the quantity that would have been consumptively used in the absence of the transfer. The amount of transfer water made available through groundwater substitution is based on the amount of additional water pumped by the seller above their normal baseline pumping adjusted by a streamflow depletion factor. The streamflow depletion factor is intended to account for depletions in surface water during the period when the Delta is in balanced conditions that may occur as a result of the increased groundwater pumping in order to minimize potential impacts to other legal users of water and the environment. The water will be stored or directly exported on the same pattern it is made available and will only be exported at times when it will not adversely impact State Water Project or Central Valley Project operations or affect the ability of DWR and Reclamation to meet the objectives specified in D-1641, as modified by Water Right Order 2008-0029 EXEC over which the Projects have control, and as modified by any subsequent orders in effect at the time of the export as well as the requirements contained in the applicable Biological Opinions issued by the NMFS and the FWS for the protection of Delta Smelt, anadromous fish and Marine mammal species.

Insert the attachment number here, if applicable:

Coordination with Regional Water Quality Control Board

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

Date of Request

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:

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

N/A

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:

Insert the attachment number here, if applicable:

Federal and State Permits

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

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

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

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

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

If necessary, provide additional information below:

Insert the attachment number here, if applicable:

Construction or Grading Activity

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

If necessary, provide additional information below:

Insert the attachment number here, if applicable:

Archeology

- Has an archeological report been prepared for this project? If yes, provide a copy. Yes No
- Will another public agency be preparing an archeological report? Yes No
- Do you know of any archeological or historic sites in the area? If yes, explain below. Yes No

If necessary, provide additional information below:

Insert the attachment number here, if applicable:

Photographs

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

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

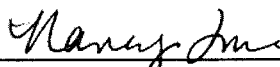
Maps

For all petitions other than time extensions, attach maps labeled in accordance with the regulations showing all applicable features, both present and proposed, including but not limited to: point of diversion, point of 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 May 27, 2014 at Sacramento, California.



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.)



BOARD OF SUPERVISORS



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board 2014 JUN -2 A 9:56

**NOTICE OF PETITION FOR TEMPORARY CHANGE
INVOLVING THE TRANSFER OF WATER
UNDER SOUTH SUTTER WATER DISTRICT
LICENSE 11118 (APPLICATION 14804)**

On May 23, 2014, South Sutter Water District (District) filed a Petition for Change with the State Water Resources Control Board involving the temporary transfers of water pursuant to Water Code SECTION 1725-1732. The proposed project would allow the District to transfer up to 10,000 acre-feet (af) of water from July 1 through September 30, 2014 to the following State Water Contractor Agencies: County of Kings, Dudley Ridge Water District, Kern County Water Agency, Oak Flat Water District, and Napa County Flood Control & Water Conservation District. The proposed transfer would include the following changes: (1) add the State Water Project's Harvey O. Banks Pumping Plant, Barker Slough Pumping Plant, and San Luis Reservoir as points of rediversion, (2) add a portion of the service area of the State Water Project as an additional place of use, and (3) add municipal and industrial purposes of use to the District's License 11118.

The District's petition, License 11118, and related project information can be viewed at:
http://www.waterboards.ca.gov/waterrights/water_issues/programs/applications/transfers_tu_notices/index.shtml

Pursuant to California Water Code section 1726(f), any interested person may file a comment regarding the petition. **Comments filed in response to this notice should be submitted to the persons listed below and must be received by 4:30 p.m. on June 16, 2014.**

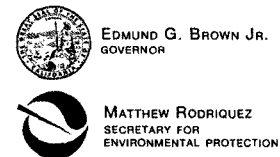
Send comments to both:

Division of Water Rights
Attn: Justine Herrig
P.O. Box 2000
Sacramento, CA 95812
Justine.Herrig@waterboards.ca.gov

South Sutter Water District
c/o Sara Harper
MBK Engineering
1771 Tribute Road, Suite A
Sacramento, CA 95815
Harper@mbkengineers.com

For more information regarding this matter please contact Justine Herrig at (916) 341-5759 or by email at Justine.Herrig@waterboards.ca.gov.

