
State Water Resources Control Board

Notice of Water Right Application T033404

Merced Irrigation District (MID) filed a temporary water right permit application with the State Water Resources Control Board (State Water Board), Division of Water Rights, pursuant to Water Code section 1425 et seq. The project associated with the application is located in Merced County and would involve diversion of water from the Mariposa Creek system. The Applicant requests authorization to appropriate surface water for underground storage as described below.

Summary of Water Right Application T033404

Type of Temporary Permit: 180-Day

Date of Filing: The application was filed with the State Water Board on October 30, 2023.

Source of Water: The sources of water are Mariposa Creek and Bear Creek, both of which are tributary to the San Joaquin River.

Amount: The maximum amount of water requested for diversion is 9,000 acre-feet per year, which would be diverted at a rate not to exceed 108 cubic feet per second (cfs) from Mariposa Creek and 135 cfs from Bear Creek.

Season of Diversion: The diversion of water would be from December 1, 2023, to May 31, 2024.

Points of Diversion (POD)/Points of Rediversion (PORD): The application proposes to use 25 points of diversion and 21 points of rediversion.

POINTS OF DIVERSION (PODs):

Mariposa Creek

(POD 1) By California Coordinate System of 1983, Zone 3, North 1,910,657.90 feet and East 6,629,149.12 feet, being within NW quarter of NW quarter of Section 18, Township 8 South, Range 16 East, Mount Diablo Base and Meridian.

(POD 15) By California Coordinate System of 1983, Zone 3, North 1,913,925.39 feet and East 6,586,332.83 feet, being within SW quarter of NW quarter of Section 11, Township 8 South, Range 14 East, Mount Diablo Base and Meridian.

(POD 88) By California Coordinate System of 1983, Zone 3, North 1,916,519.31 feet and East 6,616,545.10 feet, being within SW quarter of SE quarter of Section 3, Township 8 South, Range 15 East, Mount Diablo Base and Meridian.

(POD 89) By California Coordinate System of 1983, Zone 3, North 1,900,773.06 feet and East 6,549,013.4 feet, being within SE quarter of SE quarter of Section 21, Township 8 South, Range 13 East, Mount Diablo Base and Meridian.

(POD 102) By California Coordinate System of 1983, Zone 3, North 1,912,008.26 feet and East 6,580,732.36 feet, being within SE quarter of SE quarter of Section 9, Township 8 South, Range 14 East, Mount Diablo Base and Meridian.

(POD 103) By California Coordinate System of 1983, Zone 3, North 1,909,954.47 feet and East 6,578,111.26 feet, being within NE quarter of NW quarter of Section 16, Township 8 South, Range 14 East, Mount Diablo Base and Meridian.

(POD 104) By California Coordinate System of 1983, Zone 3, North 1,909,953.82 feet and East 6,575,644.17 feet, being within NE quarter of NE quarter of Section 17, Township 8 South, Range 14 East, Mount Diablo Base and Meridian.

(POD 119) By California Coordinate System of 1983, Zone 3, North 1,897,989.46 feet and East 6,537,295.39 feet, being within NE quarter of SE quarter of Section 30, Township 8 South, Range 13 East, Mount Diablo Base and Meridian.

Bear Creek

(POD 44) By California Coordinate System of 1983, Zone 3, North 1,915,725.93 feet and East 6,482,774.05 feet, being within NE quarter of NW quarter of Section 9, Township 8 South, Range 11 East, Mount Diablo Base and Meridian.

(POD 45) By California Coordinate System of 1983, Zone 3, North 1,915,498.43 feet and East 6,481,010.94 feet, being within SW quarter of NW quarter of Section 9, Township 8 South, Range 11 East, Mount Diablo Base and Meridian.

(POD 46) By California Coordinate System of 1983, Zone 3, North 1,915,995.46 feet and East 6,480,511.19 feet, being within NW quarter of NW quarter of Section 9, Township 8 South, Range 11 East, Mount Diablo Base and Meridian.

