



Water Resources ♦ Flood Control ♦ Water Rights

JOSEPH D. COUNTRYMAN, P.E.  
GILBERT COSIO, JR., P.E.  
MARC VAN CAMP, P.E.  
WALTER BOUREZ, III, P.E.  
RIC REINHARDT, P.E.  
GARY KIENLEN, P.E.  
DON TRIEU, P.E.

ANGUS NORMAN MURRAY  
1913-1985

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CONSULTANTS:  
JOSEPH I. BURNS, PE.  
DONALD E. KIENLEN, PE.

June 10, 2011

Ms. Barbara Evoy, Deputy Director  
Division of Water Rights  
State Water Resources Control Board  
P.O. Box 2000  
Sacramento, CA 95812-2000

**Subject: Merced Irrigation District Petition for Temporary Transfer under License 2685 (Application 1224)**

Dear Ms. Evoy:

On behalf of Merced Irrigation District (Merced), enclosed are the following documents relative to a Petition for Temporary Transfer under Merced's License 2685 (Application 1224):

1. Petition for Temporary Transfer Form together with an Attachment and a map (one original and one copy).
2. Environmental Information Form with Attachments (one original and one copy).
3. Check in the amount of \$3,797 to cover the Petition fees.
4. Check in the amount of \$850 to cover the fee for the Department of Fish and Game.

Merced is petitioning to temporarily add a place of use to its License 2685 in order to supply previously stored surface water for use upon lands within the Merced County SOI Water Users Association (SOI Water Users), which are all located within Merced County. The majority of the SOI Water Users currently, and have historically, received surface water from Merced during years that Merced's Board of Directors determines that adequate natural flow is available under its Pre-1914 claims from the Merced River. During months when surface water is not available under Merced's Pre-1914 claims for delivery to the SOI Water Users, the individual landowners meet their demands through alternate supplies, such as groundwater. Approval of this petition would provide continued surface water supplies for the SOI Water Users, up to the proposed temporary transfer quantity of 6,000 AF from releases of previously stored water by Merced. As you are aware, time is of the essence to process this petition for the water transfer to the SOI Water Users; and we appreciate your attention to this temporary transfer petition.

Please call if you have any questions or require additional information.

Sincerely,  
MBK ENGINEERS



Darren Cordova

DC/ps  
5520.7/BARBARA EVOY 06.10.2011

Enclosures

cc: John Sweigard  
Hicham Eltal  
Ken Robbins  
Kole Upton  
Gary Sawyers  
Julie Means, Department of Fish and Game (via certified mail)  
David Sholes, Central Valley Regional Water Quality Control Board (via certified mail)  
Mariposa County Supervisors (via certified mail)  
Merced County Supervisors (via certified mail)

State of California  
 State Water Resources Control Board  
**DIVISION OF WATER RIGHTS**  
**P.O. Box 2000, Sacramento, CA 95812-2000**  
 Info: (916) 341-5300, FAX: (916) 341-5400, Web: <http://www.waterrights.ca.gov>

## PETITION FOR TEMPORARY TRANSFER OF WATER/WATER RIGHTS

(Water Code 1725)

Point of Diversion     Point of Rediversion     Place of Use     Purpose of Use

Application No(s). 1224      Permit No. 914      License No. 2685

Statement or Other No. \_\_\_\_\_

**Present Holder and User of Water Right**

|                                |                                   |                |
|--------------------------------|-----------------------------------|----------------|
| Merced Irrigation District     | c/o Darren Cordova, MBK Engineers | (916) 456-4400 |
| Person or Company name         | Contact person                    | Telephone No.  |
| 1771 Tribute Road, Ste. A      | Sacramento CA                     | 95815          |
| Address                        | City State                        | Zip Code       |
| cordova@mbkengineers.com       |                                   |                |
| E-MAIL (For noticing purposes) |                                   |                |

**Co-petitioner**

|                                |                |               |
|--------------------------------|----------------|---------------|
| N/A                            |                |               |
| Person or Company name         | Contact person | Telephone No. |
| Address                        | City State     | Zip Code      |
| E-MAIL (For noticing purposes) |                |               |

**Proposed New User**

|                                     |   |                |
|-------------------------------------|---|----------------|
| Merced County SOI Water Users Assn. | c/o Gary Sawyers, Sawyers & Holland LLP | (559) 438-5656 |
| Person or Company name              | Contact person                          | Telephone No.  |
| 652 W. Cromwell Ave., Ste. 101      | Fresno CA                               | 93711          |
| Address                             | City State                              | Zip Code       |
| gsawyers@sawyerslaw.com             |   |                |
| E-MAIL (For noticing purposes)      |   |                |

I (We) hereby petition the State Water Resources Control Board (State Water Board) under the provisions of Water Code (WC) section 1725 et seq. and in conformance with the specific requirements of California Code of Regulations (CCR) section 794 for temporary change(s) to the water right application(s) noted above for the purpose of transferring water. The changes are **shown on the accompanying map and described as follows** (attach additional pages, as needed):

**Amount of Water to be Transferred** up to 6,000 \_\_\_\_\_ Acre-feet (AF). If the basis of right is direct diversion, the average rate of diversion for the maximum 30 day period of use is N/A cubic feet per second (cfs).