Date of Notice: **May 30, 2014**



BOARD OF SUPERVISORS

State Water Resources Control Board

2014 JUN -2 A 9:56

**NOTICE OF PETITION FOR TEMPORARY CHANGE
INVOLVING A PROPOSED TRANSFER OF WATER
UNDER PLACER COUNTY WATER AGENCY
PERMIT 13856 (APPLICATION 18085)**

On May 23, 2014, Placer County Water Agency (PCWA) submitted a Petition for Change involving the transfer of water pursuant to Water Code §1725-1732. The proposed project would allow PCWA to transfer 35,000 acre-feet (af) of water to Westlands Water District. The transfer would involve surplus water currently stored in PCWA's Middle Fork Project reservoirs under Permit 13856. The proposed transfer would begin around mid-June, and be completed by September 30, 2014. Temporary changes involving the transfer of water may be in effect for one year from the date of approval. The proposed transfer would include the following temporary changes to PCWA's permit: (1) add the Central Valley Project's (CVP) Bill Jones Pumping Plant and/or State Water Project's Harvey O. Banks Pumping Plant as points of diversion; (2) add San Luis Reservoir as a point of diversion and storage; and (3) add the Westlands CVP service areas as a place of use for irrigation, municipal, and industrial purposes of use.

PCWA's petition, Permit 13856, and related project information can be viewed at:
http://www.waterboards.ca.gov/waterrights/water_issues/programs/applications/transfers_tu_notices/

Pursuant to California Water Code section 1726(f), any interested party may file a comment regarding the petition. **Comments must be received by the Division of Water Rights by 4:30 p.m. on June 13, 2014.**

Send comments to both:

Greg Brown
Permitting Section
Division of Water Rights
P.O. Box 2000
Sacramento, CA 95812
greg.brown@waterboards.ca.gov

Placer County Water Agency
c/o Andrew Fecko
P.O. Box 6570
Auburn, CA 95604
afecko@pcwa.net

Should you have any other questions regarding this matter, please contact Greg Brown at (916) 323-1847 or by email at greg.brown@waterboards.ca.gov

Date of Notice: May 30, 2014



Water Resources • Flood Control • Water Rights

GILBERT COSIO, JR., P.E.
MARC VAN CAMP, P.E.
WALTER BOUREZ, III, P.E.
RIC REINHARDT, P.E.
GARY KIENLEN, P.E.
DON TRIEU, P.E.
DARREN CORDOVA, P.E.
NATHAN HERSHEY, P.E., P.L.S.
LEF G. BERGFELD, P.E.

BOARD OF SUPERVISORS
1985

2014 MAY 28 P 2:16
CONSULTANTS:
JOSEPH BURNS, P.E.
DONALD E. KIENLEN, P.E.

May 23, 2014

Ms. Barbara Evoy, Deputy Director
Division of Water Rights
State Water Resources Control Board
P.O. Box 2000
Sacramento, CA 95812-2000

Subject: South Sutter Water District's Petition for Change Involving Water Transfer under License 11118 (Application 14804)

Dear Ms. Evoy:

On behalf of South Sutter Water District (District), enclosed are the following documents relative to a Petition for Change Involving Water Transfers under the District's License 11118 (Application 14804):

1. Petition for Change Involving Water Transfers Form with Attachment (original and one copy).
2. Environmental Information Form with Attachments (original and one copy).
3. Check in the amount of \$4,997 to cover the Petition fee.
4. Check in the amount of \$850 to cover the Department of Fish and Wildlife fee.

The purpose of this petition is to authorize the temporary transfer up to 10,000 acre-feet of water during July through September 2014 from the District to the participating State Water Contractor (SWC) Agencies through the release of previously stored water. The intended use of this water is to provide additional water supplies for irrigation, municipal, industrial, and domestic uses within the Agencies' service area. The District's Petition and proposed 2014 Water Transfer are consistent with the Governor's State of Emergency Drought Proclamation dated January 17, 2014 and subsequent Proclamation of a Continued State of Emergency dated April 25, 2014. Thus, as stated in the April 25, 2014 Proclamation, the 30-day comment period provided in Section 1726(f) of the Water Code is suspended for this Petition, but the State Water Resources Control Board will provide for a 15-day comment period. As you are aware, time is of the essence to process this Petition for the implementation of the water transfer to the participating SWC Agencies; and we appreciate your attention to this Petition.

