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CONSULTANTS:
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March 10, 2021

Mr. Erik Ekdahl, Deputy Director
Division of Water Rights
State Water Resources Control Board
P.O. Box 2000
Sacramento, CA 95812-2000

Subject: Reclamation District No. 108 Petitions for Change Involving Water Transfer under License 3065 and 3066 (Application 576 and 763)

Dear Mr. Ekdahl:

On behalf of Reclamation District No. 108 (District), enclosed are the following documents relative to Petitions for Change Involving Water Transfer (Petitions) under the District's License 3065 and 3066 (Application 576 and 763):

1. License 3065 Petition for Change Involving Water Transfers Form with an Attachment (one original and one copy).
2. License 3066 Petition for Change Involving Water Transfers Form with an Attachment (one original and one copy).
3. Environmental Information Form with an Attachment (one original and one copy).
4. Check in the amount of \$28,990.00 (sum of \$6,995.00 for the License 3065 petition, and \$21,995.00 for the License 3066 Petition) to cover the Petition fees which is based on a total quantity proposed to be made available for transfer, up to 50,000 acre-feet (AF).
5. Check in the amount of \$850 to cover the fee for the Department of Fish and Wildlife.

The District is petitioning to temporarily add points of diversion, a point of rediversion, place of use, and purposes of use to its License 3065 and 3066 in order to transfer up to a total of 50,000 AF for use by participating entities within the San Luis & Delta-Mendota Water Authority (SLDMWA). The District proposes to make surface water available for transfer through groundwater substitution and crop idling/shifting. As you are aware, time is of the essence to process this Petition for the implementation of the water transfer to the SLDMWA; and we appreciate your attention to this temporary transfer Petition.

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

Sincerely,
MBK ENGINEERS



Kyle Knutson

KK/

3935.21/DRAFT Letter to Erik Ekdahl for RD 108 2021 WT 03.10.2021

Enclosures

cc: Lewis Bair, Reclamation District No. 108 (via e-mail)
Andrea Clark, Downey Brand (via e-mail)
Samuel Boland-Brien, Division of Water Rights (via e-mail)
Anna Fock, Department of Water Resources (via e-mail)
Andy Chu, Department of Water Resources (via e-mail)
Adam Nickels, U.S. Bureau of Reclamation (via e-mail)
Natalie Wolder, U.S. Bureau of Reclamation (via e-mail)
Michelle Snapp, CVRWQCB (via e-mail)
Bridget Gibbons, Department of Fish and Wildlife (via e-mail)
Board of Supervisors, County of Colusa (via certified mail)
Board of Supervisors, County of Yolo (via certified mail)
Board of Supervisors, County of Fresno (via certified mail)
Board of Supervisors, County of Kings (via certified mail)
Board of Supervisors, County of Merced (via certified mail)
Board of Supervisors, County of San Joaquin (via certified mail)
Board of Supervisors, County of San Benito (via certified mail)
Board of Supervisors, County of Santa Clara (via certified mail)
Board of Supervisors, County of Stanislaus (via certified mail)

Please indicate County where your project is located here:

Yolo

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

SWRCB - DMK
21 MAR 12 PM 4:50

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** Wat. Code, § 1701
- Point of Rediversion** Wat. Code, § 1701
- Place of Use** Wat. Code, § 1701
- Purpose of Use** Wat. Code, § 1701
- Temporary Urgency** Wat. Code, § 1435
- Temporary Change** Wat. Code, § 1725
- Long-term Transfer** Wat. Code, §§ 382, 1735
- Instream Flow Dedication** Wat. Code, § 1707

Application 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 ¼-¼ level and California Coordinate System (NAD 83).

Present:
Proposed:

Place of Use – Identify area using Public Land Survey System descriptions to ¼-¼ level; for irrigation, list number of acres irrigated.

Present:
Proposed:

Purpose of Use

Present:
Proposed:

Instream Flow Dedication – Provide source name and identify points using both Public Land Survey System descriptions to ¼-¼ level and California Coordinate System (NAD 83).

