

STATE OF CALIFORNIA
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

**IN THE MATTER OF LICENSE 2184 (APPLICATION 1692)
PETITION FOR TEMPORARY CHANGE
INVOLVING THE TRANSFER OF UP TO 800 ACRE-FEET OF WATER
FROM EL DORADO IRRIGATION DISTRICT
TO STATE WATER CONTRACTOR AGENCIES**

SOURCE: North Fork Weber Creek

COUNTY: El Dorado

BY THE DEPUTY DIRECTOR FOR WATER RIGHTS:

1.0 SUBSTANCE OF PETITION

On May 22, 2018, the El Dorado Irrigation District (EID or Petitioner) filed with the State Water Resources Control Board (State Water Board), Division of Water Rights (Division), a petition for temporary change under Water Code section 1725, et seq. EID has requested to transfer up to 800 acre-feet (af) of water to participating State Water Contractor (SWC) agencies, Dudley Ridge Water District, and Kern County Water Agency (hereinafter collectively referred to as SWC Agencies). Temporary changes approved pursuant to Water Code section 1725 may be effective for up to one year from the date of approval.

1.1 Description of the Transfer

EID's proposed transfer of 800 af would be made available by re-operating Weber Reservoir to release water that would have remained in storage in 2018. The transfer water would be released from Weber Reservoir into North Fork Weber Creek thence Weber Creek, thence South Fork American River, thence Folsom Reservoir (Folsom), thence the Lower American River (LAR), thence the San Francisco Bay/Sacramento-San Joaquin Delta. The water would be available for rediversion at the State Water Project's (SWP) Harvey O. Banks Pumping Plant (Banks Pumping Plant) and San Luis Reservoir for use within the service areas of the participating SWC Agencies. While not part of the transfer requiring approval under Water Code section 1725, et seq., EID also intends to transfer an additional amount of water through reoperation of EID's Silver Lake and Caples Lake under pre-1914 water rights (Statements 4708 and 15941 respectively), for a total transfer amount, inclusive of the Weber Reservoir reoperation, of up to 5,000 af.

The targeted 800 af water transfer of water previously stored in Weber Reservoir was modeled with the concept of providing transfer release flow rates less than the observed maximum monthly flow (10.3 cubic feet per second (cfs) in September 2016) that has occurred during the proposed transfer period from 2012 to 2017 in Weber Creek. Modeling results indicate that approximately 800 af can be released from Weber Reservoir during July through September while maintaining releases at rates equal to or less than 10.3 cfs. Therefore, the maximum release rate during the transfer period would be approximately 10 cfs.

1.2 Reservoir Reoperation

The transfer consists of water currently stored in Weber Reservoir. Refill criteria developed in coordination with the Department of Water Resources (DWR) and the U.S. Bureau of Reclamation (Reclamation) are required to ensure that future refill of the reservoir space made available in Weber Reservoir from this transfer does not adversely impact the SWP or the Central Valley Project (CVP). The refill criteria provide for an accounting of refill of Weber Reservoir resulting from the proposed transfer. Pursuant to the criteria, any refill occurring during balanced conditions in the Delta is subject to repayment to DWR and Reclamation, according to a schedule agreed to by EID, DWR, and Reclamation.

2.0 BACKGROUND

2.1 Substance of EID's License

License 2184, which has a priority date of February 27, 1920, authorizes the diversion to storage of up to 1,125 acre-feet per year (afy) of water from North Fork Weber Creek from October 15 of each year to May 15 of the succeeding year and a maximum withdrawal of 1,000 afy. License 2184 requires an annual minimum storage pool of 200 af in Weber Reservoir on September 1. License 2184 also requires a minimum release of 1 cfs when Weber Reservoir is at the minimum storage pool, with increased releases at higher storage levels, to protect and enhance wildlife, and recreation in Weber Creek downstream of Weber Reservoir. The point of diversion at Weber Reservoir Dam is located by California Coordinate System of 1983 (CCS83), Zone 2, North 2,025,285 feet and East 6,934,760 feet, being within NW¼ of SE¼ of Section 18, T10N, R12E, MDB&M. The authorized point of rediversion is the Folsom Reservoir Pump Station located by CCS83, Zone 2, North 2,031,107 feet and East 6,680,165 feet, being within NW¼ of SW¼ of Section 10, T10N, R8E, MDB&M. The authorized purposes of use and places of use under License 2184 include: (1) Municipal, Industrial, Irrigation, and Fire Protection within 30,702 acres within the boundaries of EID; (2) Fish and Wildlife Preservation and Enhancement and Fire Protection at Weber Reservoir; and (3) Fish and Wildlife Preservation and Enhancement and Recreation within North Fork Weber Creek, Weber Creek, and South Fork American River from Weber Reservoir to Folsom.

