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9 BEFORE THE CALIFORNIA STATE WATER RESOURCES CONTROL BOARD

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11 In the matter of 2016 SWRCB Hearing re
12 CalWaterFix Petition for Change

**TESTIMONY OF MARC E. VAN CAMP
ON BEHALF OF SACRAMENTO VALLEY
GROUP**

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1 This testimony is being offered on behalf of the Sacramento Valley Group (SVG),
2 consisting of the following protestants, in alphabetical order, to the Petition for Change in Water
3 Rights of the Department of Water Resources and United States Bureau of Reclamation for the
4 California WaterFix Project (Petition):

- 5 Carter Mutual Water Company
- 6 El Dorado Irrigation District
- 7 El Dorado Water & Power Authority
- 8 Howald Farms, Inc.
- 9 Maxwell Irrigation District
- 10 Meridian Farms Water Company
- 11 Natomas Central Mutual Water Company
- 12 Oji Brothers Farm, Inc.
- 13 Oji Family Partnership
- 14 Pelger Mutual Water Company
- 15 Pleasant-Grove Verona Mutual Water Co.
- 16 Princeton Codora-Glenn Irrigation District
- 17 Provident Irrigation District
- 18 Reclamation District 108
- 19 Henry D. Richter, et al.
- 20 River Garden Farms Company
- 21 Sacramento Municipal Utility District
- 22 South Sutter Water District
- 23 Sutter Extension Water District
- 24 Sutter Mutual Water Company
- 25 Tisdale Irrigation and Drainage Company
- 26 Windswept Land and Livestock Company

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1 **I. BACKGROUND & QUALIFICATIONS**

2 1. I am a registered civil engineer in California, Oregon, and Nevada, and a Certified
3 Water Right Examiner in Oregon. I specialize in the areas of hydrology, hydraulics, irrigation,
4 water supply, water rights, project feasibility, and related areas. I am a Principal at MBK
5 Engineers, located at 455 University Avenue, Suite 100, Sacramento, CA 95825. MBK
6 Engineers (MBK) specializes in water resources engineering, and performs these engineering
7 services for cities, counties, state and federal agencies, individual landowners, and other entities.
8 MBK Engineers was formed in 1967 (then known as Murray, Burns and Kienlen), and currently
9 employs 21 professional engineers. From its inception, until the present day, MBK Engineers has
10 provided water rights and engineering services to many of the various districts, water companies,
11 and entities of the Sacramento Valley Group (SVG). I joined MBK Engineers (then known as
12 Murray, Burns and Kienlen) in 1984. I became a Principal in 1990. Exhibit SVG-01-002 is a
13 true and correct copy of my professional resume.

14 2. I have developed a broad range of knowledge and experience in the water rights
15 field over the past three decades. I have been providing water rights expertise and water
16 resources engineering services to water users within the Sacramento-San Joaquin River San
17 Francisco Bay-Delta estuary for over 30 years. For example, in 1999 I provided testimony to the
18 California State Water Resources Control Board (SWRCB) on behalf of water users upstream of
19 the Bay-Delta. This testimony was provided to address the SWRCB's water quality control plans
20 for the Bay-Delta, and proposed implementation plans involving water rights. This testimony is
21 part of the record that led to the SWRCB's Water Right Decision 1641, and concerned
22 hydrological issues related to the San Joaquin River Agreement, as well as the Vernalis Adaptive
23 Management Plan. In addition, I was involved on behalf of the water users upstream of the Delta
24 on the Sacramento River System in the Short-Term Agreement to Guide Implementation of
25 Short-Term Water Management Actions to Meet Local Water Supply Needs and Make Water
26 Available to the SWP and CVP to Assist in Meeting the Requirements of the 1995 Water Quality
27 Control Plan and to Resolve Phase 8 Issues.

28 3. Throughout my career, I have worked directly with numerous entities of the SVG.

1 This work has related to water use, water rights, contract administration, and other related issues.
2 During this period, I have studied the various water rights of the Sacramento River Settlement
3 Contractors (SRS Contractors), and observed their operations. On many occasions, I have
4 discussed the operation of the Sacramento River and other tributaries to the Delta with the United
5 States Bureau of Reclamation (Reclamation), and California Department of Water Resources
6 (DWR) personnel. I was also directly involved in the Sacramento River Settlement Contract
7 (SRS Contract) renewal effort, and performed specific technical work and water supply analyses
8 leading to, and continuing after, those contract negotiations. Most recently, MBK has assisted the
9 SRS Contractors in the ongoing coordination efforts with Reclamation to assist with operations
10 during the critical years of 2014 and 2015; and continuing into 2016.