**Period of Transfer/Exchange** (Not to exceed one year) Up to one year following approval of Petition.

**Point of Diversion or Rediversion** (Give coordinate distances from section corner or other ties as allowed by CCR section 715, and the 40-acre subdivision in which the present & proposed points lie.

Present No change requested.  
Proposed No change requested.

**Place of Use**

Present See Attachment  
Proposed See Attachment

**Purpose of Use**

Present No change requested.  
Proposed No change requested.

| <b>Season of Use</b>                 | <b>Direct Use (cfs)</b>     | <b>Storage (ac-ft)</b>      |
|--------------------------------------|-----------------------------|-----------------------------|
| Present <u>No change requested.</u>  | <u>No change requested.</u> | <u>No change requested.</u> |
| Proposed <u>No change requested.</u> | <u>No change requested.</u> | <u>No change requested.</u> |

The proposed transfer/exchange water is presently used or stored within the county/counties of:  
Mariposa and Merced Counties

The proposed transfer/exchange water will be placed to beneficial use within the following county/counties:  
Merced County

- 1a. Would the transfer/exchange water have been consumptively used or stored in the absence of the proposed temporary change (See WC 1725)? Yes  
(yes/no)
- 1b. Provide an analysis which provides documentation that the amount of water to be transferred/exchanged would have been consumptively used or stored in the absence of the proposed temporary change. See Attachment
- 2a. If the point of diversion/diversion is being changed, are there any person(s) taking water from the stream between the present point of diversion/diversion and the proposed point? Not Applicable  
(yes/no)
- 2b. Are there any persons taking water from the stream between the present point of diversion or return flow and the proposed point of diversion or return flow? Not Applicable  
(yes/no)
- 2c. If the answer to 2a. or 2b. is yes, provide the name and address. Also provide the name and address of other persons known to you who may be affected by the proposed change.  
Not Applicable
- 3a. Provide an analysis of any changes in streamflow, water quality, timing of diversion or use, return flows, or effects on legal users resulting from the proposed transfer/exchange. See Attachment
- 3b. State reasons you believe the proposed temporary change will not injure any legal user of the water, see Water Code Section 1727 (b)(1). See Attachment
- 4. Consult with staff of the applicable Regional Water Quality Control Board concerning the proposed temporary change. State the name and phone number of person(s) contacted. Summarize their opinion concerning compliance with CCR 794(b) and any Regional Board requirements. See Attachment
- 5a. Consult with the California Department of Fish and Game pursuant to CCR 794(b) concerning the proposed temporary change. State the name and phone number of the person(s) contacted and their opinion concerning the potential effect(s) of the proposed temporary change on fish, wildlife, or other instream beneficial uses, and state any measures recommended for mitigation. See Attachment

- 5b. Does the proposed use serve to preserve or enhance wetlands habitat, fish and wildlife resources, or recreation in or on the water (See WC 1707) ? No  
(yes/no)
- 5c. Provide an analysis of potential effect(s) on fish, wildlife, or other instream beneficial uses which may arise from the proposed change. See Attachment
- 5d. State reasons you believe the proposed temporary change will not unreasonably affect fish, wildlife, or other instream beneficial uses, see Water Code Section 1727 (b)(2). See Attachment
- 6a. Does any agency involved in the proposed transfer/exchange rely upon section 382 of the Water Code to allow the delivery of water outside of the agency's service area? No  
(yes/no)?
- 6b. If yes, provide an analysis of the effect of the proposed transfer/ exchange on the overall economy of the area from which the water is being transferred. Not Applicable

A TRANSFER/EXCHANGE UNDER WATER CODE SECTION 1725 INVOLVES ONLY THE AMOUNT OF WATER WHICH WOULD HAVE BEEN CONSUMPTIVELY USED OR STORED IN THE ABSENCE OF THE PROPOSED TEMPORARY CHANGE. A CHANGE WILL BE EFFECTIVE FOR A PERIOD OF ONE YEAR OR LESS, BEGINNING ON THE APPROVAL OF THIS PETITION OR ON SUCH DATE OTHERWISE SPECIFIED BY THE STATE WATER BOARD ORDER. FOLLOWING EXPIRATION OF THIS TEMPORARY CHANGE, ALL RIGHTS AUTOMATICALLY REVERT TO THE PRESENT HOLDER BY OPERATION OF LAW.

*I (we) declare under penalty of perjury that the above is true and correct to the best of my (our) knowledge and belief.*

Dated: June 10, 2011 at Sacramento, California

*Darren B. Cordova*  
Signature(s)  
Darren Cordova, MBK Engineers

( 916 ) 456-4400  
Telephone No.

**NOTE:** This petition shall be accompanied by all information required by this form and W.C. Section 1725 et. seq, and the fees before the State Water Board will consider acceptance of the petition requesting a temporary change to facilitate a transfer/exchange.