2.2 Proposed Temporary Changes

In order to facilitate the transfer, the following would be added to License 2184 (Application 1692): 1) Banks Pumping Plant via the Clifton Court Forebay as a point of rediversion, located within NW¼ of SE¼ of projected Section 20, T1S, R4E, MDB&M; 2) San Luis Reservoir as a point of rediversion, located within SW¼ of SE¼ of projected Section 15, T10S, R8E, MDB&M. A portion of the service area of the SWP would be temporarily added to the place of use of License 2184 to facilitate the temporary water transfer to the participating SWC Agencies. This portion of the service area of the SWP is shown on Maps 1878-1, 1878-2, and 1878-3 on file with the Division under Application 5630.

3.0 PUBLIC NOTICE OF THE PROPOSED TEMPORARY CHANGE

On June 1, 2018, public notice of the petition for temporary change was provided by posting on the Division's website and via the State Water Board's electronic subscription mailing list. In addition, on June 1, 2018, the Petitioner noticed the project via publication in the Mountain Democrat newspaper and mailed the notice via first class mail to interested parties. Comments were timely received from California Department of Fish and Wildlife (CDFW), Reclamation, and Mr. Richard Morat.

3.1 Comments of Department of Fish and Wildlife

By letter, dated June 28, 2018, CDFW commented on EID's proposed transfer. CDFW has expressed concern over the potential direct and cumulative adverse impacts from changes in the quantity, timing, and duration of water transfers on the sensitive anadromous and/or resident fisheries within the LAR.

CDFW recommends close coordination with Reclamation and regulatory agencies in the scheduling of the release timing of transfer water from Folsom to maximize cold water pool gains associated with a water transfer. CDFW also recommends optimizing releases to provide stable flows across summer and fall months at a targeted release rate that minimizes warming in Lake Natoma.

State Water Board Response:

EID responded to CDFW's comments in a letter dated July 6, 2018. In the response, EID indicated that given the volume of the proposed transfer, the transfer would not have a substantial influence on conditions in Folsom or the LAR. Average annual inflow into Folsom is about 2.7 million afy. The transfer amount of the proposed project is up to 5,000 af¹, which represents approximately 0.19 percent of annual inflow and 0.51 percent of maximum capacity of Folsom. EID also indicated that an Initial Study/Negative Declaration (IS/ND) was developed for the transfer of 5,000 af, which includes EID's pre-1914 water rights as well as the proposed transfer of 800 af under License 2184. As it was determined that the proposed transfer water of 5,000 af would not substantially influence conditions in Folsom or the LAR, the 800 af of transfer water under License 2184 would have far less of an impact. The water transfer would not be expected to have a direct impact on the cold water pool within the reservoir, regardless of when water is transferred into Folsom.

Consistent with CDFW's recommendation, EID will coordinate with Reclamation and regulatory agencies on the release timing of transfer water out of Folsom and Lake Natoma. Releases would be made consistent with all applicable regulations for flow and temperature within the LAR to protect instream resources.

3.2 Comments of Reclamation

By letter, dated June 26, 2018, Reclamation commented on EID's proposed water transfer. To protect Reclamation's water rights and operations for the American River, Reclamation requested that the transfer be conditioned as follows:

- The transfer is contingent upon refill agreement being signed and adopted between Reclamation and Petitioner. Any Order approving the transfer shall include a term requiring the transfer be conducted consistent with that refill agreement.
- Petitioner needs to coordinate with Reclamation on the Folsom operations schedule as part of on-going real-time operations for the Central Valley Project. No water can be transferred unless Reclamation concurs that the transfer will not result in increased risks of negative impacts to the cold water pool at Folsom resulting from incoming transfer water.
- The proposed water transfer shall be carried out in compliance with all existing regulatory constraints in the Delta and shall cause no harm to other legal water users or impact on water quality.