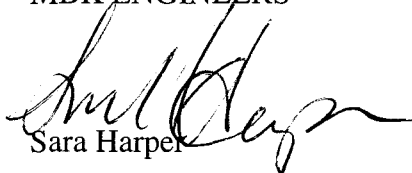
Barbara Evoy
Petition for Change Involving Water Transfer under License 11118

May 23, 2014
Page 2

In accordance with Water Code Section 1725, copies of the Petition have been sent to the counties in which water is currently used and stored, and to the counties in which water is proposed to be used. In addition, copies of the Petition also have been transmitted to Beth Lawson and Paul Forsberg of the California Department of Fish and Wildlife, Northern Central Region; Elizabeth Lee of the Central Valley Regional Water Quality Control Board; and Craig Trombly, Nancy Quan, and Chris Bonds of the California Department of Water Resources.

Please call either Marc Van Camp, of our office, or me at (916) 456-4400 if you have any questions.

Sincerely,
MBK ENGINEERS



Sara Harper

SH/ak
5025/BARBARA EVOY COVER LETTER

cc: Mr. Brad Arnold, GM, SSWD (via e-mail)
Mr. Kevin O'Brien, SSWD Counsel (via e-mail)
Ms. Andrea Clark, SSWD Counsel (via e-mail)
Beth Lawson, DFW (via certified mail)
Paul Forsberg, DFW (via certified mail)
Elizabeth Lee, CRWQCB (via certified mail)
Mr. Craig Trombly, DWR (via e-mail)
Ms. Nancy Quan, DWR SWPAO (via e-mail)
Mr. Chris Bonds, DWR (via e-mail)
Board of Supervisors, County of Sutter (via certified mail)
Board of Supervisors, County of Placer (via certified mail)
Board of Supervisors, County of Yuba (via certified mail)
Board of Supervisors, County of Nevada (via certified mail)
Board of Supervisors, County of Stanislaus (via certified mail)
Board of Supervisors, County of Fresno (via certified mail)
Board of Supervisors, County of Kern (via certified mail)
Board of Supervisors, County of Kings (via certified mail)
Board of Supervisors, County of Napa (via certified mail)

Please indicate County where your project is located here:

See Attachment No. 1

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** Wat. Code, § 1701
 Point of Rediversion Wat. Code, § 1701
 Place of Use Wat. Code, § 1701
 Purpose of Use Wat. Code, § 1701
 Temporary Urgency Wat. Code, § 1435
 Temporary Change Wat. Code, § 1725
 Long-term Transfer Wat. Code, §§ 382, 1735
 Instream Flow Dedication Wat. Code, § 1707

Application Permit License Statement

I (we) hereby petition for change(s) noted above and described as follows:

Point of Diversion or Rediversion – Provide source name and identify points using both Public Land Survey System descriptions to ¼-¼ level and California Coordinate System (NAD 83).

Present:
Proposed:

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

Present:
Proposed:

Purpose of Use

Present:
Proposed:

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

Upstream Location:
Downstream Location:

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

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

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.

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.

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.

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 Change Involving Water Transfers
to License 11118 (Application 14804)
held by South Sutter Water District**

PURPOSE OF PETITION

The purpose of this Petition for Change Involving Water Transfers (Petition) is to; (1) add the State Water Project's (SWP) Harvey O. Banks Pumping Plant, SWP's Barker Slough Pumping Plant, and San Luis Reservoir as points of rediversion, (2) add a portion of the service area of the SWP as an additional place of use, and (3) add municipal and industrial as additional purposes of use under South Sutter Water District's (District) License 11118 (Application 14804). This petition is being filed to facilitate a temporary transfer of up to 10,000 acre-feet (AF) of surface water from the District, which will be made available by reservoir release, to participating State Water Contractor (SWC) Agencies in order to provide an additional water supply for irrigation, municipal, industrial, and domestic purposes. The District proposes a reservoir release transfer of up to 10,000 AF from Camp Far West Reservoir (Reservoir) and Camp Far West Diversion Dam (Diversion Dam) under water right License 11118. Absent the proposed temporary transfer, the District would have released the stored water for delivery to the District's service area or retained that water in storage.