**Proof of Service:** Compliance with W.C. section 1726(c) shall be met by the filing of copies of the proof of service to the Department of Fish and Game and to the board of supervisors of the counties where the water is currently used and the counties to which water is proposed to be transferred.

**NOTE:** All petitions must be accompanied by the **filing fee, (see fee schedule at [www.waterrights.ca.gov](http://www.waterrights.ca.gov))**, made payable to the State Water Resources Control Board and an **\$850 fee** made payable to the Department of Fish and Game must accompany this petition. Separate petitions are required for each water right.

**Attachment to Petition for Temporary Transfer  
License 2685 (Application 1224)  
held by Merced Irrigation District**

GENERAL

The Merced Irrigation District (Merced) is filing this petition in order to supply previously stored surface water to agricultural lands located near the boundaries of Merced's authorized places of use covered by its Post-1914 appropriative water rights. These lands are within an area known as Merced's Sphere of Influence Lands (SOI Lands), and are all located within Merced County as shown on the map accompanying this petition. The majority of the SOI Lands currently, and have historically received surface water from Merced during years that Merced's Board of Directors determines that adequate natural flow is available under its Pre-1914 claims from the Merced River. During months when surface water is not available under Merced's Pre-1914 claims for delivery to SOI Lands, the individual landowners meet their demands through alternate supplies, such as groundwater.

In 2007, Merced petitioned and received approval from the Division of Water Rights for a temporary water transfer to continue surface water deliveries to SOI Lands. Merced is filing this petition in order to provide continued surface water supplies for the SOI Lands, in a manner similar to the temporary water transfer completed during 2007, up to a proposed quantity of 6,000 AF. The surface water supply available to the SOI Lands is diverted, stored, rediverted, and conveyed through Merced's existing facilities. As shown on the map accompanying this petition, the proposed gross place of use includes lands identified by SOI landowners, which encompasses individual parcels, the boundaries of Le Grand-Athlone Water District, and the portion of Chowchilla Water District located within Merced County. Merced proposes to deliver the previously stored surface water to these districts for distribution to participating SOI landowners. The proposed net place of use for the temporary transfer, identified further in this petition, includes lands within the Merced County SOI Water Users Association (SOI Water Users).

The quantity of surface water proposed to be released by Merced for delivery to the SOI Lands will be made available by releases of up to 6,000 AF from reservoir storage. Releases of previously stored surface water involve the delivery of water to SOI Lands and refill of the reservoir, which normally occurs during periods of high runoff. The release of stored water would be increased as compared with the condition absent the proposed temporary transfer. Merced is willing to accept refill criteria to assure no impact occurs to downstream water right holders. Absent the proposed temporary transfer, Merced would retain the entire quantity proposed for transfer in storage pursuant to its water rights and this quantity would be pumped at individual groundwater wells for use within the SOI Lands.

POINT OF DIVERSION OR REDIVERSION

No change in Merced's present points of diversion or points of rediversion are proposed. Merced's authorized points of diversion and rediversion under License 2685 are listed below:

**Present Points of Diversion:**

**New Exchequer Dam (Lake McClure)**

The point of diversion to storage of such water is located South thirty-eight degrees, no minutes West (S 38° 0' W), thirty eight hundred (3800) feet from the NE corner of Section 13, T4S, R15E, MBD&M, being within the NW ¼ of SE ¼ of said Section 13 in Mariposa County.

**Merced Falls Diversion Dam for Northside Canal**

Point of direct diversion and rediversion of stored water from Merced River for Northside Canal is located North sixty eight degrees, no minutes West (N 68° 0' W) twenty seven hundred fifty (2750) feet from the SE corner of Section 4, T5S, R15E, MDB&M., being within the SW ¼ of SE ¼ of Section 7 in Merced County.

**Crocker-Huffman Diversion Dam for Main Canal**

Point of direct diversion and rediversion of stored water from Merced River for Main Canal is located North forty seven degrees, thirty minutes East (N 47° 30'E) twenty eight hundred thirty (2830) feet from the SW corner of Section 7, T5S, R15E, MDB&M, being within the NE ¼ of SW ¼ of said Section 7 in Merced County.

**Mariposa Town Planning Area**

Point of direct diversion from Merced River for Mariposa Town Planning Area Main is located at a point North 48°34'35" West 1,113 feet from SE corner of Section 9, within the SE ¼ of the SE ¼ of Section 9, T4S, R18E, MDB&M in Mariposa County.

**Present Points of Rediversion:**

**Merced Falls Diversion Dam for Northside Canal**

Point of direct diversion and rediversion of stored water from Merced River for Northside Canal is located North sixty eight degrees, no minutes West (N 68° 0' W) twenty seven hundred fifty (2750) feet from the SE corner of Section 4, T5S, R15E, MDB&M., being within the SW ¼ of SE ¼ of Section 7 in Merced County.

**Crocker-Huffman Diversion Dam for Main Canal**

Point of direct diversion and rediversion of stored water from Merced River for Main Canal is located North forty seven degrees, thirty minutes East (N 47° 30'E) twenty eight hundred thirty (2830) feet from the SW corner of Section 7, T5S, R15E, MDB&M, being within the NE ¼ of SW ¼ of said Section 7 in Merced County.