¹ The temporary transfer considered by the Division is limited to the proposed transfer of up to 800 af from Weber Reservoir. However, for purposes of responding to CDFW comments, EID addressed the total potential transfer volume, of up to 5,000 af, which includes pre-1914 water rights that are not subject to a temporary change petition.

State Water Board Response:

In order to avoid injury to Reclamation's water rights, the transfer is conditioned that EID is subject to a reservoir refill agreement with DWR and Reclamation ensuring that future refill of any storage space in Weber Reservoir created by the transfer will not reduce the amount of water that Reclamation, or other water users, could otherwise divert under their water rights. Consistent with CDFW and Reclamation's recommendation, the transfer is also conditioned that EID will coordinate with Reclamation on the Folsom operations schedule as part of ongoing real-time operations for the CVP to ensure that there will be no impacts to the cold water pool in Folsom.

3.3 Comments of Richard Morat

By letter dated June 20, 2018, Richard Morat commented on the proposed transfer. Mr. Morat's comments were similar to those of CDFW, with the addition of concerns pertaining to cumulative and incremental adverse-to-fisheries impacts due to the number of through-Delta transfers that are occurring this year and are expected to occur in future years. Mr. Morat indicated that the timing and conditions of the reservoir refill are unknown. Mr. Morat also recommended that future transfers should be prohibited until updates to the Bay-Delta Water Quality Control Plan (Bay-Delta Plan) is implemented.

EID Response:

By letter dated June 16, 2018, EID responded that the conditions of the Weber Reservoir refill would be clearly defined as part of the transfer approval process and the timing would coincide with conditions when no other party, including Reclamation and DWR and their obligations to maintain certain flow and water quality conditions, would be adversely affected by the refill. EID indicated that the transfer would be subject to a refill agreement between EID, Reclamation, and DWR, which would outline specific conditions under which the reservoir refill may occur. EID also indicated that the proposed transfer would be conducted within, and be consistent with, the existing regulatory framework governing Delta exports.

State Water Board Response:

As Mr. Morat indicated, the State Water Board is responsible for considering public trust resources, and while it does not anticipate any adverse public trust impacts to result from this transfer, the State Water Board is aware of long standing challenges with regard to management of flows and maintaining habitat conditions suitable for protection of fish and wildlife in the Delta and its tributaries. Current outflow and water quality requirements are established by State Water Board Water Right Decision 1641 (D-1641) and applicable Biological Opinions, which are the responsibility of DWR and Reclamation to fulfill during the entirety of this transfer. Additionally, on July 6, 2018, the State Water Board released a draft of the final Lower San Joaquin River/Southern Delta Bay-Delta Water Quality Control Plan Update, including a Framework document describing the major elements of the forthcoming Staff report for the Phase II effort that will include determination of flows protective of fish and wildlife in the Feather River and Sacramento-San Joaquin River Delta estuary. The proposed Sacramento/Delta changes to the Bay-Delta Plan include: new inflow requirements for the Sacramento River, its tributaries, and eastside tributaries to the Delta (the Mokelumne, Calaveras and Cosumnes Rivers); new and modified Delta outflow requirements; new requirements for cold water habitat; new and modified interior Delta flow requirements; recommendations for complementary ecosystem protection actions that others should take; and adaptive management, monitoring, evaluation, special study, and reporting provisions.

The proposed temporary transfer by EID is for water that would have otherwise been stored pursuant to License 2184. By approving the transfer, additional water will flow down the American River, to the Sacramento River, and the Delta. In light of the above explanation, it is not anticipated that this transfer will result in unreasonable effect on fish and wildlife, or other instream beneficial uses.

4.0 COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

Water Code section 1729 exempts temporary changes involving a transfer of water from the requirements of the California Environmental Quality Act. (Pub. Resources Code, § 21000, et seq.) The State Water Board will issue a Notice of Exemption for the 800 af temporary transfer by storage release from Weber Reservoir under License 2184. As discussed in Section 1.1 of this Order, there is an additional transfer proposed under EID's pre-1914 water rights in the amount of up to 4,200 af. The State Water Board does not have transfer approval authority over pre-1914 water rights. EID approved and adopted an IS/ND for the EID transfer project on June 25, 2018. The IS/ND covered the 2018 EID temporary transfer project involving the reoperation of Silver Lake and Caples Lake in the total transfer amount, inclusive of Weber Reservoir reoperation, of up to 5,000 af, and conveyance of the transferred water from EID to the participating SWC Agencies. Mitigation measures were not required or proposed as the proposed project was found to not have any potentially significant or significant adverse effects on the environment.

