

ALLOCATE

WATER RIGHTS PETITIONS

GROUP: WATER RIGHTS PETITIONS

MEASURE: NUMBER OF PETITIONS
NUMBER OF COMPLAINTS

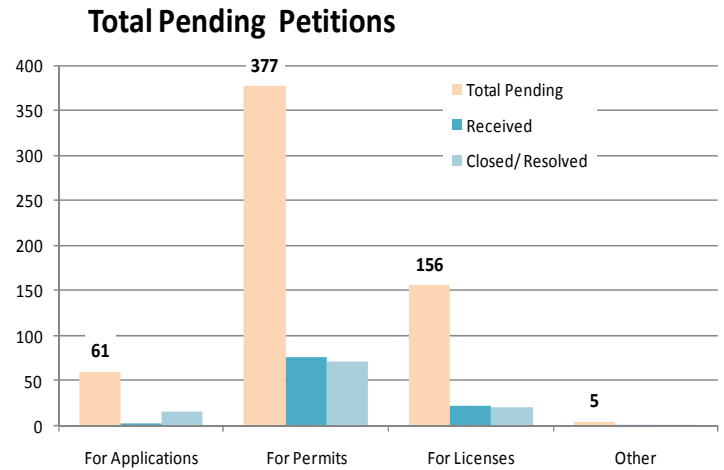
MESSAGE: Similar numbers of petitions are being processed as are being received, however the backlog is continuing.

KEY STATISTICS FOR FY 2009-10

NUMBER OF PETITIONS RESOLVED: 109
NUMBER OF COMPLAINTS ADDRESSED: 35

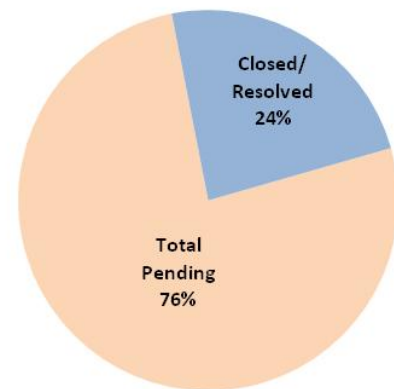
MEASUREMENTS:

Petitions	Total Pending	Received	Closed/ Resolved
For Applications	61	3	16
For Permits	377	77	71
For Licenses	156	23	21
Other	5	2	1
Total	599	105	109



Complaints	Total Pending	Received	Closed/ Resolved
For Applications	NA	NA	NA
For Permits	10	2	9
For Licenses	32	3	2
Other	11	2	7
Unknown Basis of Right	60	35	17
Total	113	42	35

Complaints Pending



WHAT THE MEASURE IS SHOWING:

There are a large number of complaints where the status of the entity’s water rights remain in question. The staff were able to address approximately 34% of the complaints (historic and new) during the year.



WHY THIS MEASURE IS IMPORTANT:

Water Rights holders and applicants can take advantage of the petition process to request changes to existing water rights permits and licenses on file, the time allowed to complete a project, and changes to applications previously submitted, but not yet acted on by the State Water Board. Petitions can request changes to the location of a diversion as well as a change in use. Petitions are subject to the same public process as initial applications and can therefore represent a substantial workload. The number of petitions acted on by the Division of Water Rights accounted for more than double the number of actions to approve and revoke permits and licenses during the fiscal year.

TECHNICAL CONSIDERATIONS:

- Data Source: eWRIMS. Period July 1, 2009 to June 30, 2010. Extracted on August, 2010.
- Unit of Measure: Number of Water Right records active FY 09-10. And amount of Water Right (Acre-feet).
- Data Definitions: Pending applications, Licenses, Permits, etc as described in e-WRIMS.
- References: More information on the Water Boards' Water Rights program is available at: <http://www.waterboards.ca.gov/waterrights/>
- Public reports and data are available at: http://www.waterboards.ca.gov/water_issues/programs/ewrims/
- Monthly progress reports are available at: http://www.waterboards.ca.gov/waterrights/publications_forms/available_documents/progress_reports/index.shtml

GLOSSARY:**Applications for Water Rights**

Anyone who wants to divert water from a stream that is not adjacent to their property must first apply for a water right permit from the State Water Board. Filing of the application initiates the water rights process, which includes administrative and environmental reviews by State Water Board staff and public participation.

Permits

A water right permit is an authorization to develop a water diversion and use project. In deciding whether to approve applications and impose certain conditions in permits, the State Water Board is required to consider water quality control plans, including the protection of the beneficial uses of water, the public interest, reasonableness, and the public trust (protection of resources held in trust for all citizens, such as commerce, navigation, fisheries, and recreational and ecological values). Before issuing a water right, the State Water Board must find that "unappropriated" (unclaimed) water is available to supply the applicant, considering the water flows needed to remain in the stream (instream flows) for the protection of other beneficial uses, including municipal supply, agricultural supply, and fish and wildlife habitat. The water right permit specifies how much and during which season water can be diverted, and other conditions, such as special terms to protect instream flows. The right to use water is obtained through actual use of water within the limits described in the permit.

Licenses

A water right license is a certificate issued to confer a vested water right under certain conditions (a vested water right is established through beneficial use of water) and constitutes the final confirmation of the water right. The State Water Board issues a license, which is issued to the appropriator when the water development project is completed, the terms of the permit have been met, and the largest volume of water under the permit is put to beneficial use. A license is issued for only that water that has been reasonably and beneficially used.