11 4. In addition to my direct personal involvement, my professional colleagues at MBK
12 have extensive experience analyzing water rights, and water supply issues, related to SRS
13 Contracts. Mr. Donald Kienlen entered private practice in 1965 and was a founding partner of
14 MBK. From 1957 to 1965, Mr. Kienlen was an engineer with the SWRCB. Mr. Kienlen worked
15 as a staff engineer for the SWRCB during the hearings that led to the SWRCB's Decision 990 (D-
16 990) Order. Mr. Kienlen directly participated in the staff analyses and recommendations
17 presented to the SWRCB for that decision. Since 1965, Mr. Kienlen has been involved in all of
18 the subsequent SWRCB water rights decisions concerning the Bay-Delta, including D-1485, up to
19 the SWRCB hearing, which led to Decision 1641. Mr. Kienlen continues to support MBK as an
20 independent contractor, and I have worked closely with Mr. Kienlen on Sacramento River water
21 rights and related operations matters, for over 30 years.

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23 **II. PURPOSE AND ORGANIZATION**

24 5. The purpose of my testimony is to identify and provide a brief description of the
25 water rights held, claimed, and reflected in documents on file with the SWRCB, by each of the
26 protestants of the SVG. Many of the protestants also hold contracts with Reclamation, or the
27 California Department of Water Resources (DWR), which provides a supplemental water supply
28 at times of shortage in natural flow. These contracts are identified, documented, and briefly

1 described below. In addition to documenting the water rights held, claimed, and reflected in
2 documents on file with the SWRCB for each of the protestants of the SVG, I have identified and
3 documented the water use reports for the years of 2010 through 2014 (through 2015 for
4 Reclamation's Report of Sacramento River Deliveries), submitted by each of the protestants of
5 the SVG, and found on the SWRCB's Electronic Water Rights Information Management System
6 ("eWRIMS"). These water use reports are submitted in the form of Supplemental Statements of
7 Water Diversion and Use, Reports of Licensee, and Progress Reports by Permittee with the
8 Division of Water Rights. Water diversion or use reports kept by Reclamation and DWR
9 pursuant to those contracts, have been provided where applicable. In addition, I have identified
10 the quantities of water transferred by each protestant during 2010 through 2015. My knowledge
11 of the quantities transferred, in most cases, comes from MBK's direct involvement in assisting
12 the water rights holders with the regulatory process required to effect a water transfer. In the few
13 remaining cases, the water right holder informed MBK of the water transfer quantity and we
14 verified the quantity through communication with DWR or USBR. I have not verified whether, or
15 how, this transfer water is reflected by individual users in water use reports.

16 6. This testimony has been organized based on key and common features of the
17 protestants within the SVG. The first group consists of those protestants, which in addition to
18 claiming riparian, pre-1914 appropriative water rights, or holding post-1914 appropriative water
19 rights for direct diversion (or some combination of the three), also hold SRS Contracts with
20 Reclamation. The second group (including only the Sutter Extension Water District) is similar to
21 the first group, but holds a contract with DWR. The third group consists of those protestants
22 whom in most cases hold water rights to store water, in addition to direct diversion, within
23 storage facilities developed by the protestant.

24 25 **III. WATER RIGHTS OF THE SACRAMENTO RIVER SETTLEMENT CONTRACTORS**

26 7. The following protestants of the SVG hold Sacramento River Settlement Contracts
27 with Reclamation, which were initially executed around 1964. In negotiating the settlement
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1 contracts, Reclamation, DWR, and the Sacramento River Delta Water Users, undertook
2 significant research to identify water rights and performed analyses to determine the yield of the
3 water rights held by contractors. The result of these efforts was the quantities of base and project
4 water contained in the settlement contracts.

5 **Carter Mutual Water Company**

6 8. Carter Mutual Company (Carter) encompasses approximately 3,000 acres in
7 Colusa County. Carter serves water to three different pieces of property. All three properties
8 utilize water from the Sacramento River under riparian claim, pre-1914 claim, or hold appropriate
9 water right licenses; or in some combination thereof. Three original SRS Contracts with
10 Reclamation were executed in the names of Jane Foster Carter, Sartain Mutual Water Company,
11 and Colusa Properties on April 14, 1965, October 22, 1965, and November 13, 1969,
12 respectively. Before renewal of the SRS Contracts on March 31, 2005, Carter and Reclamation
13 agreed to consolidate the three previous SRS Contracts into one comprehensive contract under
14 Carter's name. Carter transferred (considered as use) 504 acre-feet in 2014, and 100 acre-feet in
15 2015, pursuant to provisions of the Central Valley Project Improvement Act (CVPIA). True and
16 correct copies of the SRS Contract and water rights claimed and held by Carter as reflected in
17 documents on file with the SWRCB, including use of those rights, are identified as Exhibits
18 SVG-02-001 through SVG-02-028, and SVG-19-001 through SVG-19-006.

