

Please indicate County where your project is located here:

Placer

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

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 21945 Permit 15375 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: See Attachments C and D
Proposed: Banks Pumping Plant N2, 126,440 ft., E 6,256,425 II. California Coordinate System Zone 3, NAD 83, being within the NW 1/2 of SE 1/4 of Projected Section 20, T1S, R4E, MDB&M (Attachment D).

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: FPUd serving Placer County, as shown in Attachment B. No change in the present place of use is proposed.
Proposed: KCWA and DRWD service area as shown in Attachment E

Purpose of Use

Present: Domestic, Municipal and Industrial, Recreational, Irrigation
Proposed: Domestic, Municipal and Industrial, Recreational, Irrigation

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: NA
Downstream Location: NA

Table with 12 columns for months (Jan-Dec) and rows for flow quantities in 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.

Kern County Water Agency, 3200 Rio Miranda Drive, Bakersfield, CA 93308 (661) 634-1400
Dudley Ridge Water District, 286 W. Cromwell Avenue, Fresno, CA 93711 (559) 449-2700

**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.

NA

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.

NA

**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/docs/pet\\_info.pdf](http://www.waterboards.ca.gov/waterrights/publications_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/](http://www.waterboards.ca.gov/waterrights/water_issues/programs/fees/)  
(3) Department of Fish and Wildlife fee of \$850 (Pub. Resources Code, § 10005)

## ENVIRONMENTAL INFORMATION FOR PETITIONS

This form is required for all 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.

### DESCRIPTION OF PROPOSED CHANGES OR WORK REMAINING TO BE COMPLETED

For a petition for 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.

Petition for Temporary Change under - Water Code sections 1725-1732

Foresthill Public Utility District (FPUD) proposes to transfer 2,000 acre-feet (AF) of water currently stored in Sugar Pine Reservoir on North Shirttail Canyon Creek to Kern County Water Agency (KCWA) and Dudley Ridge Water District (DRWD) for use to meet existing demand from existing development within the KCWA and DRWD existing service areas. The California Department of Water Resources (DWR), KCWA and DRWD propose to execute an Article 55 agreement for a total of 2,000 AF of FPUD water to be conveyed through existing federal and state facilities.

To accomplish this transfer, the following temporary changes in the place of use and points of re-diversion under FPUD Sugar Pine Reservoir water right permit are needed:

- 1) Allow re-diversion of transfer water at DWR's Harvey O. Banks Pumping Plant (Banks) (a State facility) to convey the FPUD transfer water through the California Aqueduct for delivery through existing turn-outs to KCWA and DRWD.
- 2) Allow use of transfer water within KCWA and DRWD service areas.

\*Refer to Attachment A for detailed description of project operation changes, including changes in how the water will be used within the KCWA and DRWD service areas.

Insert the attachment number here, if applicable:

A

**Coordination with Regional Water Quality Control Board**

For change petitions only, you must request consultation with the Regional Water Quality Control Board regarding the potential effects of your proposed change on water quality and other instream beneficial uses. (Cal. Code Regs., tit. 23, § 794.) In order to determine the appropriate office for consultation, see: [http://www.waterboards.ca.gov/waterboards\\_map.shtml](http://www.waterboards.ca.gov/waterboards_map.shtml). Provide the date you submitted your request for consultation here, then provide the following information.

Date of Request

**July 12, 2018**

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

Will a waste discharge permit be required for the project?

Yes       No

If necessary, provide additional information below:

Insert the attachment number here, if applicable:

**Local Permits**

For temporary transfers only, you must contact the board of supervisors for the county(ies) both for where you currently store or use water and where you propose to transfer the water. (Wat. Code § 1726.) Provide the date you submitted your request for consultation here.

Date of Contact

For change petitions only, you should contact your local planning or public works department and provide the information below.