POINT OF DIVERSION OR REDIVERSION

POINT OF DIVERSION

Present Point of Diversion:

No change to the present point of diversion is proposed. The District's authorized point of diversion under License 11118 is listed below:

Camp Far West Dam - North 60° 30' West 4,450 feet from SE corner of Section 21, T14N, R6E, MDB&M, being within NE ¼ of SW ¼ of said Section 21 (California Coordinate System, Zone 2, N 504,600 and E 2,194,500);

POINT OF REDIVERSION

Present Point of Rediversion:

No change to the present point of rediversion is proposed. The District's authorized point of rediversion under License 11118 is listed below:

South Sutter Water District Licenses 11118
Attachment No. 1 to Petition for Change Involving Water Transfers

Camp Far West Diversion Dam – South 400 feet and West 2,850 feet from the corner NE corner of Section 29, T14N, R6E, MDB&M., being within the NE ¼ of NW ¼ of said Section 29 (California Coordinate System, Zone 2, N 501,550 and E 2,189,600).

Proposed Points of Rediversion:

The District proposes to add the following points of rediversion:

Banks Pumping Plant via the Clifton Court Forebay

N 2,126,440 ft., E 6,256,425 ft., California Coordinate System Zone 3, NAD 83, being within the NW ¼ of SE ¼ of Projected Section 20, T1S, R4E, MDB&M. This proposed additional point of diversion is identified on maps filed with the Division under Application 5630.

Barker Slough Pumping Plant

N 567,682, E 2,017,761, California Coordinate System Zone 2, within the NE ¼ of SW ¼ of Projected Section 18, T5N, R2E, MDB&M. This proposed additional point of diversion is identified on maps filed with the Division of Water Rights (Division) under Application 5630.

San Luis Reservoir

N 1,845,103 ft., E 6,393,569 ft., California Coordinate System Zone 3, NAD 83, being within the SW ¼ of SE ¼ of Projected Section 15, T10S, R8E, MDB&M. This proposed additional point of diversion is identified on maps filed with the Division under Application 5630.

PLACE OF USE

Present:

The present place of use is 59,000 net acres within a gross acreage of 65,796 acres, within the boundaries of the District; and Irrigation of a net acreage of 4,180 acres (including 102 acres located outside of District boundaries and served by contract) within Camp Far West Irrigation District (CFWID) and a power plant located on the Conveyance Canal within the NW ¼ of SW ¼ of Section 1, T13N, R5E, MDB&M, as shown on the map filed with the State Water Resources Control Board.

Proposed:

No change in the present place of use is proposed. The District proposes to add a portion of the SWP service as an additional place of use in order to facilitate the temporary water transfer. This portion of the service area of the SWP is shown on Map 1878 – 2 and – 3 on file with the Division under Application 5630.

South Sutter Water District Licenses 11118
Attachment No. 1 to Petition for Change Involving Water Transfers

PURPOSE OF USE

Present:

The present purposes of use are irrigation, domestic, and incidental power.

Proposed:

No change in the present purpose of use is proposed. The District proposes to add municipal and industrial as purposes of use.