(POD 47) By California Coordinate System of 1983, Zone 3, North 1,916,051.38 feet and East 6,478,748.93 feet, being within NW quarter of NE quarter of Section 8, Township 8 South, Range 11 East, Mount Diablo Base and Meridian.

(POD 48) By California Coordinate System of 1983, Zone 3, North 1,916,093.47 feet and East 6,478,199.32 feet, being within NW quarter of NE quarter of Section 8, Township 8 South, Range 11 East, Mount Diablo Base and Meridian.

(POD 49) By California Coordinate System of 1983, Zone 3, North 1,916,443.61 feet and East 6,476,130.81 feet, being within NW quarter of NW quarter of Section 8, Township 8 South, Range 11 East, Mount Diablo Base and Meridian.

(POD 50) By California Coordinate System of 1983, Zone 3, North 1,919,447.93 feet and East 6,472,801.80 feet, being within NW quarter of SE quarter of Section 6, Township 8 South, Range 11 East, Mount Diablo Base and Meridian.

(POD 51) By California Coordinate System of 1983, Zone 3, North 1,920,289.91 feet and East 6,472,085.15 feet, being within SW quarter of NE quarter of Section 6, Township 8 South, Range 11 East, Mount Diablo Base and Meridian.

(POD 52) By California Coordinate System of 1983, Zone 3, North 1,921,578.82 feet and East 6,470,771.88 feet, being within NW quarter of NW quarter of Section 6, Township 8 South, Range 11 East, Mount Diablo Base and Meridian.

(POD 53) By California Coordinate System of 1983, Zone 3, North 1,922,087.18 feet and East 6,469,989.58 feet, being within SW quarter of SW quarter of Section 31, Township 7 South, Range 11 East, Mount Diablo Base and Meridian.

(POD 54) By California Coordinate System of 1983, Zone 3, North 1,922,249.25 feet and East 6,469,868.87 feet, being within SE quarter of SE quarter of Section 36, Township 7 South, Range 10 East, Mount Diablo Base and Meridian.

(POD 301) By California Coordinate System of 1983, Zone 3, North 1,948,430.30 feet and East 6,630,980.29 feet, being within SE quarter of SW quarter of Section 6, Township 7 South, Range 16 East, Mount Diablo Base and Meridian.

(POD 302) By California Coordinate System of 1983, Zone 3, North 1,947,466.97 feet and East 6,625,822.77 feet, being within NE quarter of NW quarter of Section 12, Township 7 South, Range 15 East, Mount Diablo Base and Meridian.

(POD 303) By California Coordinate System of 1983, Zone 3, North 1,947,365.96 feet and East 6,625,758.47 feet, being within NE quarter of NW quarter of Section 12, Township 7 South, Range 15 East, Mount Diablo Base and Meridian.

(POD 304) By California Coordinate System of 1983, Zone 3, North 1,945,559.23 feet and East 6,618,357.43 feet, being within NW quarter of SW quarter of Section 11, Township 7 South, Range 15 East, Mount Diablo Base and Meridian.

(POD 305) By California Coordinate System of 1983, Zone 3, North 1,940,880.80 feet and East 6,610,233.69 feet, being within SW quarter of NE quarter of Section 16, Township 7 South, Range 15 East, Mount Diablo Base and Meridian.

(POD 306) By California Coordinate System of 1983, Zone 3, North 1,940,627.95 feet and East 6,610,145.17 feet, being within SW quarter of NE quarter of Section 16, Township 7 South, Range 15 East, Mount Diablo Base and Meridian.

The POINTS OF REDIVERSION (PORDs):

Mariposa Creek

(PORD 12-A) By California Coordinate System of 1983, Zone 3, North 1,904,097.35 feet and East 6,563,308.25 feet, being within SW quarter of NE quarter of Section 24, Township 8 South, Range 13 East, Mount Diablo Base and Meridian.

(PORD 56) By California Coordinate System of 1983, Zone 3, North 1,899,546.58 feet and East 6,626,468.35feet, being within NW quarter of NE quarter of Section 25, Township 8 South, Range 15 East, Mount Diablo Base and Meridian.

