



# State Water Resources Control Board



**Linda S. Adams**  
Secretary for  
Environmental Protection

**Division of Water Rights**  
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**Arnold Schwarzenegger**  
Governor

**NOTICE OF PETITION FOR TEMPORARY URGENCY CHANGE  
INVOLVING THE TRANSFER OF 20,000 ACRE-FEET OF WATER  
TO THE WESTLANDS WATER DISTRICT  
UNDER PLACER COUNTY WATER AGENCY'S  
PERMITS 13856 & 13858 (APPLICATIONS 18085 & 18087)**

Notice is hereby given that on August 18, 2008

Placer County Water Agency  
c/o Hanspeter Walter  
Kronick, Moskovitz, Tiedemann & Girard  
400 Capitol Mall, 27th Floor  
Sacramento, CA 95814

filed with the State Water Resources Control Board (State Water Board), Division of Water Rights (Division), a petition for Temporary Urgency Change pursuant to Water Code section 1435 et seq. Pursuant to the petition, Placer County Water Agency (PCWA) seeks to transfer up to 20,000 acre-feet (af) of water to the Westlands Water District (WWD). The petition states that WWD is suffering an urgent need for additional water to meet the water needs of existing agricultural crops during this statewide drought. Temporary urgency changes filed pursuant to Water Code section 1435 may be effective for a period of up to 180 days.

## **STATE WATER BOARD ACTION**

Pursuant to Water Code section 1438 (a), the State Water Board may approve a petition for temporary urgency change prior to issuing public notice of the change. The State Water Board has reviewed the petition and other information contained in its files. Based on the available information, the State Water Board determined that there is sufficient information to make the findings (provided below in section titled "STATE WATER RESOURCES CONTROL BOARD'S STATUTORY PROVISIONS") required to approve the proposed temporary urgency change in place of use to authorize the delivery of 20,000 acre-feet (af) of water to WWD. Approval of the proposed change is exempt from the California Environmental Quality Act (CEQA), pursuant to California code of Regulations, title 14, section 15301.

Based on the information currently available, on October 24, 2008, the State Water Board issued [Order WR 2008-0040-DWR](#) conditionally approving the proposed temporary urgency change in the place of use under Permits 13856 and 13858. Electronic copies of this notice and the petition are available at: <http://www.waterrights.ca.gov/application/tempurgnotices.htm>.



## **STATE WATER RESOURCES CONTROL BOARD'S STATUTORY PROVISIONS**

Chapter 6.6 of Part 2, Division 2, of the Water Code, commencing at section 1435, provides that any permittee or licensee who has an urgent need to change a point of diversion, place of use, or purpose of use from that specified in the permit or license may petition for a conditional temporary change order. Prior to approving a temporary change order pursuant to Chapter 6.6, the State Water Board must make the following findings specified in Water Code section 1435(b):

1. The petitioner has an urgent need to make the proposed change.
2. The proposed change may be made without injury to any other lawful user of the water.
3. The proposed change may be made without unreasonable effect upon fish, wildlife, or other instream beneficial uses.
4. The proposed change is in the public interest, including findings to support change order conditions imposed to ensure that the change is in the public interest, and may be made without injury to any other lawful user of the water, and without unreasonable effect upon fish, wildlife, or other instream beneficial uses.

The State Water Board has retained jurisdiction to modify Order WR 2008-0040-DWR. Any person may file an objection to the changes authorized in Order WR 2008-0040-DWR, however, the comments should address the issues that the State Water Board must evaluate, as set forth above. Although the State Water Board has approved the temporary changes in place of use based on the information currently available, the State Water Board may in its discretion modify or revoke this approval at any time.

Objections filed in response to this notice shall be mailed to both parties at the addresses listed below. The State Water Board will consider objections regarding this petition as soon as possible after their receipt; however, all objections must be filed by 3:00 pm on January 23, 2008 for the State Water Board to consider them. Interested parties are encouraged to file objections by FAX and to notify the following contact persons by telephone of any objections that will be submitted. However, an original copy of all objections must be received by the State Water Board to be considered.

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