PROPOSED NEW USERS

The proposed new users will be water users within the following five SWC Agencies listed below:

COUNTY OF KINGS
1001 Chase Avenue
Fresno, CA 93711-6162
Tom Glover
(559) 992-4127
tglover@ppeng.com

DUDLEY RIDGE WATER DISTRICT
286 W. Cromwell Avenue
Fresno, CA 93711-6162
Tom Glover
cc: Rick Besecker
(559) 449-2700

KERN COUNTY WATER AGENCY
P.O. Box 58
Bakersfield, CA 93302
Lara Kimm
Direct (661) 634-1419
lkimm@kcwa.com

OAK FLAT WATER DISTRICT
P.O. Box 1596
Patterson, CA 95363
Anthea Hansen
(209) 892-4470

**NAPA COUNTY FLOOD CONTROL &
WATER CONSERVATION DISTRICT**
804 First Street
Napa, CA 94559
Phillip Miller
(707) 259-8600

GENERAL INFORMATION

The District's Reservoir and facilities (i.e., Diversion Dam, canals, service area, etc.) are located within Yuba, Nevada, Placer and Sutter counties. The District proposes to transfer up to

South Sutter Water District Licenses 11118
Attachment No. 1 to Petition for Change Involving Water Transfers

10,000 AF of surface water between July 1, 2014 and September 30, 2014 through reservoir release. The Reservoir fills and spills in most years of operation. Releases made at the Reservoir flow downstream to the Diversion Dam, where water is diverted to CFWID, the fish flow bypass release structure and the main canal for deliveries within the District service area. Except at times the Reservoir is spilling Camp Far West Dam controls flows in the Bear River. Under normal operations the District releases from the Reservoir only the quantity of water required to meet the fish bypass flow requirement, their obligation to CFWID, deliveries within the District's service area, and any releases required under its Bay-Delta Settlement Agreement (Settlement Agreement) with the Department of Water Resources and CFWID. Therefore; absent the proposed transfer, all water proposed to be transferred would be delivered for use within the District's service area. Under historical operational conditions and absent a water transfer, all water not utilized for meeting the in-stream fish flow requirement and obligations to CFWID, would have been diverted to the District's main canal for delivery to its service area. If circumstances occur such that it was not delivered through its main canal, the water would be retained in storage.

The proposed temporary transfer will not result in a shift in timing of releases from the Reservoir. Absent the transfer, the District would release the transfer quantity of up to 10,000 AF from the Reservoir for diversion into the main canal during the months of July, August and September for consumptive uses within the District. Thus, the quantity of stored water released from the Reservoir would be the same as compared with the conditions absent the proposed temporary transfer. However, the proposed transfer will result in an increase in stream flow in the Bear River below the Diversion Dam during the proposed transfer period from approximately July 1 through September 30.

The water released for the proposed transfer will be in addition to the required fish bypass flow and any releases required under the District's Settlement Agreement. Therefore, the flow in the channel between the Diversion Dam and the proposed points of redirection will be higher during the transfer period than would occur absent the proposed transfer. The release pattern for the proposed temporary transfer quantity will be coordinated with the Department of Fish and Wildlife (DFW), and fisheries biologists to minimize fishery concerns within the Bear River.

Each year landowners receive supplemental surface water supplies as a result of Reservoir releases. Irrigation requirements above the supplemental surface water supply provided by the District are met through groundwater pumping within the District. The quantity of supplemental surface water supplied to landowners varies from year to year based on hydrologic and other factors. The quantity of supplemental surface water to be delivered to District landowners in 2014 assuming the proposed transfer will be within historical levels. Landowners within the District will not alter their cropping patterns as a result of the proposed transfer. The District operates the system's outflow structures to maintain surface water levels within delivery and drainage channels to facilitate deliveries upstream. The outflow structures during the 2014 proposed temporary transfer will be operated to maintain water levels at their historical levels. Therefore, because there will be no change in landowner or District operations,

South Sutter Water District Licenses 11118
Attachment No. 1 to Petition for Change Involving Water Transfers

there will be no change in the timing, quality, or quantity of tailwater as a result of the transfer.

As previously identified, the releases made pursuant to the proposed temporary transfer will not reduce the water supply available to other users. In addition, according to the Division's eWRIMS website database, no active authorized points of diversion exist along the Bear River from the Diversion Dam to the confluence with the Feather River.