(PORD 57) By California Coordinate System of 1983, Zone 3, North 1,897,026.80 feet and East 6,628,352.85feet, being within NE quarter of SE quarter of Section 25, Township 8 South, Range 15 East, Mount Diablo Base and Meridian.

(PORD 58) By California Coordinate System of 1983, Zone 3, North 1,897,477.95 feet and East 6,624,534.80feet, being within NE quarter of SW quarter of Section 25, Township 8 South, Range 15 East, Mount Diablo Base and Meridian.

(PORD 59) By California Coordinate System of 1983, Zone 3, North 1,897,934.66 feet and East 6,622,829.46feet, being within SE quarter of NE quarter of Section 26, Township 8 South, Range 15 East, Mount Diablo Base and Meridian.

(PORD 60) By California Coordinate System of 1983, Zone 3, North 1,899,828.38 feet and East 6,622,835.11feet, being within NE quarter of NE quarter of Section 26, Township 8 South, Range 15 East, Mount Diablo Base and Meridian.

(PORD 61) By California Coordinate System of 1983, Zone 3, North 1,899,661.86 feet and East 6,620,466.46 feet, being within NE quarter of NW quarter of Section 26, Township 8 South, Range 15 East, Mount Diablo Base and Meridian.

(PORD 62) By California Coordinate System of 1983, Zone 3, North 1,900,243.88 feet and East 6,617,612.25 feet, being within NE quarter of NE quarter of Section 27, Township 8 South, Range 15 East, Mount Diablo Base and Meridian.

(PORD 63) By California Coordinate System of 1983, Zone 3, North 1,899,444.75 feet and East 6,613,982.73 feet, being within NE quarter of NW quarter of Section 27, Township 8 South, Range 15 East, Mount Diablo Base and Meridian.

(PORD 64) By California Coordinate System of 1983, Zone 3, North 1,899,437.21 feet and East 6,611,313.17 feet, being within NE quarter of NE quarter of Section 28, Township 8 South, Range 15 East, Mount Diablo Base and Meridian.

(PORD 65) By California Coordinate System of 1983, Zone 3, North 1,898,858.03 feet and East 6,609,956.26 feet, being within SE quarter of NW quarter of Section 28, Township 8 South, Range 15 East, Mount Diablo Base and Meridian.

(PORD 76) By California Coordinate System of 1983, Zone 3, North 1,893,744.16 feet and East 6,631,597.55 feet, being within SW quarter of NE quarter of Section 31, Township 8 South, Range 16 East, Mount Diablo Base and Meridian.

(PORD 77) By California Coordinate System of 1983, Zone 3, North 1,892,484.94 feet and East 6,624,189.49 feet, being within NW quarter of SW quarter of Section 36, Township 8 South, Range 15 East, Mount Diablo Base and Meridian.

(PORD 78) By California Coordinate System of 1983, Zone 3, North 1,891,898.59 feet and East 6,622,357.12 feet, being within NE quarter of SE quarter of Section 35, Township 8 South, Range 15 East, Mount Diablo Base and Meridian.

(PORD 79) By California Coordinate System of 1983, Zone 3, North 1,891,063.16 feet and East 6,620,447.15 feet, being within SE quarter of SW quarter of Section 35, Township 8 South, Range 15 East, Mount Diablo Base and Meridian.

(PORD 80) By California Coordinate System of 1983, Zone 3, North 1,891,655.38 feet and East 6,619,514 feet, being within NE quarter of SW quarter of Section 35, Township 8 South, Range 15 East, Mount Diablo Base and Meridian.

(PORD 81) By California Coordinate System of 1983, Zone 3, North 1,891,117.30 feet and East 6,617,801.40 feet, being within SE quarter of SE quarter of Section 34, Township 8 South, Range 15 East, Mount Diablo Base and Meridian.

(PORD 82) By California Coordinate System of 1983, Zone 3, North 1,890,716.66 feet and East 6,617,385.66 feet, being within SE quarter of SE quarter of Section 34, Township 8 South, Range 15 East, Mount Diablo Base and Meridian.