19 **Howald Farms, Inc.**

20 9. Howald Farms, Inc. (Howald Farms) owns 512 acres of land in Sutter County.
21 Howald Farms executed its original SRS Contract with Reclamation on July 14, 1964, and
22 entered into a renewal contract on March 18, 2005. Howald Farms transferred (considered as
23 use) 836 acre-feet in 2010, pursuant to provisions of CVPIA. True and correct copies of the
24 water rights and SRS Contract held by Howald Farms as reflected in documents on file with the
25 SWRCB, including use of those rights, are identified as Exhibit SVG-03-001, and Exhibits SVG-
26 19-001 through SVG-19-006.

27 **Maxwell Irrigation District**

28 10. Maxwell Irrigation District's (Maxwell) service area consists of approximately

1 7,000 acres in Colusa County. Maxwell serves water to approximately 32 different owners of
2 property, with some owners consisting of multiple parties. Maxwell holds eight appropriative
3 water right licenses, and one permit for water from the Sacramento River, Colusa Basin Drain,
4 Lurline Creek, and Stone Corral Creek. Maxwell executed its original SRS Contract with
5 Reclamation on July 6, 1972, and entered into a renewal contract on March 4, 2005. Maxwell
6 transferred (considered as use) 5,000 acre-feet in 2010, 5,000 acre-feet in 2011, 4,500 acre-feet in
7 2012, 6,000 acre-feet in 2013, and 1,487 acre-feet in 2015, pursuant to provisions of CVPIA.
8 True and correct copies of the water rights and SRS Contract held by Maxwell as reflected in
9 documents on file with the SWRCB, including use of those rights, are identified as Exhibits
10 SVG-04-001 through SVG-04-056, and SVG-19-001 through SVG-19-006.

11 **Meridian Farms Water Company**

12 11. Meridian Farms Water Company (Meridian Farms) serves approximately 70
13 landowners on approximately 10,000 acres in Sutter County. Meridian Farms holds two
14 appropriative water right licenses for water from the Sacramento River, Long Lake, and various
15 drainage canals. Meridian Farms executed its original SRS Contract with Reclamation on
16 March 30, 1964, and entered into a renewal contract on February 28, 2005. True and correct
17 copies of the water rights and SRS Contract held by Meridian Farms as reflected in documents on
18 file with the SWRCB, including use under those rights, are identified as Exhibits SVG-05-001
19 through SVG-05-013, and SVG-19-001 through SVG-19-006.

20 **Natomas Central Mutual Water Company**

21 12. Natomas Central Mutual Water Company (Natomas) consists of approximately
22 55,000 acres of land within Sacramento and Sutter Counties. Natomas serves approximately 250
23 landowners. Natomas holds six appropriative water right licenses and one permit for water from
24 the Sacramento River, Natomas Cross Canal, and Reclamation District 1000's East and West
25 Drains. Natomas executed its original SRS Contract with Reclamation on April 29, 1964, and
26 entered into a renewal contract on May 10, 2005. Natomas transferred (considered as use) 3,000
27 acre-feet in 2010 and 923 acre-feet in 2011, pursuant to provisions of CVPIA. In addition,
28 Natomas transferred (considered as use) 13,370 acre-feet in 2014 and 20,954 acre-feet in 2015,

1 pursuant to a forbearance agreement and pursuant to provisions of CVPIA. True and correct
2 copies of the water rights and SRS Contract held by Natomas as reflected in documents on file
3 with the SWRCB, including use of those rights, are identified as Exhibits SVG-06-001 through
4 SVG-06-059, and SVG-19-001 through SVG-19-006.

5 **Oji Brothers Farm, Inc.**

6 13. Oji Brothers Farms, Inc. (Oji Brothers) owns 840 acres in Sutter County; 660 of
7 the acres are covered by Oji Brothers' SRS Contract with Reclamation and Sutter Mutual Water
8 Company serves the remaining 180 acres. Oji Brothers holds three appropriative water right
9 licenses for water from the Sacramento River. Oji Brothers executed its original SRS Contract on
10 March 22, 1968, and entered into a renewal contract on March 4, 2005. Oji Brothers transferred
11 (considered as use) 45 acre-feet in 2010, 104 acre-feet in 2012, and 425 acre-feet in 2015,
12 pursuant to provisions of CVPIA. True and correct copies of the water rights, and SRS Contract
13 held by Oji Brothers as reflected in documents on file with the SWRCB, including use of those
14 rights, are identified as Exhibits SVG-07-001 through SVG-07-022, and SVG-19-001 through
15 SVG-19-006.

