

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

PURPOSE OF PETITION

The purpose of this Petition for Change Involving Water Transfers (Petition), is to add an additional place of use and point of rediversion under Merced Irrigation District's (Merced) License 2685 (Application 1224), for the release of up to 20,000 AF of surface water for use on lands within Merced County. The releases, by Merced, for the proposed water transfer would occur beginning upon approval of this Petition. The proposed addition to the place of use includes Le Grand-Athlone Water District; Lone Tree Mutual Water Company; East Side Water District; San Luis Canal Company; Chowchilla Water District; and an area known as Merced's Sphere of Influence Lands (SOI Lands); collectively, all are referred to as "Transferees", which are located in 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 has determined 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. The landowners in the nearby water districts would also meet demands through alternate supplies.

In 2007 and 2011, 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 these years. However, Merced is also proposing to provide surface water supplies to the portions of Le Grand-Athlone Water District, Lone Tree Mutual Water Company, East Side Water District, San Luis Canal Company, and Chowchilla Water District located in Merced County. The proposed addition to the place of use is 157,049 acres. The surface water supply available to the SOI Lands, Le Grand-Athlone Water District, Lone Tree Mutual Water Company, and East Side Water District is diverted, stored, rediverted, and conveyed, through Merced's existing facilities. For conveyance to San Luis Canal Company, water will be conveyed through Merced's facilities to Bear Creek, diverted into the Eastside Canal, and delivered into the Turner Island Canal via siphons running under the Eastside Bypass. To facilitate deliveries to San Luis Canal Company, Merced proposes adding the Eastside Canal at Bear Creek, as an additional point of rediversions, as identified on the attached map.

The quantity of surface water proposed to be released by Merced for delivery to the Transferees will be made available by releases of up to 20,000 AF from reservoir storage. Releases of previously stored surface water involve the delivery of water to the Transferees and refill of the reservoir, which normally occurs during periods of high runoff. Merced is willing to accept refill criteria to ensure 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 right.

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,

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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.

Proposed Additional Point of Rediversion:

No change in the present points of rediversion is proposed. Merced proposes to add the following points of rediversion for delivery to San Luis Canal Company:

Eastside Canal at Bear Creek

North 1,915,316.90 ft., East 6,498,149.27 ft., California Coordinate System Zone 3, NAD 83, being within the SE ¼ of NW ¼ of Section 12, T8S, R11E, MDB&M. This proposed additional point of rediversion is 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 and Point of Rediversion".

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 157,049 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".

PROPOSED NEW USERS

Chowchilla Water District
Doug Welch, General Manager
P.O. Box 905
Chowchilla, CA 93610
559-665-3747

East Side Water District
Ward Burroughs
P.O. Box 280
Denair, CA 95316
209-874-9400

Le Grand-Athlone Water District
Brad Robson
66510 Minturn Road
Le Grand, CA 95333
800-532-1500

Lone Tree Mutual Water Company
George Park, General Manager
5002 West El Nido Road
El Nido, CA 95317
209-722-3997

San Luis Canal Company
Chase Hurley, General Manager
11704 W. Henry Miller Road
Dos Palos, CA 93620
209-704-5105

Sphere of Influence Landowners
c/o Gary Sawyers
652 W Cromwell Ave, Ste. 101
Fresno, CA 93711
559-438-5656

GENERAL INFORMATION

Releases of water from storage will increase the streamflow between Lake McClure and Merced's Main Canal, and Northside Canal by up to 20,000 AF during the period of releases, in order to convey stored surface water for rediversion to the Transferees. The quantity of surface water delivered to the Transferees will be made available from Merced using releases of previously stored water. Merced will continue the same surface water supplies 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 on the Merced River below the inlet to its Main Canal. Deliveries to San Luis Canal Company, via Bear Creek, will be in addition to existing downstream requirements. Therefore, there will be no downstream change of the streamflow, water quality, timing of diversion, return flows, effects on legal users of water, or changes in the purpose of use authorized by License 2685, during the period of the proposed temporary transfer.

A potential effect to the downstream flow, from the release of stored water, arises during the subsequent refill of the 20,000 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 ensure 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.

Although there are water users taking water from the stream between Merced's current points of return flow, and the points at which the Districts would return water to the system, we have responded to the relevant section of the Petition form as "not applicable." Merced would

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not transfer water such that it would adversely impact water users within Merced, and Merced will continue the same surface water deliveries to its existing customers with, or without, the proposed temporary water transfer; therefore, there will be no change in the return flow pattern from water users within Merced.

See files of SWRCB for more information regarding other legal water users, which may include the Delta water users, the CVP, and the SWP. The Department of Fish and Wildlife (DFW) and the Central Valley Regional Water Quality Control Board (CVRWQCB) were both contacted; however, no comments were provided by CVRWQCB at this time. DFW was not available by phone for discussion of the proposed temporary water transfer. Copies of this Petition have been provided by Certified Mail, to Annette Tenneboe (559-243-4014 x 231) of DFW, and Matt Scroggins (559-445-6042) of the CVRWQCB, Fresno Office.

AB/oh

5520.7/FINAL ATTACHMENT TO PETITION FOR TRANSFER SOI 2016-06-17