5.0 CRITERIA FOR APPROVING THE PROPOSED TEMPORARY CHANGES

Pursuant to Water Code section 1725, "a permittee or licensee may temporarily change the point of diversion, place of use, or purpose of use due to a transfer or exchange of water or water rights if the transfer would only involve the amount of water that would have been consumptively used or stored by the permittee or licensee in the absence of the proposed temporary change, would not injure any legal user of the water, and would not unreasonably affect fish, wildlife, or other instream beneficial uses." (Wat. Code, § 1725.)

The State Water Board shall approve a temporary change involving the transfer of water under Water Code section 1725 et seq., if it determines that a preponderance of the evidence shows both of the following:

- a. The proposed change would not injure any legal user of water, during any potential hydrologic condition that the State Water Board determines is likely to occur during the proposed change, through significant changes in water quantity, water quality, timing of diversion or use, consumptive use of water or reduction in return flows.
- b. The proposed change would not unreasonably affect fish, wildlife, or other instream beneficial uses.

(Wat. Code, § 1727, subd. (b).)

In addition, the proposed change must involve only the amount of water that would have been consumptively used or stored in the absence of the temporary change. (*Id.*, § 1726, subd.(e).)

Temporary changes pursuant to Water Code section 1725 may be effective for a period of up to one year from the date of approval. (Wat. Code, § 1728.) The one-year period does not include any time required for monitoring, reporting, or mitigation before or after the temporary change is carried out." (*Ibid.*)

The State Water Board also has an independent obligation to consider the effect of the proposed project on public trust resources and to protect those resources where feasible. (*National Audubon Society v. Superior Court* (1983) 33 Cal.3d 419.) The State Water Board considers the evaluation of public trust resources as part of its evaluation of impacts to fish, wildlife, or other instream beneficial uses under Water Code section 1727, subdivision (b)(2).

6.0 REQUIRED FINDINGS OF FACT

6.1 Transfer Only Involves Water That Would Have Been Consumptively Used or Stored

Before approving a temporary change due to a transfer or exchange of water pursuant to Chapter 10.5 of Part 2 of Division 2 of the Water Code, the State Water Board must find that the transfer would only involve the amount of water that would have been consumptively used or stored by the permittee or licensee in the absence of the proposed temporary change or conserved pursuant to Water Code section 1011. (Wat. Code, §§ 1725, 1726.) Water Code section 1725 defines “consumptively used” to mean “the amount of water which has been consumed through use by evapotranspiration, has percolated underground, or has been otherwise removed from use in the downstream water supply as a result of direct diversion.”

In the absence of the proposed transfer, EID would have stored the transfer water in Weber Reservoir.

In light of the above, I find in accordance with Water Code section 1726, subdivision (e) that the water proposed for transfer pursuant to this Order would have been consumptively used or stored in the absence of the proposed temporary change.

6.2 No Injury to Other Legal Users of the Water

Before approving a temporary change to allow a transfer or exchange of water pursuant to article 1 of Chapter 10.5 of Part 2 of Division 2 of the Water Code, the State Water Board must find that the transfer would not injure any legal user of the water during any potential hydrologic condition that the State Water Board determines is likely to occur during the proposed change, through significant changes in water quantity, water quality, timing of diversion or use, consumptive use of the water, or reduction in return flows. (Wat Code, § 1727, subd. (b)(1).)

The water proposed for transfer pursuant to this temporary change consists of water previously stored in Weber Reservoir pursuant to License 2184. In the absence of the proposed transfer, the water would remain in storage for future use by EID and would not be available to other water users. Further, the release of water from storage at Weber Reservoir pursuant to the temporary transfer will not reduce the available supply to any other legal user of water downstream.

In general, the transfer of water that would be consumptively used or stored will not result in injury to other legal users of the water.

EID will enter into a reservoir refill agreement with DWR and Reclamation ensuring that future refill of any storage space in Weber Reservoir created by the transfer will not reduce the amount of water that Reclamation, or other water users could otherwise divert under their water rights. Therefore, no injury to other legal users of the water would occur due to the transfer.

