



EDMUND G. BROWN JR.  
GOVERNOR



MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

## State Water Resources Control Board

JUL 31 2015

Brian D. Poulsen, Jr.  
Senior Deputy General Counsel  
El Dorado Irrigation District  
2890 Mosquito Road  
Placerville, CA 95667

Dear Mr. Poulsen, Jr.:

### EL DORADO HYDROELECTRIC PROJECT, FEDERAL ENERGY REGULATORY COMMISSION PROJECT NO. 184 AND POTENTIAL WATER TRANSFER

On June 29, 2015, the State Water Resources Control Board (State Water Board), Division of Water Rights (Division) received a Petition for Change Involving Water Transfer (Change Petition) from El Dorado Irrigation District (EID). In the Change Petition, EID is proposing to transfer approximately 700 acre-feet (AF) from Weber Reservoir, where water is stored pursuant to Water Right License 2184 (Application 1692). In Attachment A to the Change Petition, EID states that the transfer from Weber Reservoir will be part of a larger transfer (3,100 AF in total) from EID to Westlands Water District for the irrigation of agricultural crops. The additional 2,400 AF will be transferred from Silver Lake Reservoir, where water is stored under the claim of a pre-1914 appropriative water right (Statement 004708). EID did not include the transfer of water from Silver Lake Reservoir in the Change Petition because the transfer of water stored under a pre-1914 appropriative water right can be transferred without State Water Board approval.

While the transfer of water from Silver Lake Reservoir may not require the submission of a Change Petition, EID still must comply with all conditions of the water quality certification (certification) for the El Dorado Hydroelectric Project (Project), Federal Energy Regulatory Commission Project No. 184. EID must ensure that conditions of the certification, such as minimum lake levels and ramping rates, are met during the transfer of water.

Additionally, on April 9, 2015 and May 4, 2015, the State Water Board approved EID's Requests for Temporary Amendments to the Certification (Amendments)<sup>1</sup>. The Amendments temporarily modify the streamflow requirements outlined in the Project certification at five locations in order to conserve and manage Project reservoir storage and maintain consumptive water supplies in response to drought conditions in 2015. In approving these requests, the State Water Board imposed additional conditions that could affect EID's proposed transfer of water. Condition 5 of the April 9, 2015 Amendment requires EID to obtain written approval from the Deputy Director for the Division of Water Rights (Deputy Director) prior to transferring any water that is made available for storage as a result of the streamflow variances granted by the Amendments.

<sup>1</sup> On May 4, 2015, the State Water Board modified the Amendment, at EID's request, to extend the period of the variance and allow for temporary modifications to the streamflow requirements for the South Fork American River below Kyburz.

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

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Mr. Brian D. Poulsen, Jr.

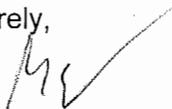
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If EID feels it is going to be unable to meet the conditions of the Project certification and the Amendments (i.e., water stored under the streamflow variances granted by the Amendment may be transferred), please contact the Deputy Director immediately to request the appropriate approval. Per Water Code section 13385, subdivision (c), a violation of any of these conditions could result in a penalty of up to \$10,000 per day in which the violation occurs plus, where there is a discharge, an additional liability not to exceed \$10 multiplied by the number of gallons by which the volume discharged exceeds 1,000 gallons.

If you have questions regarding this letter, please contact Mr. Peter Barnes, Project Manager, by phone at: (916) 445-9989 or by email at: [Peter.Barnes@waterboards.ca.gov](mailto:Peter.Barnes@waterboards.ca.gov). Written correspondence should be directed to:

State Water Resources Control Board  
Division of Water Rights  
Water Quality Certification Program  
Attention: Peter Barnes  
P.O. Box 2000  
Sacramento, CA 95812-2000

Sincerely,



Barbara Evoy, Deputy Director  
Division of Water Rights

cc: Mr. Brian Deason  
El Dorado Irrigation District  
2890 Mosquito Road  
Placerville, CA 95667

Mr. Brian Mueller  
El Dorado Irrigation District  
2890 Mosquito Road  
Placerville, CA 95667

Ms. Sheri Looper  
U.S. Bureau of Reclamation  
2800 Cottage Way  
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