(PORD 83) By California Coordinate System of 1983, Zone 3, North 1,890,082.92 feet and East 6,616,747.22 feet, being within SE quarter of SE quarter of Section 34, Township 8 South, Range 15 East, Mount Diablo Base and Meridian.

(PORD 95) By California Coordinate System of 1983, Zone 3, North 1,893,913.93 feet and East 6,540,952.72 feet, being within SE quarter of NW quarter of Section 32, Township 8 South, Range 13 East, Mount Diablo Base and Meridian.

(PORD 300) By California Coordinate System of 1983, Zone 3, North 1,893,389.64 feet and East 6,543,925.36 feet, being within SW quarter of NW quarter of Section 33, Township 8 South, Range 13 East, Mount Diablo Base and Meridian.

Purposes of Use: The purpose of use for diverted water is irrigation.

Place of Use: The proposed place of use is within the Merced Subbasin Groundwater Sustainability Agency (GSA) area, located within a gross area of 208,264 acres located within portions of Township 7 South, Range 10 East through Range 16 East; Township 8 South, Range 10 East through Range 16 East; Township 9 South, Range 11 East through Range 16 East; and Township 10 South, Range 13 through Range 14 East; Mount Diablo Base and Meridian. The proposed place of use is also within the Merced

subbasin, which is identified by the California Department of Water Resources (DWR) as critically overdrafted and a high priority subbasin.

Location and Type of Infiltration: Surface water will be applied to fallow or dormant fields to allow for infiltration into the groundwater basin. The total area of all fields identified for recharge under this temporary permit is 21,399 acres. Incidental recharge is expected to occur along the length of the El Nido Canal and Fancher Lateral, which will be used to convey water from Mariposa Creek to the points of rediversion and associated recharge areas. The canal approximately ends at El Nido Reservoir, after which, water is conveyed using manmade facilities.

Use Accounting: The Applicant proposes to use the “last in, first out” accounting methodology described by the State Water Resources Control Board on their website for temporary water right permits for groundwater recharge. Under this methodology, the water diverted at the PODs would be considered the last groundwater to enter the aquifer. When the production wells are turned on in the next irrigated season, the groundwater stored under this project would be the first extracted out of the aquifer.

Water Rights Records Database

Documentation related to this application is available by accessing the State Water Board’s electronic Water Rights Information Management System (eWRIMS) database:

- Go to <https://www.waterboards.ca.gov/ewrims/>
- Select “eWRIMS Database System” to open the eWRIMS Database.
- Select “Accept” to accept the Public Records Act notice.
- Select “Water Rights Records Search”
- Enter the application number in the “Application ID” field, then select “Search.”
- Select the application number on the left side of the results to open the record
 - Select “View Document” to see the application and related documentation
 - Select “View Map” to see the application map
 - Select the “Map It” button to open the record in the eWRIMS GIS viewer

Procedure for Filing Objections

Pursuant to Water Code section 1425, any interested person may file an objection against the approval of the subject application. Objections should be submitted via email to the staff contact listed below but may also be submitted via regular mail or hand delivered. If objections are sent by mail or hand delivered, please provide a courtesy email to the staff contact listed below.

Objections must be received by the Division of Water Rights or postmarked by **4:30 p.m. on December 11, 2023**, with copy provided to the applicant. The State Water Board may, for good cause shown, allow additional time to file an objection.

Pursuant to Water Code section 1428, the Board may issue a temporary permit in advance of public notice. Consequently, a temporary permit may be issued for the application before the end of the noticing period.

Contact Information

Please direct all requests and inquiries regarding this notice to Julian Storelli at Julian.Storelli@waterboards.ca.gov or (916) 323-0064 (email is the preferred means of communication). Written correspondence should be addressed to: State Water Resources Control Board, Division of Water Rights, Attn: Julian Storelli, P.O. Box 2000, Sacramento, CA 95812-2000.

All written correspondence directed to the applicant should be addressed to:

Merced Irrigation District (MID), c/o Hicham ElTal, 744 W 20th Street, Merced, California 95340 or heltal@mercedid.org

Date of Notice: The date that this public notice was issued is **November 07, 2023**