Upstream Location:
Downstream Location:

List the quantities dedicated to instream flow in either: cubic feet per second or gallons per day:

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

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.

San Luis & Delta-Mendota Water Authority
Attn: Frances Mizuno
P.O. Box 2157
Los Banos, CA 93635
(209) 832-6200

RECEIVED
3/12/21
CHK# 120939
\$850.00
CHK# 120940
\$28,990.00

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.

Give name and address of any person(s) taking water from the stream between the present point of diversion or rediversion and the proposed point of diversion or rediversion, as well as any other person(s) known to you who may be affected by the proposed change.

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

Kyle Knutson

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
(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)

Attachment No. 1
to Petition for Change Involving Water Transfers
License 3065 (Application 576)
Held by Reclamation District No. 108

GENERAL

The purpose of this Petition for Change Involving Water Transfers (Petition) is to: (1) add the State Water Project's (SWP) Harvey O. Banks Pumping Plant and the Central Valley Project's (CVP) CW "Bill" Jones Pumping Plant as points of diversion, (2) add San Luis Reservoir as a point of rediversion, (3) add a portion of the service area of the CVP as an additional place of use, and (4) add municipal, industrial, and domestic purposes of use under Reclamation District No. 108's (District) License 3065 (Application 576). This Petition is being filed to facilitate a temporary transfer (2021 Water Transfer) of up to a total of 10,000 acre-feet (AF) of surface water proposed to be made available from the District during May through September 2021. This proposed transfer quantity will be made available by groundwater substitution (up to 10,000 AF prior to subtracting streamflow depletion loss), for use by participating entities within the San Luis & Delta-Mendota Water Authority (SLDMWA) in order to provide an additional water supply for irrigation, municipal, industrial, and domestic purposes. Groundwater substitution involves the use of groundwater pumped to produce crops within the District in exchange for a like amount of surface water that will remain instream for diversion at the proposed additional points of diversion. Absent the proposed temporary transfer, the District would divert the entire quantity of surface water proposed for transfer from the Sacramento River pursuant to its water right and its Sacramento River Settlement Contract with the U.S. Bureau of Reclamation (Reclamation).

POINT OF DIVERSION OR REDIVERSION

POINT OF DIVERSION

Present Points of Diversion:

Wilkins Slough Pumping Plant

By California Coordinate System of 1983, Zone 2, North 2,130,572 feet and East 6,610,675 feet, being within SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of projected Section 35, T14N, R1E, MDB&M.

Steiner Bend North Plant

By California Coordinate System of 1983, Zone 2, North 2,125,881 feet and East 6,617,851 feet, being within SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of projected Section 1, T13N, R1E, MDB&M.

Steiner Bend South Plant

By California Coordinate System of 1983, Zone 2, North 2,122,208 feet and East 6,613,791 feet, being within NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of projected Section 12, T13N, R1E, MDB&M.

Emery Poundstone Pumping Plant

By California Coordinate System of 1983, Zone 2, North 2,105,148 feet and East 6,608, 242 feet, being within SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of projected Section 26, T13N, R1E, MDB&M.

El Dorado Bend Plant

North 53° East 6,200 feet from a point on Sycamore Slough at the intersection of the South boundary of Rancho Jimeno and the West line of Section 31, T12N, R2E, MDB&M, being within NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of projected section 30, T12N, R2E, MDB&M

Proposed Additional Points of Diversion:

No change in the present points of diversion is proposed. The District proposes to add the following points of diversion:

Banks Pumping Plant via the Clifton Court Forebay

N 2,126,440 ft., E 6,256,425 ft., California Coordinate System Zone 3, NAD 83, being within the NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Projected Section 20, T1S, R4E, MDB&M. This proposed additional point of diversion is identified on maps filed with the Division of Water Rights (Division) under Application 5630.