As further identified in the attached Environmental Information Form for Petitions, accompanying this Petition, the information below identifies the potential effects the proposed transfer would have on fish, wildlife, or other instream beneficial uses. The principal concern of effects on instream beneficial uses resulting from the proposed water transfer relate to the potential for deleterious artificial attraction of fish species of concern into the lower Bear River. Possible effects on wildlife and other beneficial uses resulting from the proposed transfer are considered negligible or positive due to increased water available for wildlife and riparian habitats. Under present conditions, the lower Bear River does not provide suitable habitats for anadromous fish known to occur elsewhere in the Feather River system: fall-run Chinook salmon, spring-run Chinook salmon, steelhead trout, and green sturgeon. The latter three species are listed by the federal government as threatened species under the Endangered Species Act. Reproduction of the salmonid species in the lower Bear River is limited by silted spawning gravels, high winter flood flows, and high water temperatures (SWRCB Order WR 2000-10). Additionally, habitats are unsuitable for green sturgeon due to the lack of deep pools and cool water necessary for reproduction.

Because the proposed transfer would increase instream flows in the lower Bear River, there is the potential for these fish species to be artificially attracted from the Feather River into the Bear River where habitats are hostile and fish production would be poor compared to those fish remaining in the Feather River. This potential circumstance is dependent on the timing of the increased flows relative to the seasonal presence of the fish species of concern. The analyses of potential effects on fish included an examination of the life cycle periodicity of anadromous fish in the Feather River system, the magnitude and timing of the instream flows in the lower Bear River resulting from the proposed transfer, the timing and magnitude of Feather River flows during the proposed transfer, and physical habitat conditions for anadromous fish in the lower Bear River.

The timing of the proposed transfer would be during July, August, and September. This period avoids the primary life cycle timing of the upstream migration and reproduction of anadromous fish in the Feather River. Upstream migration and spawning of steelhead and fall-run Chinook salmon occur during the fall and winter. Upstream migration of spring-run Chinook primarily occurs during the spring, and to a lesser extent, the early fall with reproduction occurring during the early fall. Green sturgeon upstream migration occurs during the winter and spring with reproduction occurring during the spring. The proposed water transfer period avoids adverse impacts to these species by timing the increased instream flows when the fish are not seasonally present.

South Sutter Water District Licenses 11118
Attachment No. 1 to Petition for Change Involving Water Transfers

Because the proposed transfer would occur during July, August, and September, water temperature data during this period within the Reservoir and the river downstream of the dam were examined to determine suitability for anadromous fish. Prior studies conducted for the District demonstrated that the water temperatures in front of the Dam at both the power outlet and the low-water outlet during the summer and early fall exceed the range for successful salmonid reproduction. Additionally, water temperatures recorded downstream of the Dam at the District's diversion facility showed that water temperatures do not cool to tolerable levels for salmon spawning until mid- to late-November. These circumstances are attributable to the fact that the Reservoir is a relatively low-elevation impoundment and subject to high summer water temperatures and intense solar radiation. Prior studies demonstrated that a shift in water layers in the reservoir does not occur until the late fall/early winter as early, cooler water runoff enters the reservoir. Therefore, increased reservoir releases during July, August, and September resulting from the proposed water transfer would not be expected to lower water temperatures in the lower Bear River to a tolerable range for anadromous fish and, therefore, would not attract fish into the river if the fish were present during that period. Additionally, juvenile anadromous fish would not be expected to be present during July, August, and September due to unsuitably high water temperatures and lack of or inferior physical rearing habitats, a condition attributable to a river channel formed by very high and frequent winter-time scouring flows.

Therefore, we concluded that the proposed water transfer during July, August, and September would not adversely impact fishery resources because the fish species of concern are not seasonally present, and the combination of low proportional contribution to the Feather River flows and unsuitably warm water temperatures would be unlikely to inadvertently attract fish into the Bear River if the fish were present.