**Duck Slough (formerly El Nido Irrigation District)**

Point of rediversion located on Duck Slough at a point 100 feet North and 50 feet East of ¼ Cor. Sections 10 and 11, T8S, R14E, within the SW ¼ of the NW ¼ Section 11, T8S, R14E, MDB&M in Merced County. This point of rediversion is associated with the former place of use for El Nido Irrigation District described below and in Licenses 6032 and 9429 (Applications 8238 and 18774), formerly held by El Nido Irrigation District and hereby transferred to Merced Irrigation District.

PLACE OF USE

**Present Places of Use:**

Domestic and irrigation purposes on 164,395 gross acreage within the boundaries of Merced Irrigation District as shown on map of District filed with the Division of Water Rights December 11, 1942.

Municipal use to 1,900 acres known as the Mariposa Town Planning Area, located within portions of projected Sections 9, 10, 11, 14, 15, 16, 22, 23, 24, 25, 26, and 36, T5S, R18E, MDB&M, as shown on a map on file with the State Water Resources Control Board dated May 1, 1995.

Irrigation purposes on 9,418.6 acres within the boundaries of El Nido Irrigation District as shown on map of El Nido Irrigation District filed with the Division of Water Rights for Application 8238. El Nido Irrigation District has been consolidated with Merced.

**Proposed Place of Use:**

No change to the present place of use is proposed. The following lands are proposed to be added to the place of use:

Irrigation of up to 40,447 acres within a gross area of 71,540 acres as shown on the attached map titled “Merced Irrigation District Map to Accompany Petition for Temporary Transfer under License 2685 (Application 1224) Proposed Addition to Place of Use”. The following is list of Merced County Assessor’s Parcels that are participating in the proposed temporary transfer:

|             |             |             |             |
|-------------|-------------|-------------|-------------|
| 038-010-019 | 042-040-032 | 042-150-038 | 043-090-011 |
| 042-040-019 | 042-040-033 | 042-150-039 | 043-090-012 |
| 042-040-028 | 042-130-002 | 042-240-030 | 049-040-021 |
| 042-040-029 | 042-150-021 | 043-020-028 | 049-080-011 |
| 042-040-030 | 042-150-024 | 043-050-009 | 049-080-012 |
| 042-040-031 | 042-150-026 | 043-070-033 | 049-080-013 |

Merced Irrigation District License 2685 (Application 1224)  
Attachment to Petition for Temporary Transfer

|             |             |             |             |
|-------------|-------------|-------------|-------------|
| 049-110-005 | 056-170-001 | 067-040-033 | 067-140-002 |
| 049-120-006 | 056-170-002 | 067-050-001 | 067-140-003 |
| 049-120-010 | 057-050-029 | 067-050-002 | 067-150-010 |
| 049-130-004 | 057-050-032 | 067-050-007 | 067-190-005 |
| 049-130-006 | 057-050-033 | 067-050-030 | 067-190-008 |
| 049-140-004 | 057-050-056 | 067-050-031 | 068-010-010 |
| 052-060-005 | 057-050-057 | 067-050-033 | 068-010-015 |
| 052-060-006 | 065-010-010 | 067-050-034 | 068-010-019 |
| 052-060-010 | 065-010-014 | 067-050-038 | 068-010-020 |
| 052-060-011 | 065-010-015 | 067-050-042 | 068-010-021 |
| 052-070-003 | 065-020-014 | 067-050-043 | 068-030-023 |
| 052-070-008 | 065-020-015 | 067-050-044 | 068-030-025 |
| 052-070-011 | 065-020-020 | 067-050-047 | 068-030-047 |
| 052-070-013 | 065-020-021 | 067-050-048 | 068-030-051 |
| 052-080-022 | 065-020-024 | 067-050-049 | 068-030-088 |
| 052-080-023 | 065-020-028 | 067-060-011 | 068-110-001 |
| 052-240-004 | 065-110-003 | 067-060-018 | 068-110-002 |
| 053-080-022 | 065-110-004 | 067-060-046 | 068-120-001 |
| 053-080-038 | 065-110-024 | 067-070-001 | 068-120-002 |
| 053-100-042 | 065-120-004 | 067-070-013 | 068-120-003 |
| 053-100-044 | 065-120-005 | 067-070-015 | 068-120-038 |
| 053-100-049 | 065-120-012 | 067-070-042 | 068-120-060 |
| 053-100-056 | 065-130-058 | 067-070-043 | 068-120-061 |
| 053-100-058 | 066-100-009 | 067-070-048 | 068-120-066 |
| 053-100-059 | 066-100-014 | 067-070-049 | 068-120-069 |
| 053-100-062 | 066-110-007 | 067-080-002 | 068-120-070 |
| 053-100-065 | 066-140-001 | 067-080-003 | 068-120-072 |
| 053-100-068 | 066-150-005 | 067-080-019 | 068-120-074 |
| 053-150-003 | 066-150-007 | 067-080-020 | 068-120-075 |
| 053-150-007 | 066-150-008 | 067-080-033 | 068-120-089 |
| 053-150-010 | 066-160-015 | 067-100-011 | 068-120-090 |
| 053-190-017 | 066-170-016 | 067-100-015 | 068-120-091 |
| 053-200-033 | 066-180-004 | 067-100-016 | 068-120-092 |
| 053-290-007 | 066-190-001 | 067-100-038 | 068-120-093 |
| 053-290-008 | 066-230-006 | 067-120-015 | 068-120-094 |
| 053-290-026 | 066-230-013 | 067-130-004 | 068-120-095 |
| 056-120-019 | 066-230-017 | 067-130-005 | 068-130-028 |
| 056-150-001 | 066-240-004 | 067-130-006 | 068-130-029 |
| 056-150-028 | 067-010-033 | 067-130-008 | 068-130-031 |
| 056-150-036 | 067-040-006 | 067-130-010 | 068-130-032 |
| 056-150-039 | 067-040-007 | 067-130-011 | 068-130-033 |
| 056-150-040 | 067-040-008 | 067-130-012 | 068-130-034 |
| 056-150-041 | 067-040-025 | 067-140-001 | 068-130-043 |