In light of the above, I find in accordance with Water Code section 1727, subdivision (b)(1) that the proposed temporary change would not injure any legal users of the water.

6.3 No Unreasonable Effect on Fish, Wildlife, or Other Instream Beneficial Uses

Before approving a temporary change in order to facilitate a transfer of water, the State Water Board must find that the proposed change would not unreasonably affect fish, wildlife, or other instream beneficial uses. (Wat. Code, § 1727, subd. (b)(2).)

EID provided the North Central Region of the CDFW and the Central Valley Regional Water Quality Control Board (Regional Board) with a copy of the petition in accordance with California Code Regulations, title 23, section 794, subdivision (c). CDFW provided comments regarding concerns of increase in instream flows and water temperatures during July through September that could negatively impact rearing steelhead, which is discussed in Section 3.1 of this Order. The Regional Board did not provide any information regarding potential effects of the proposed changes on water quality, fish, wildlife, and other instream beneficial uses.

In general, North of Delta transfers result in an incremental increase in instream flows between the Petitioner's point of diversion and the location where the water is removed from the stream system. The increase in flows is not anticipated to be harmful to instream resources, provided that the transfer water does not cause instream temperatures to increase to harmful levels and does not result in false fish attraction flows to streams not suited for fish rearing. No information is available that suggests the transfer flows will contribute to false fish attraction flows or significantly change stream temperatures. The transfer will be subject to BOs issued by the U.S. Fish and Wildlife Service and the National Marine Fisheries Service under the federal Endangered Species Act.

In light of the above, I find in accordance with Water Code section 1727, subdivision (b)(2) that the proposed transfer would not unreasonably affect fish, wildlife, or other instream beneficial uses.

7.0 STATE WATER BOARD'S DELEGATION OF AUTHORITY

On June 5, 2012, the State Water Board adopted Resolution 2012-0029, delegating to the Deputy Director for Water Rights the authority to act on petitions for temporary change if the State Water Board does not hold a hearing. This Order is adopted pursuant to the delegation of authority in Section 4.4.2 of Resolution 2012-0029.

8.0 CONCLUSIONS

The State Water Board has adequate information in its files to make the evaluation required by Water Code section 1727, and therefore I find as follows:

I conclude that, based on the available evidence:

1. The proposed transfer involves only an amount of water that would have been consumptively used or stored in the absence of the temporary change.
2. The proposed temporary change will not injure any legal user of the water.
3. The proposed temporary change will not have an unreasonable effect upon fish, wildlife, or other instream beneficial uses.

ORDER

NOW, THEREFORE, IT IS ORDERED that the petition filed for transfer of up to 800 af of water under License 2184 is approved.

All existing terms and conditions of License 2184 remain in effect, except as temporarily amended by the following provisions:

1. The transfer is limited to the period commencing on the date of this Order through September 30, 2018.
2. The following points of rediversion are temporarily added to License 2184 :
 - a. Banks Pumping Plant via the Clifton Court Forebay located as follows:
CCS83, Zone 3, North 2,126,440 feet and East 6,256,425 feet,
being within NW¼ of SE¼ of projected Section 20, T1S, R4E, MDB&M, and
 - b. San Luis Reservoir located as follows:
CCS83, Zone 3, North 1,845,103 feet and East 6,393,569 feet
being within the SW¼ of SE¼ of projected Section 15, T10S, R8E, MDB&M.
3. The place of use under License 2184 is temporarily expanded to include the service areas of Dudley Ridge Water District, and Kern County Water Agency, which are within a portion of the service area of the SWP (as shown on Map 1878-1, 2, and 3 filed with the Division under Application 5630).
4. Diversion of water at Banks Pumping Plant is subject to compliance by the SWP project operator with the objectives set forth in Tables 1, 2, and 3 of pages 181 to 187 of State Water Board's Revised Decision 1641 (D-1641), or any future State Water Board order or decision implementing Bay-Delta water quality objectives at that point of diversion, including compliance with the various plans required under D-1641 as prerequisites for the use of the Banks Pumping Plant by DWR. Diversion of water at the Banks Pumping Plant pursuant to this Order is subject to compliance by the pumping plant operator with all applicable Biological Opinions, court orders, and any other conditions imposed by other regulatory agencies applicable to these operations.