CW “Bill” Jones Pumping Plant

N 2,121,505 ft., E 6,255,368 ft., California Coordinate System Zone 3, NAD 83, being within the NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Projected Section 29, T1S, R4E, MDB&M. This proposed additional point of diversion is identified on maps filed with the Division under Application 5626.

POINT OF REDIVERSION

Proposed Additional Point of Rediversion:

The District proposes to add the following point of rediversion, which will assist in the temporary retention of transfer water for later use by the participating entities within SLDMWA during periods that coincide with demands or other operational constraints:

San Luis Reservoir

N 1,845,103 ft., E 6,393,569 ft., California Coordinate System Zone 3, NAD 83, being within the SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Projected Section 15, T10S, R8E, MDB&M. This proposed additional point of rediversion is identified on maps filed with the Division under Application 5630.

PLACE OF USE

Present:

A net of 22,663 acres irrigated in any one year hereunder and under Licenses 3065 and 3067 within a gross area of 38,510 acres, all within the service area of Reclamation District No. 108 within T11N, R1E; T12N, R1 and R2E; T13N, R1W and 1E; and T14N, R1W and 1E, MDB&M, as shown on map dated April 17, 2007 filed with the State Water Board.

Proposed:

No change in the present place of use is proposed. The District proposes to add a portion of the service area of the CVP as the proposed additional place of use in order to facilitate the temporary water transfer to the SLDMWA. This portion of the service area of the CVP is shown on Map 214-208 – 12581 on file with the Division under Application 5626.

GENERAL INFORMATION

Surface water will be made available for transfer from the District by groundwater substitution, consistent with the current *Draft Technical Information for Preparing Water Transfer Proposals*, dated December 2019 (Draft Technical Information) published by the Department of Water Resources (DWR) and Reclamation. The Draft Technical Information has been developed to address the concerns of DWR and Reclamation relative to the potential impacts that water transfers may have on other legal users, instream beneficial uses, and the overall economy and environment. The District will submit a proposal to DWR and Reclamation for a water transfer to participating entities within the SLDMWA during 2021, which includes detailed information relative to historical groundwater pumping, groundwater well characteristics, groundwater monitoring and reporting elements, and associated maps. DWR and Reclamation will conduct an extensive review of these documents in order to ensure that the quantity of water proposed to be made available by the District meets the relevant criteria to demonstrate a reduction in surface water use will occur as a result of the proposed temporary transfer. Absent the proposed temporary transfer to SLDMWA, groundwater would not be pumped by the District for groundwater substitution to make surface water available for SLDMWA; thus, the District would have diverted surface water to meet its irrigation demands.

Only wells which have been approved by DWR and Reclamation will be used for the proposed temporary transfer. In accordance with Water Code Section 1745.10, the District does not believe the proposed transfer to SLDMWA by groundwater substitution will result in an overdraft of the underlying groundwater basin. In addition, the proposed 2021 Water Transfer is consistent with the Groundwater Management Plan covering the area within the District, which was developed in 2008. As a condition of participation in the proposed temporary transfer, the District has developed groundwater monitoring, reporting, and mitigation plans to ensure the proposed transfer does not result in any unreasonable and adverse effects, such as impacts to other legal users of water, land subsidence, groundwater-

dependent vegetation, and groundwater quality. As described above, the requirements of the monitoring program and mitigation plan are outlined in the Draft Technical Information and will be implemented by the District accordingly. The monitoring program also includes recurring review of groundwater level monitoring data obtained prior to, during, and following periods when surface water is made available by the District for the proposed water transfer, in accordance with the Draft Technical Information. To account for anticipated streamflow depletion, DWR and Reclamation will apply a factor of 13% to the amount of groundwater pumped pursuant to the District's proposed groundwater substitution transfer in accordance with the Draft Technical Information. Thus, the net quantity of surface water made available by the District's groundwater substitution is up to 8,700 AF after subtracting assumed depletion losses. Evaluation and approval by DWR and Reclamation of the groundwater monitoring, reporting, and mitigation plans will be obtained for the District's groundwater substitution program. In addition, the District has notified Yolo County representatives to discuss the proposed temporary transfer, consistent with Yolo County Ordinance No. 1195. Further, the District is providing notification to the Yolo Subbasin GSA, which is the groundwater sustainability agency formed pursuant to the Sustainable Groundwater Management Act. Documentation of the District's notifications to Yolo County representatives and the Yolo Subbasin GSA will be provided to DWR and Reclamation, in accordance with the Draft Technical Information.

