

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

2014 NOV 23 AM 11:23
DIV OF WATER RIGHTS

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, Point of Rediversion, Place of Use, Purpose of Use, Temporary Urgency, Temporary Change, Long-term Transfer, Instream Flow Dedication

Application See Sup 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 1/4-1/4 level and California Coordinate System (NAD 83).

Present: Clifton Court Forebay and Harvey O. Banks Pumping Plant as described in Water Rights Decision 1641
Proposed: Contra Costa Water District Rock Slough Intake, Old River Intake, and Middle River Intake at Victoria Canal

Place of Use - Identify area using Public Land Survey System descriptions to 1/4-1/4 level; for irrigation, list number of acres irrigated.

Present: SWP Authorized Place of Use as shown on the maps on file with the SWRCB
Proposed:

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 1/4-1/4 level and California Coordinate System (NAD 83).

Upstream Location: N/A
Downstream Location:

Table with 12 columns for months (Jan-Dec) and rows for flow quantities (cubic feet per second or gallons per day).

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.

Contra Costa Water District
Lucinda Shih, Senior Water Resources Specialist
1331 Concord Avenue
Concord, California 94520
(925) 688-8168

Handwritten notes: Rec'd chk # 191788 \$6,994.00 11/26/14, Chk # 191791 \$850.00 MJ

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.

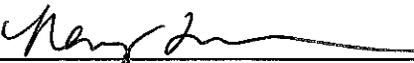
DWR will execute an agreement with Contra Costa Water District, Alameda County Water District and Alameda County Flood Control and Water Conservation District specifying the provisions under which SWP and CVP water can be exchanged. SWP water will be diverted at the listed CCWD facilities and CVP water will be provided at Banks Pumping Plant in 2015 to complete the one for one exchange. Contra Costa Water District owns the Old River Intake and Victoria Canal Intake.

Give name and address of any person(s) taking water from the stream between the present point of diversion or redirection and the proposed point of diversion or redirection, 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 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)

**Supplement for Petition for Change Involving Water Transfers
For a One-For-One Exchange of ACWD and Zone 7 SWP Water for CCWD CVP
Water**

California Department of Water Resources State Water Project Permits

Applications: 5630, 14443

Permits: 16478, 16479

Requested Change

The California Department of Water Resources (DWR) requests that the State Water Resources Control Board (SWRCB) modify the DWR permits listed in this petition to temporarily add a point of diversion/rediversion to the above DWR permits. The change is requested to facilitate return of State Water Project Water (SWP) water previously stored by Alameda County Water District (ACWD) and Alameda County Flood Control and Water Conservation District, Zone 7 (Zone 7) in the Semitropic Water Storage District (Semitropic) and Cawelo Water District (Cawelo) groundwater banking programs. Up to 5,000 acre-feet (AF) of previously stored SWP water will be pumped from the groundwater banking facilities into the California Aqueduct for use within the SWP place of use downstream of the pump-in location during the fall and winter of 2014/2015. An equivalent amount of SWP water will be diverted by Contra Costa Water District (CCWD) at its Old and Middle River intakes and delivered to the CCWD service area. During the summer of 2015 an equal amount of Central Valley Project (CVP) allocated to CCWD by the Bureau of Reclamation (Reclamation) will be diverted at Clifton Court Forebay, pumped through Banks Pumping Plant (Banks) and delivered through the South Bay Aqueduct (SBA) to ACWD and Zone 7.

The proposed action would result in a slight decrease in the amount of pumping at Banks and a slight increase in pumping at CCWD's Old and Middle River intakes during the fall and winter of 2014/2015, but no net increase in pumping from the Delta. Similarly, the exchange would result in a slight decrease in pumping at CCWD's Delta facilities and a corresponding increase in pumping at Banks in during the summer of 2015 to complete the exchange. Again, there will be no net increase in pumping from the Delta. All water pumped at the SWP and CCWD points of diversion will be done in conformance with the terms and conditions of DWR's, Reclamation's and CCWD's existing water rights permits and any other applicable regulatory restrictions in effect at the time the water is diverted.

Reclamation will file a separate petition requesting the changes necessary to allow the diversion of CVP water at Banks during the summer of 2015 required to complete the exchange.

Requested Additional Point of Diversion or Rediversion

DWR requests that the SWRCB modify the DWR permits listed above to temporarily add CCWD's Rock Slough Intake, Old River Intake, and Middle River Intake at Victoria Canal as authorized points of diversion/rediversion to facilitate the exchange described in this petition. Adding the listed points of diversion/rediversion will facilitate the return of previously stored SWP water to ACWD and Zone 7 through an exchange of SWP and CVP water with CCWD.

The points of diversion and rediversion for delivery of CVP water to CCWD which are to be added to the listed DWR permits are described in D1641, Water Right Decision 1629 (D1649, June 1994) and Water Right Orders issued by the SWRCB on July 8, 2010, and also shown in Figure 2:

- Rock Slough Intake: SE_{1/4} of NE_{1/4} of projected section 33, T2N, R3E, MDB&M
- Old River Intake: NW_{1/4} of SE_{1/4} of projected section 31, T1N, R4E, MDB&M
- "Middle River" Intake at Victoria Canal: Victoria Canal tributary to Old River thence San Joaquin Delta Channels, within NE_{1/4} of NW_{1/4} of Section 9, T1S, R4E, MDB&M.

Place of Use

The present place of use of the water diverted under the DWR permits, as shown on the maps on file with the SWRCB, includes Alameda and Contra Costa Counties. The CCWD, ACWD and Zone 7 service areas (Figure 1) are entirely within the SWP service area. No change in the authorized SWP place of use is required to implement the exchange.