Diversion of water at Banks Pumping Plant pursuant to this Order is also subject to compliance with any State Water Board Orders establishing temporary or interim operating conditions during the transfer period, except if the State Water Board has specifically exempted conveyance of transfer water from the Order.
5. During the period of transfer, Petitioner shall comply with applicable terms and conditions imposed by other regulatory agencies. This Order shall not be construed as authorizing the violation of any agreement entered by the Petitioner.
6. No water can be transferred under this Order unless Reclamation concurs that the transfer will not result in increased risks of negative impacts to the cold water pool at Folsom resulting from incoming transfer water. Such approval may be given on a weekly basis or other time-step acceptable to Reclamation and the Petitioner. Petitioner shall provide documentation to the Deputy Director for Water Rights of any Reclamation approvals issued after the date of issuance of this Order. Petitioner shall coordinate with Reclamation on the Folsom operations schedule as part of ongoing real-time operations for the CVP.

7. Water may not be transferred from the Banks Pumping Plant and San Luis Reservoir until EID has implemented a Refill Agreement between DWR, Reclamation, and EID to address potential refill concerns in Weber Reservoir. Documentation that an acceptable Refill Agreement has been agreed to by DWR, Reclamation, and EID shall be submitted to the Division within 15 days of the date of execution of the agreement. The terms of the refill agreement shall be binding until such time as all the storage vacated for the transfer has been refilled during periods consistent with the terms of the refill agreement. The refill period may span multiple years if the hydrologic conditions in the year following the transfer are not consistent with the terms of the Refill Agreement. EID may be required to relinquish for downstream release any reservoir storage collected in violation of the refill agreement (up to the transfer quantity), in accordance with a schedule acceptable to DWR and Reclamation.
8. If at any time prior to, or during the period of transfer, the State Water Board issues notification that water is unavailable for collection to storage pursuant to License 2184, only water collected to storage prior to issuance of the notification may be transferred.
9. EID shall provide the Deputy Director for Water Rights a monthly report describing the transfer of water pursuant to this Order until such time as the transfer has been completed. The report shall include the following information:
 - a. The average daily release rates and corresponding volume of water released from Weber Reservoir as a result of this transfer (reported on a daily basis);
 - b. The daily average rate of water diverted and daily volume of water diverted at the points of redirection at the Banks Pumping Plant and San Luis Reservoir pursuant to this Order; and
 - c. Recognizing that reservoir refill will occur after the transfer ends, monthly reporting of reservoir refill is not required during the transfer period. However, EID shall provide annual reporting by July 1 of each year on monthly reservoir refill until the reservoir refill agreement has been satisfied. This occurs when the value of the Refill Reservation, as defined in the Refill Agreement, equals zero. These reports shall include daily values of the Refill Reservation.

If any of the above required information is in the possession of DWR and Reclamation and has not been provided to EID in time for inclusion in a monthly or annual report, EID shall provide the information to the Deputy Director for Water Rights within 30 days of receipt.

10. Pursuant to Water Code sections 100 and 275 and the common law public trust doctrine, all rights and privileges under this transfer and temporary change Order, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

The continuing authority of the State Water Board also may be exercised by imposing specific requirements over and above those contained in this Order to minimize waste of water and to meet reasonable water requirements without unreasonable draft on the source.

11. This Order does not authorize any act which results in the taking of a threatened or endangered species or any act which is now prohibited, or becomes prohibited in the future, under either the California ESA (Fish and Game Code sections 2050 to 2097) or the federal ESA (16 U.S.C.A. sections 1531 to 1544). If a "take" will result from any act authorized under this temporary

transfer, the Petitioner shall obtain authorization for an incidental take prior to commencing transfer of water. Petitioner shall be responsible for meeting all requirements of the applicable ESA for the temporary transfer authorized under this Order.

12. The State Water Board reserves jurisdiction to supervise the transfer, exchange and use of water under this Order, and to coordinate or modify terms and conditions, for the protection of vested rights, fish, wildlife, instream beneficial uses and the public interest as future conditions may warrant.

STATE WATER RESOURCES CONTROL BOARD

ORIGINAL SIGNED BY:

*Erik Ekdahl, Deputy Director
Division of Water Rights*

Dated: JUL 30 2018