As indicated above, the District conducts water transfers in accordance with the Draft Technical Information and other relevant requirements. The monitoring requirements associated with the District's proposed groundwater substitution water transfer will be incorporated to agreements with DWR and Reclamation. Following the proposed water transfer, the District will prepare a monitoring report summarizing the results. In the District's previous groundwater substitution transfers, some of which involved similar quantities compared to the quantity proposed in this Petition, the groundwater basin in and around the District recovered from the effects of the transfer the following spring. We expect the hydrologic data to show a similar recovery pattern for the proposed 2021 Water Transfer.

As a result of the proposed temporary transfer, the flow in the Sacramento River downstream of the District's present points of diversion will increase by up to 8,700 AF over what would have occurred absent the proposed transfer, after subtracting streamflow depletion losses associated with the water made available by groundwater substitution. These increases will occur during the period that surface water is made available by the District or if possible, during the following months thereafter through releases by Reclamation for conveyance to SLDMWA. If excess capacity is available in Shasta Reservoir, the Delta is in balanced conditions, and regulatory requirements are being met, Reclamation may temporarily hold the quantity of surface water made available by the District, until export capacity at the SWP's Banks Pumping Plant or the CVP's Jones Pumping Plant is available, which is typically during July, August, or September. This "backing up" of transfer water would decrease releases from Shasta Reservoir early in the irrigation season, such as during May and June, and increase releases later in the season. Reclamation would only consider operations to facilitate and accommodate "backing up" of transfer water if those operations

avoid temperature impacts, and possibly aid with overall temperature management, consistent with the Final EIS/R. In fact, this temporary retention of water in Shasta Reservoir, as a result of surface water made available by the District, may provide a benefit for fisheries during the early portion of the irrigation season. Shasta Reservoir would continue to be operated in accordance with regulatory requirements, such as flow and temperature requirements established by various agencies including the U.S. Fish and Wildlife Service, National Oceanic and Atmospheric Administration's National Marine Fisheries Service, Federal Energy Regulatory Commission, and State Water Resources Control Board, for the protection of downstream resources. During the period when it is possible for the increased flows in the Sacramento River to reach the proposed additional points of diversion for the proposed transfer, these flows will be a small percentage of the total flow and will be water that would be diverted by the District absent this proposed transfer. The District's reduced diversions will provide additional flows during the proposed transfer period, up to a maximum of approximately 180 cfs. Therefore, there will be no injury to other legal water users, water quality, or return flows; in fact, these increased flows may provide benefits for fisheries and wildlife and may result in a positive effect to the water users between the present points of diversion and the proposed additional points of diversion.

See files of the State Water Resources Control Board for more information regarding other legal water users, which may include the Delta water users, the Central Valley Project, and the SWP. Discussions with the Department of Fish and Wildlife (DFW) staff regarding the Petition occurred on February 10 and 26, and March 1, 2021 in order to discuss the proposed water transfer, including the overall process/review of the Petition and associated documentation by DFW and other agencies. Coordination with DFW staff is continuing in order to obtain any comments; and DFW staff have been provided a copy of this Petition for review. The Central Valley Regional Water Quality Control Board (CVRWQCB) has also been contacted and were provided information regarding the proposed temporary water transfer; CVRWQCB staff are currently reviewing the Petition. Copies of this Petition have been provided to Bridget Gibbons (916-767-3993) of DFW and Michelle Snapp (916-464-4824) of the CVRWQCB for review and comment.