Merced Irrigation District License 2685 (Application 1224)  
 Attachment to Petition for Temporary Transfer

|             |             |             |             |
|-------------|-------------|-------------|-------------|
| 068-130-044 | 074-140-001 | 075-060-029 | 075-100-009 |
| 068-230-004 | 075-010-020 | 075-060-043 | 075-100-010 |
| 068-230-012 | 075-010-021 | 075-060-044 | 075-100-011 |
| 068-230-014 | 075-010-023 | 075-060-047 | 075-100-012 |
| 068-230-031 | 075-010-026 | 075-060-059 | 075-100-013 |
| 068-250-001 | 075-020-002 | 075-060-060 | 075-100-016 |
| 068-250-002 | 075-020-003 | 075-060-061 | 075-100-017 |
| 068-250-012 | 075-020-004 | 075-060-062 | 075-100-025 |
| 068-250-021 | 075-020-005 | 075-060-063 | 075-100-026 |
| 068-250-023 | 075-020-012 | 075-071-016 | 075-110-019 |
| 068-250-037 | 075-020-013 | 075-080-022 | 075-110-027 |
| 068-250-051 | 075-020-014 | 075-080-028 | 075-110-028 |
| 068-250-075 | 075-020-015 | 075-080-029 | 075-110-036 |
| 074-110-043 | 075-020-016 | 075-090-005 | 075-110-043 |
| 074-110-052 | 075-020-023 | 075-100-003 | 075-110-044 |
| 074-110-053 | 075-030-001 | 075-100-004 | 075-110-045 |
| 074-110-054 | 075-030-059 | 075-100-006 |             |

1b, 3a, & 3b

The purpose of this proposed temporary transfer is to provide surface water to SOI Lands in lieu of the SOI Water Users' demands being met from individual groundwater supplies. Merced will provide, through its North and Main Canals, up to 6,000 AF of stored water for use by SOI landowners. The quantity of water delivered to the SOI Lands will be made available from Merced by releases of previously stored water. Releases of water from storage will increase the streamflow between Lake McClure and Merced's Main Canal by up to 6,000 AF during the period of releases in order to convey stored surface water for redirection to SOI Lands. The period of releases from storage for delivery to the SOI Lands depends upon hydrologic conditions and the proposed quantity for transfer. The net result of the proposed temporary transfer for delivery to the SOI Lands will be an increase in the consumptive use of surface water and an equal decrease in the consumptive use of groundwater, as these lands would be in production without the proposed temporary transfer. Merced will continue the same surface water deliveries to its existing customers with or without the proposed temporary water transfer. In addition, Merced is required to release water to meet its other existing downstream commitments and requirements below the inlet to its Main Canal. Therefore, there will be no downstream change of the streamflow, water quality, timing of diversion, return flows, effects on legal users of water, or change in the purposes of use authorized by License 2685 during the period of the proposed temporary transfer.

Merced Irrigation District License 2685 (Application 1224)  
Attachment to Petition for Temporary Transfer

A potential effect to the downstream flow from the release of stored water arises during the subsequent refill of the 6,000 AF of vacated stored water. This refill normally occurs during periods of high runoff and periods of low water demand by downstream water right holders. Merced is willing to accept refill criteria to assure no impact occurs. Absent the proposed temporary transfer, Merced would retain the entire quantity proposed for transfer in storage pursuant to its water rights and this quantity would be pumped at individual groundwater wells for use within the SOI Lands.