Person Contacted:

Date of Contact:

Department:

Phone Number:

County Zoning Designation:

Are any county permits required for your project? If yes, indicate type below.       Yes       No

- Grading Permit       Use Permit       Watercourse       Obstruction Permit
- Change of Zoning       General Plan Change       Other (explain below)

If applicable, have you obtained any of the permits listed above? If yes, provide copies.       Yes       No

If necessary, provide additional information below:

A copy of this Petition was sent to the Board of Supervisors in Placer, Kings and Kern counties

Insert the attachment number here, if applicable:

**Federal and State Permits**

Check any additional agencies that may require permits or other approvals for your project:

- Regional Water Quality Control Board     Department of Fish and Game
- Dept of Water Resources, Division of Safety of Dams     California Coastal Commission
- State Reclamation Board     U.S. Army Corps of Engineers     U.S. Forest Service
- Bureau of Land Management     Federal Energy Regulatory Commission
- Natural Resources Conservation Service

Have you obtained any of the permits listed above? If yes, provide copies.     Yes     No

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

Agency	Permit Type	Person(s) Contacted	Contact Date	Phone Number

If necessary, provide additional information below:

NA

Insert the attachment number here, if applicable:

**Construction or Grading Activity**

Does the project involve any construction or grading-related activity that has significantly altered or would significantly alter the bed, bank or riparian habitat of any stream or lake?     Yes     No

If necessary, provide additional information below:

California Department of Fish and Wildlife (CDFW)

Consistent with Water Code Section 1726, a copy of this Petition will be sent prior to Public Notice to Lauren Mulloy, the CDFW Region 2 water rights staff contact, at 1701 Mimbus Road, Rancho Cordova, CA 95670, 916-358-2909, and to Kevin Thomas, Environmental Program Manager - CDFW Fisheries. As detailed in Attachment C, the transfer has been determined to not have unreasonable effects.

Insert the attachment number here, if applicable:

**Archeology**

Has an archeological report been prepared for this project? If yes, provide a copy.  Yes  No

Will another public agency be preparing an archeological report?  Yes  No

Do you know of any archeological or historic sites in the area? If yes, explain below.  Yes  No

If necessary, provide additional information below:

NA

Insert the attachment number here, if applicable:

**Photographs**

For all petitions other than time extensions, attach complete sets of color photographs, clearly dated and labeled, showing the vegetation that exists at the following three locations:

- Along the stream channel immediately downstream from each point of diversion
- Along the stream channel immediately upstream from each point of diversion
- At the place where water subject to this water right will be used

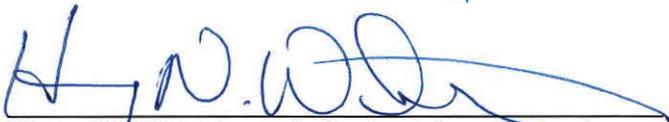
**Maps**

For all petitions other than time extensions, attach maps labeled in accordance with the regulations showing all applicable features, both present and proposed, including but not limited to: point of diversion, point of redistribution, distribution of storage reservoirs, point of discharge of treated wastewater, place of use, and location of instream flow dedication reach. (Cal. Code Regs., tit. 23, §§ 715 et seq., 794.)

Pursuant to California Code of Regulations, title 23, section 794, petitions for change submitted without maps may not be accepted.

**All Water Right Holders Must Sign This Form:**

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

  
Water Right Holder or Authorized Agent Signature

\_\_\_\_\_  
Water Right Holder or Authorized Agent Signature

**NOTE:**

- **Petitions for Change** may not be accepted unless you include proof that a copy of the petition was served on the Department of Fish and Game. (Cal. Code Regs., tit. 23, § 794.)
- **Petitions for Temporary Transfer** may not be accepted unless you include proof that a copy of the petition was served on the Department of Fish and Game and the board of supervisors for the county(ies) where you currently store or use water and the county(ies) where you propose to transfer the water. (Wat. Code § 1726.)