See files of the State Water Resources Control Board for more information regarding other legal water users, which may include the Delta water users, the CVP, the SWP, and the Cities of Sacramento and West Sacramento. The Central Valley Regional Water Quality Control Board (CVRWQCB) was contacted in order to discuss the proposed temporary water transfer; and no comments were provided at this time. DFW has been contacted; however, was not available by phone in order to discuss the proposed temporary water transfer. Copies of this petition have been provided for review and comment to Paul Forsberg and Beth Lawson of DFW and Elizabeth Lee (916-464-4787) of the CVRWQCB.

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

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

May 6, 2014

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:

Elizabeth Lee (916-464-4787) of the Central Valley Regional Water Quality Control Board was contacted in order to discuss the proposed temporary water transfer; and no comments were provided at this time. A copy of this petition has been provided to Ms. Lee concurrently with the submittal of this petition to the Division of Water Rights.

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

May 23, 2014

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:

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

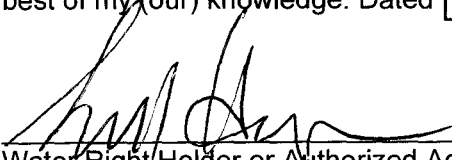
Maps

For all petitions other than time extensions, attach maps labeled in accordance with the regulations showing all applicable features, both present and proposed, including but not limited to: point of diversion, point of 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 5-23-2019 at MBIC Engineers.


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 Form for
Petitions for Change Involving Water Transfers
to License 11118 (Application 14804)
held by South Sutter Water District**

DESCRIPTION OF PROPOSED CHANGES

South Sutter Water District (District) is proposing a transfer of up to 10,000 acre-feet (AF) of previously stored water to participating State Water Contractor (SWC) Agencies. The District historically has not been involved in water transfers, with the exception of the Bay-Delta Settlement Agreement, and similar transfers in 2008-2010. Increased costs associated with the FERC relicensing process, the Probable Maximum Flood (PMF) requirements, and other regulatory processes have resulted in the District considering a water transfer to aid in offsetting these large expenses in order to maintain its ability to provide an affordable surface water supply.

Under the proposed transfer, up to 10,000 AF of previously stored water would be released from Camp Far West Reservoir (Reservoir) and the Camp Far West Diversion Dam (Diversion Dam). This water would flow downstream in the Bear River, thence the Feather River, thence the Sacramento River to the Delta where it would be rediverted at the State Water Project's Banks Pumping Plant, Barker Slough Pumping Plant, and/or San Luis Reservoir for use within the service area of the participating Agencies. In absence of the proposed transfer, this water would be delivered to District landowners or retained in storage. The proposed temporary transfer does not involve any construction or other physical changes to District facilities.

Petitions for temporary transfer of water pursuant to Water Code Section 1725 are exempt from CEQA. In addition, the Governor's Proclamation of a Continued State of Emergency dated April 25, 2014 suspends environmental review required by CEQA to allow water transfers to be expiated. Reclamation has prepared an Environmental Assessment/Initial Study (EA/IS) for water transfers during 2014 pursuant to the requirements under the National Environmental Policy Act (NEPA). Although Reclamation's EA/IS did not attempt to address the Company's proposed water transfer directly, the cumulative effects section includes a water transfer from the Company of up to the quantity proposed for transfer during 2014. Reclamation has adopted a Finding of No Significant Impact (FONSI) in regard to the proposed transfer. Copies of the EA/IS and FONSI are available upon request.

PHOTOGRAPHS

The present and proposed points of diversion include existing facilities that are well known and documented with the Division of Water Rights (Division). In addition, the present and proposed places of use are also well known and documented with the Division. Therefore,

South Sutter Water District Licenses 11118
Attachment to Environmental Information Form for
Petitions for Change Involving Water Transfers

for these reasons, photographs of the present and proposed points of diversion and places of use are not included.

MAPS

The present point of diversion, points of rediversion, and place of use are shown on a map filed with the Division for License 11118. The proposed additional points of rediversion SWP's Harvey O. Banks Pumping Plant, SWP's Barker Slough Pumping Plant, and San Luis Reservoir are shown on maps filed with the Division for Application 5630. The proposed additional place of use is a portion of the SWP service area, as shown on Map 1878 -2 and - 3 on file with the Division under Application 5630.