4 – Regional Water Quality Control Board

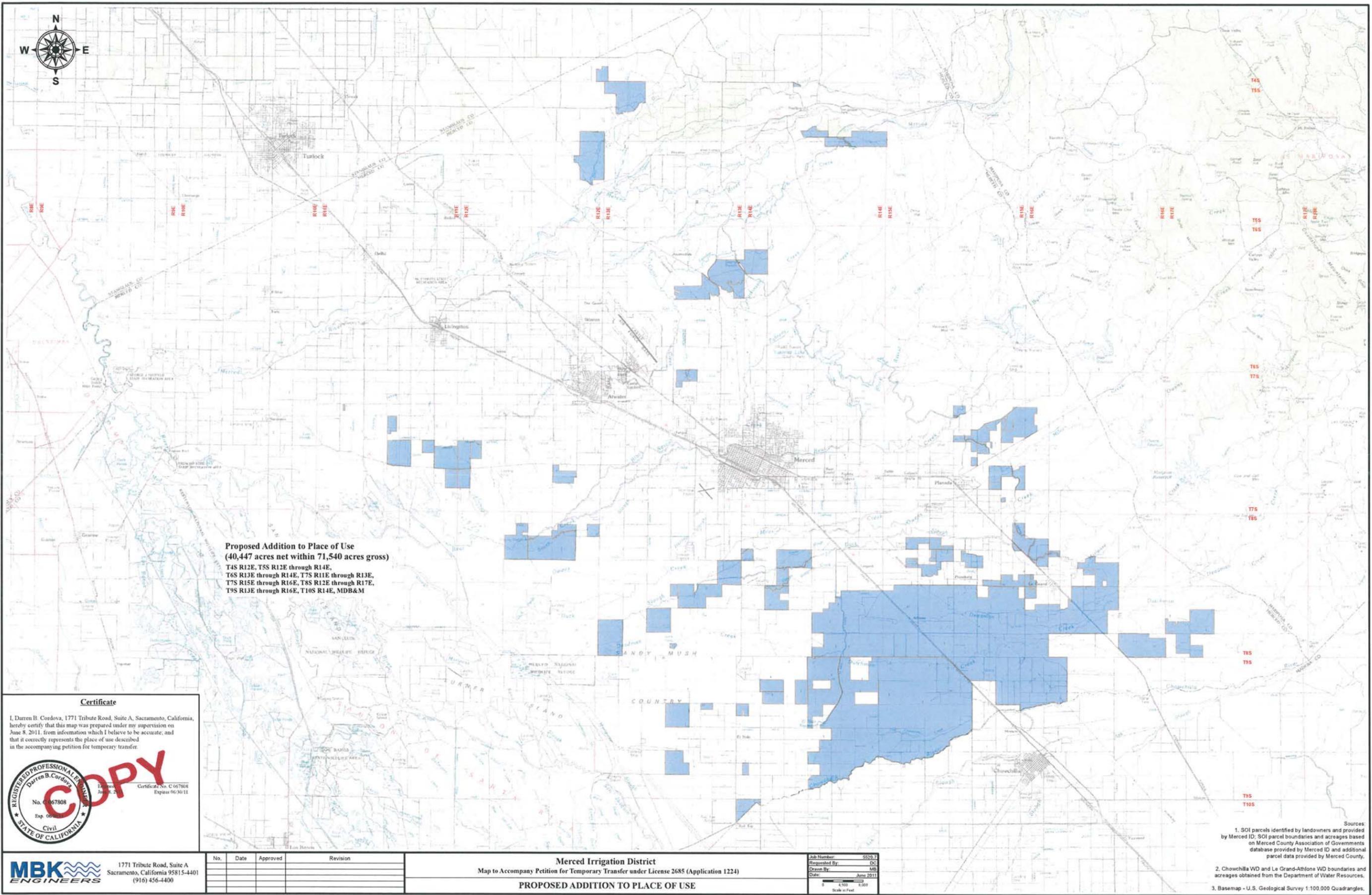
We have contacted David Sholes ((559) 445-6279) of the Central Valley Regional Water Quality Control Board. Mr. Sholes did not have any initial comments or concerns regarding this proposed temporary transfer. We are sending Mr. Sholes a copy of this petition for review.

5a – CA Department of Fish and Game

We have contacted Ms. Julie Means ((559) 243-4014) of the Department of Fish and Game. Ms. Means did not identify any concerns relative to the proposed temporary transfer and did not identify any mitigation measures that would be required. We are sending Ms. Means a copy of this petition for review.

5c & 5d

There will be an insignificant effect on fish, wildlife, or other instream beneficial uses as a result of this petition because the temporary transfer involves Merced's existing facilities and no new lands will be placed into production. Merced is required to release water from storage pursuant to its other existing downstream commitments; and thus, there will be no downstream effects from the proposed temporary transfer, as identified in responses to questions 1b, 3a, and 3b of this petition.



**Proposed Addition to Place of Use**  
**(40,447 acres net within 71,540 acres gross)**  
 T4S R12E, T5S R12E through R14E,  
 T6S R13E through R14E, T7S R11E through R13E,  
 T7S R15E through R16E, T8S R12E through R17E,  
 T9S R13E through R16E, T10S R14E, MDB&M

**Certificate**

I, Darren B. Cordova, 1771 Tribute Road, Suite A, Sacramento, California, hereby certify that this map was prepared under my supervision on June 8, 2011, from information which I believe to be accurate, and that it correctly represents the place of use described in the accompanying petition for temporary transfer.