Proposed New Users

The proposed new users of the SWP exchange water will be water users within the service area of CCWD. The proposed new users of the CVP water diverted during the summer of 2015 to complete the exchange will be water users within the service areas of ACWD and Zone 7.

Reason for Requested Change

ACWD and Zone 7, located in Alameda County (Figure 1), have long-term SWP water supply contracts with DWR. Both agencies also participate in groundwater banking programs within Kern County to store SWP water during years when sufficient supply is available for recovery in dry years. ACWD and Zone 7 participate in the Semitropic Water Storage District groundwater banking program. Recovery of the banked SWP water is typically accomplished through direct pumping or an exchange with Kern County Water Agency (KCWA). Both recovery options have limitations during peak demand periods in critically dry years such as 2014 when allocations are historically low and SWP pumping from the Delta is severely limited. In the case of direct recovery, water is pumped from the groundwater banking facility and discharged into the

California Aqueduct. An equivalent amount of SWP water is delivered to ACWD and Zone 7 through the SBA. The current capacity of the direct recovery facilities is not sufficient to meet peak demands of all banking partners in a year with such severely limited SWP allocations. In the case of recovery through an exchange with KCWA allocated SWP water, SWP water stored in the banking program is assigned to KCWA and an equivalent amount of allocated KCWA SWP water is delivered to ACWD and Zone 7 through the SBA. In 2014, KCWA had insufficient allocated SWP supplies to meet the demand for recovery of banked water. Zone 7 also participates in a groundwater banking program with Cawelo Water District which has similar limitations on the retrieval of stored water.

CCWD is a CVP contractor located in central and eastern Contra Costa County (see Figure 1). CCWD relies completely on diversions from the Delta for its water supply. CCWD obtains water under a long-term water supply contract with Reclamation for CVP water and diverts water under its own water rights. CCWD diverts water at its four intakes in the Delta: Rock Sough, Mallard Slough, Old River and Middle River at Victoria Canal. CCWD constructed Los Vaqueros Reservoir in the foothills in the south area of CCWD to provide off-stream storage of CVP water when allocations exceed demand as well as storage of water diverted under its water rights for water supply benefits and supplemental supply in dry years.

In an effort to recover water previously stored in the Semitropic and Cawelo groundwater banking facilities for use during the peak summer demand period in 2015, CCWD, ACWD, and Zone 7 are proposing the exchange of SWP and CVP supplies described above.

Amount of Water to be Transferred

Up to 5,000 AF of water will be exchanged. The maximum permitted combined rate of diversion at CCWD's Old River and Middle River Intakes is 320 cfs. The rate of diversion for the transfer is planned to be lower than this maximum, consistent with demands within the CCWD, ACWD, and Zone 7 service areas.

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

The SWP water transferred during fall and winter of 2014/2015 would be diverted by CCWD for direct use within its service area. The CVP allocation for CCWD in 2014 was only 50 percent of its contract amount which is less than the annual demand within the CCWD service area. In the absence of this transfer, CCWD would need to release some of its previously stored CVP contract water from Los Vaqueros in order to meet the water supply demands within its service area this fall and winter. The Los Vaqueros storage retained as a result of the exchange will be available to CCWD in the summer of 2015 when an equivalent amount of CCWD's CVP supply will be available to DWR for diversion at Banks and delivery Zone 7 and ACWD. In the absence of the exchange, the SWP water would remain in groundwater storage in the Semitropic and Cawelo banking facilities or be extracted and placed in a SWP storage facility

downstream of Banks. In the absence of the exchange CCWD would divert its allocated CVP water supplies for direct use within its service area. The exchange results in no net increase in diversions from the Delta and no increase in allocations of SWP or CVP water to ACWD, Zone 7 or CCWD.

Analysis of Potential Changes in Streamflow, Water Quality, Timing of Diversions or Use, Return Flows, or Effects on Legal Users

The proposed project is a one-for-one exchange involving use of existing facilities. The exchange will not result in a net increase in pumping from the Delta. Both the SWP and CCWD facilities are located within the southern Delta. The change will not result in a significant change in streamflow, water quality or timing of diversion or return flows. There will be no increase in net diversions under with DWR's or Reclamation's water rights or allocations to ACWD, Zone 7 or CCWD. All diversions by DWR and Reclamation are done in conformance with the criteria specified in D1641, as may be modified by subsequent order of the SWRCB, and all other regulatory restrictions governing SWP and CVP operations including those contained in the biological opinions issued by the U.S. Fish and Wildlife Service and National Marine Fisheries Service for the protection of Delta smelt and anadromous fishes and marine mammals. All diversions at CCWD's facilities will be done in conformance with the biological opinions issued to CCWD for operation of those facilities as well as any other regulatory restrictions affecting diversion of water at the CCWD facilities.

The Transfer Will Not Result in Unreasonable Impacts to Fish and Wildlife or the Environment

The proposed temporary transfer will not unreasonably affect fish, wildlife, or other instream beneficial uses. There will be no net increase in diversions from the Delta as a result of the exchange. All diversions by DWR and Reclamation are done in conformance with the criteria specified in D1641, as may be modified by subsequent order of the SWRCB, and all other regulatory restrictions governing SWP and CVP operations including those contained in the biological opinions issued by the U.S. Fish and Wildlife Service and National Marine Fisheries Service for the protection of Delta smelt and anadromous fishes and marine mammals. All diversions at CCWD's facilities will be done in conformance with the biological opinions issued to CCWD for operation of those facilities as well as any other regulatory restrictions affecting diversion of water at the CCWD facilities.