16 **Oji Family Partnership**

17 14. The Oji Family Partnership (Oji Family) owns approximately 800 acres in Sutter
18 County. The Oji Family holds two appropriative water right licenses. Oji Family executed its
19 original SRS Contract with Reclamation on November 5, 1965, and entered into a renewal
20 contract on March 4, 2005. Oji Family transferred (considered as use) 755 acre-feet in 2010, 800
21 acre-feet in 2011, and 496 acre-feet in 2012, pursuant to provisions of CVPIA. True and correct
22 copies of the claims, water rights, and SRS Contract held by Oji Family as reflected in documents
23 on file with the SWRCB, including use of those rights, are identified as Exhibits SVG-08-001
24 through SVG-08-017, and SVG-19-001 through SVG-19-006.

25 **Pelger Mutual Water Company**

26 15. Pelger Mutual Water Company (Pelger) consists of approximately 3,000 acres of
27 land. Pelger serves 8 landowners. Pelger holds two appropriative water right licenses and one
28 permit to divert water from the Sacramento River. Pelger executed its original SRS Contract with

1 Reclamation on May 7, 1965, and entered into a renewal contract on February 28, 2005. Pelger
2 transferred (considered as use) 482 acre-feet in 2010 pursuant to provisions of CVPIA. Pelger
3 transferred (considered as use) 1,730 acre-feet in 2013 by filing petitions to change its post-1914
4 appropriative water rights. Pelger transferred (considered as use) 3,975 acre-feet in 2014 and
5 3,991 acre-feet in 2015, pursuant to forbearance agreements. True and correct copies of the water
6 rights and SRS Contract held by Pelger as reflected in documents on file with the SWRCB,
7 including use of those rights, are identified as Exhibits SVG-09-001 through SVG-09-019, and
8 SVG-19-001 through SVG-19-006.

9 **Pleasant-Grove Verona Mutual Water Co.**

10 16. Pleasant Grove-Verona Mutual Water Company (Pleasant Grove) consists of
11 approximately 7,000 acres of land. The water rights are held by shareholders, each of whom
12 respectively hold appropriative water right license(s) to divert water from the Sacramento River
13 or Natomas Cross Canal. Pleasant Grove executed its original SRS Contract with Reclamation on
14 June 24, 1971, and entered into a renewal contract on February 28, 2005. Pleasant Grove
15 transferred (considered as use) 5,834 acre-feet in 2013 by filing petitions to change its post-1914
16 appropriative water rights. Pleasant Grove transferred (considered as use) 15,169 acre-feet in
17 2014 and 16,200 acre-feet in 2015, pursuant to forbearance agreements. True and correct copies
18 of the water rights held by the shareholders, and SRS Contract held by Pleasant Grove as
19 reflected in documents on file with the SWRCB, including use of those rights, are identified as
20 Exhibits SVG-10-001 through SVG-10-097, and SVG-19-001 through SVG-19-006.

21 **Princeton-Codora-Glenn Irrigation District**

22 17. Princeton-Codora-Glenn Irrigation District (Princeton) is a public entity irrigation
23 district, and consists of approximately 12,000 acres of land, serving approximately 125
24 landowners. Princeton claims riparian and pre-1914 rights, holds three appropriative water right
25 licenses, and one permit to divert water from the Sacramento River and Colusa Basin Drain.
26 Princeton executed its original SRS Contract with Reclamation on April 3, 1964, and entered into
27 a renewal contract on March 4, 2005. Princeton transferred (considered as use) 50 acre-feet in
28 2012 and 1,715 acre-feet in 2013, pursuant to provisions of CVPIA. Princeton transferred

1 (considered as use) 682 acre-feet in 2014 and 919 acre-feet in 2015, pursuant to forbearance
2 agreements. True and correct copies of the claims, water rights, and SRS Contract held by
3 Princeton as reflected in documents on file with the SWRCB, including use of those rights, are
4 identified as Exhibits SVG-11-001 through SVG-11-031, and SVG-19-001 through SVG-19-006.