**REGISTERED PROFESSIONAL ENGINEER**  
 Darren B. Cordova  
 No. C 067808  
 Exp. 06/30/11  
 Certificate No. C 067808  
 Expires 06/30/11

**COPY**

**MBK ENGINEERS**  
 1771 Tribute Road, Suite A  
 Sacramento, California 95815-4401  
 (916) 456-4400

| No. | Date | Approved | Revision |
|-----|------|----------|----------|
|     |      |          |          |
|     |      |          |          |
|     |      |          |          |

**Merced Irrigation District**  
 Map to Accompany Petition for Temporary Transfer under License 2685 (Application 1224)

**PROPOSED ADDITION TO PLACE OF USE**

Job Number: 5550.7  
 Requested By: DC  
 Drawn By: MB  
 Date: June 2011  
 Scale: 1" = 4,000'

- Sources:
- SOI parcels identified by landowners and provided by Merced ID; SOI parcel boundaries and acreages based on Merced County Association of Governments database provided by Merced ID and additional parcel data provided by Merced County.
  - Chowchilla WD and Le Grand-Athlone WD boundaries and acreages obtained from the Department of Water Resources.
  - Base map - U.S. Geological Survey 1:100,000 Quadrangles.

Copyright June 8, 2011 1:18 PM  
 W:\GIS\Merced\021101\Proposed Addition to Place of Use\Map\Map\Merced Irrigation District - Proposed Addition to Place of Use.mxd

California Environmental Protection Agency  
State Water Resources Control Board  
**DIVISION OF WATER  
RIGHTS**

**P.O. Box 2000, Sacramento, CA 95812-2000**

Info: (916) 341-5300, FAX: (916) 341-5400, Web: <http://www.waterboards.ca.gov/waterrights>

**ENVIRONMENTAL  
INFORMATION FOR PETITIONS\***

**License 2685 (Application 1224)**

\* Required for all petitions, including change petitions, time extension petitions, wastewater change petitions and instream flow dedication petitions.

Before the State Water Resources Control Board (State Water Board) can approve a petition, the State Water Board must consider the information contained in an environmental document prepared in compliance with the California Environmental Quality Act (CEQA). This form is not a CEQA document. If a CEQA document has not yet been prepared, a determination must be made of who is responsible for its preparation. As the petitioner, you are responsible for all costs associated with the environmental evaluation and preparation of the required CEQA documents. Please answer the following questions to the best of your ability and submit any studies that have been conducted regarding the environmental evaluation of your project. If you need more space to completely answer the questions, please number and attach additional sheets.

**1. DESCRIPTION OF PROPOSED CHANGES OR WORK REMAINING TO BE COMPLETED**

For a petition to change, provide a description of the proposed changes to your project including, but not limited to, type of construction activity, structures existing or to be built, area to be graded or excavated, increase in water diversion and use (up to the amount authorized by the permit), changes in land use, and project operational changes, including changes in how the water will be used. For a petition for extension of time, provide a description of what work has been completed and what remains to be done. Include in your description any of the above elements that will occur during the requested extension period.

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See Attachment No. 1

**2. COUNTY PERMITS NOT APPLICABLE.**

a. Contact your county planning or public works department and provide the following information:

Person contacted: \_\_\_\_\_ Date of contact: \_\_\_\_\_

Department: \_\_\_\_\_ Telephone (\_\_\_\_) \_\_\_\_\_

County Zoning Designation: \_\_\_\_\_

Are any county permits required for your project?  YES  NO If YES, check appropriate box below:

Grading permit  Use permit  Watercourse  Obstruction permit  Change of zoning

General plan change  Other (explain): \_\_\_\_\_

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b. Have you obtained any of the required permits described above?  YES  NO

If YES, provide a complete copy of each permit obtained.

See Attachment No. \_\_\_\_\_

**3. STATE/FEDERAL PERMITS AND REQUIREMENTS NOT APPLICABLE.**

a. Check any additional state or federal permits required for your project:

Federal Energy Regulatory Commission  U.S. Forest Service  Bureau of Land Management

Soil Conservation Service  Dept. of Water Resources (Div. of Safety of Dams)  Reclamation Board

Coastal Commission  State Lands Commission  Other (specify) \_\_\_\_\_

b. For each agency from which a permit is required, provide the following information:

| AGENCY | PERMIT TYPE | PERSON(S) CONTACTED | CONTACT DATE | TELEPHONE NO. |
|--------|-------------|---------------------|--------------|---------------|
|        |             |                     |              |               |
|        |             |                     |              |               |
|        |             |                     |              |               |

See Attachment No. \_\_\_\_\_

c. Does your proposed project involve any construction or grading-related activity that has significantly altered or would significantly alter the bed or bank of any stream or lake?  YES  NO

If YES, explain:

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See Attachment No. \_\_\_\_\_

d. Have you contacted the California Department of Fish and Game concerning your project?  YES  NO  
If YES, name and telephone number of contact: Julie Means (559) 243-4014

**4. ENVIRONMENTAL DOCUMENTS**

a. Has any California public agency prepared an environmental document for your project?  YES  NO  
If YES, submit a copy of the latest environmental document(s) prepared, including a copy of the notice of determination adopted by the California public agency. Public agency: \_\_\_\_\_

b. If NO, check the appropriate box and explain below, if necessary: **Petitions for temporary transfer of water pursuant to Water Code Section 1725 are exempt from CEQA.**

- The petitioner is a California public agency and will be preparing the environmental document.\*
- I expect that the State Water Board will be preparing the environmental document.\*\*
- I expect that a California public agency other than the State Water Board will be preparing the environmental document.\* Public agency:  
\_\_\_\_\_  
\_\_\_\_\_

See Attachment No. \_\_

\* **Note:** When completed, submit a copy of the final environmental document (including notice of determination) or notice of exemption to the State Water Board, Division of Water Rights. Processing of your petition cannot proceed until these documents are submitted.

\*\* **Note:** CEQA requires that the State Water Board, as Lead Agency, prepare the environmental document. The information contained in the environmental document must be developed by the petitioner and at the petitioner's expense under the direction of the State Water Board, Division of Water Rights.

**5. WASTE/WASTEWATER NOT APPLICABLE.**

a. Will your project, during construction or operation, (1) generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or (2) cause erosion, turbidity or sedimentation?

YES  NO

If YES, or you are unsure of your answer, explain below and contact your local Regional Water Quality Control Board for the following information (See instruction booklet for address and telephone no.):  
\_\_\_\_\_  
\_\_\_\_\_

See Attachment No. \_\_\_\_\_

b. Will a waste discharge permit be required for your project?  YES  NO

Person contacted: \_\_\_\_\_ Date of contact: \_\_\_\_\_

c. What method of treatment and disposal will be used?  
\_\_\_\_\_  
\_\_\_\_\_

See Attachment No. \_\_\_\_\_

**6. ARCHEOLOGY**

a. Have any archeological reports been prepared on this project?  YES  NO

b. Will you be preparing an archeological report to satisfy another public agency?  YES  NO

c. Do you know of any archeological or historic sites located within the general project area?  YES  NO

If YES, explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

See Attachment No. \_\_\_\_\_

**7. ENVIRONMENTAL SETTING [SEE ATTACHMENT No. 2.](#)**

Attach **two complete sets of color photographs**, clearly dated and labeled, showing the vegetation that exists at the below-listed three locations. For time extension petitions, the photographs should document only those areas of the project that will be impacted during the requested extension period.

- Along the stream channel immediately downstream from the proposed point(s) of diversion.
- Along the stream channel immediately upstream from the proposed point(s) of diversion.
- At the place(s) where the water is to be used.

**8. CERTIFICATION**

I hereby certify that the statements I have furnished above and in the attachments are complete to the best of my ability and that the facts, statements, and information presented are true and correct to the best of my knowledge.

Date:

June 10, 2011

Signature:

Dennis D. Anderson

**Attachment No. 1**  
**to Environmental Information for**  
**Petition for Temporary Transfer**  
**License 2685 (Application 1224)**  
**held by Merced Irrigation District**

DESCRIPTION OF PROJECT

The Merced Irrigation District (Merced) is petitioning to add a place of use to its License 2685 (Application 1224) in order to supply previously stored surface water to agricultural lands located near the boundaries of Merced's authorized places of use covered by its Post-1914 appropriative water rights. These lands are within an area known as Merced's Sphere of Influence Lands (SOI Lands), and are all located within Merced County. The majority of the SOI Lands currently, and have historically received surface water from Merced during years that Merced's Board of Directors determines that adequate natural flow is available under its Pre-1914 claims from the Merced River. During months when surface water is not available under Merced's Pre-1914 claims for delivery to SOI Lands, the individual landowners meet their demands through alternate supplies, such as groundwater.

Approval of this petition would provide for continued surface water supplies for SOI Lands, up to the proposed temporary transfer quantity of 6,000 AF made available from Merced by releases of previously stored surface water. These releases involve the delivery of previously stored surface water to SOI Lands and refill of the reservoir, which normally occurs during periods of high runoff. Merced is willing to accept refill criteria to assure no impact occurs to downstream water right holders. There will be minor changes to Merced's current operations as a result of this petition; and these changes will be limited to continuing deliveries to SOI Lands after the date at which there is inadequate natural flow in the Merced River to deliver surface water to SOI Lands pursuant to Merced's Pre-1914 claims. The net result of the proposed temporary transfer for delivery to the SOI Lands will be an increase in the consumptive use of surface water and an equal decrease in the consumptive use of groundwater, as these lands would be in production without the proposed temporary transfer. Absent the proposed temporary transfer, Merced would retain the entire quantity proposed for transfer in storage pursuant to its water rights and this quantity would be pumped at individual groundwater wells for use within the SOI Lands. For these reasons, the proposed temporary transfer does not involve any construction or other physical changes to the District's facilities.

JP/ps

5520.7/ATTACHMENT TO ENVIRONMENTAL FORM SOI 06.10.2011

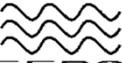
## Attachment No. 2



*Views of typical irrigated lands within the proposed place of use for the Merced County SOI Water Users Association.*

*Photographer - Merced Irrigation District*

*March 2007*

**MBK**   
**ENGINEERS**