5 **Provident Irrigation District**

6 18. Provident Irrigation District (Provident) is a public entity irrigation district that
7 consists of approximately 16,000 acres of land and serves approximately 80 landowners.
8 Provident claims a pre-1914 right, holds six appropriative water right licenses, and one permit to
9 divert water from the Sacramento River and Colusa Drain. Provident executed its original SRS
10 Contract with Reclamation on April 6, 1964, and entered into a renewal contract on March 4,
11 2005. Provident transferred (considered as use) 26 acre-feet in 2011, 1,400 acre-feet in 2013, and
12 40 acre-feet in 2014, pursuant to provisions of CVPIA. In addition, Provident transferred
13 (considered as use) 2,614 acre-feet in 2014 and 2,550 acre-feet in 2015, pursuant to forbearance
14 agreements. True and correct copies of the claims, water rights, and SRS Contract held by
15 Provident as reflected in documents on file with the SWRCB, including use of those rights, are
16 identified as Exhibits SVG-12-001 through SVG-12-049, and SVG-19-001 through SVG-19-006.

17 **Reclamation District 108**

18 19. Reclamation District 108 (RD 108) consists of approximately 58,000 acres. RD
19 108 claims riparian and pre-1914 rights, holds four appropriative water right licenses, and one
20 permit to divert water from the Sacramento River and the Colusa Drain. RD 108 executed its
21 original SRS Contract with Reclamation on April 21, 1964, and entered into a renewal contract on
22 February 28, 2005. RD 108 transferred (considered as use) 1,127 acre-feet in 2011 and 368 acre-
23 feet in 2012, pursuant to provisions of CVPIA. In addition, RD 108 transferred (considered as
24 use) 27,613 acre-feet in 2014 and 45,596 acre-feet in 2015, pursuant to forbearance agreements
25 and provisions of CVPIA. True and correct copies of these claims, water rights, and SRS
26 Contracts held by RD 108 as reflected in documents on file with the SWRCB, including the use
27 of those rights, are identified as Exhibits SVG-13-001 through SVG-13-079, and SVG-19-001
28 through SVG-19-006.

1 **Henry D. Richter, et al.**

2 20. Henry D. Richter, et al. (Richters) own 583 acres of land in Sutter County. The
3 Richters hold three appropriative water right licenses to divert water from the Sacramento River.
4 The Richters executed their original SRS Contract with Reclamation on March 17, 1967, and
5 entered into a renewal contract on March 9, 2005. Richter transferred (considered as use) 248
6 acre-feet in 2010 pursuant to provision of CVPIA. True and correct copies of the water rights,
7 and SRS Contract held by the Richters as reflected in documents on file with the SWRCB,
8 including use of those rights, are identified as Exhibits SVG-14-001 through SVG-14-023, and
9 SVG-19-001 through SVG-19-006.

10 **River Garden Farms Company**

11 21. River Garden Farms consists of approximately 6,450 acres in Yolo County. River
12 Garden Farms claims riparian rights, and holds three appropriative water right licenses and one
13 application (permit pending) to divert water from the Sacramento River and the Knights Landing
14 Ridge Cut Canal. River Garden Farms executed its original SRS Contract with Reclamation on
15 May 8, 1964, and entered into a renewal contract on February 28, 2005. River Garden Farms
16 transferred (considered as use) 7,047 acre-feet in 2014 and 15,702 acre-feet in 2015, pursuant to
17 forbearance agreements. True and correct copies of the claims, water rights, and SRS Contract
18 held by River Garden Farms as reflected in documents on file with the SWRCB, including use of
19 those rights, are identified as Exhibits SVG-15-001 through SVG-15-036, and SVG-19-001
20 through SVG-19-006.

21 **Sutter Mutual Water Company**

22 22. Sutter Mutual Water Company (Sutter) consists of approximately 50,100 acres in
23 Sutter County and serves approximately 151 landowners. Sutter holds seventeen appropriative
24 water right licenses to divert water from the Sacramento River. Sutter executed its original SRS
25 Contract with Reclamation on March 17, 1964, and entered into a renewal contract on March 2,
26 2005. Sutter transferred (considered as use) 2,300 acre-feet in 2013 pursuant to provisions of
27 CVPIA. True and correct copies of the water rights and SRS Contract held by Sutter as reflected
28 in documents on file with the SWRCB, including use of those rights, are identified as Exhibits

1 SVG-16-001 through SVG-16-104, and SVG-19-001 through SVG-19-006.

2 **Tisdale Irrigation and Drainage Company**

3 23. Tisdale Irrigation and Drainage Company (Tisdale) consists of approximately
4 2,100 acres in Sutter County. Tisdale holds two appropriative water right licenses to divert water
5 from the Sacramento River. Tisdale executed its original SRS Contract with Reclamation on
6 March 29, 1966, and entered into a renewal contract on April 4, 2005. True and correct copies of
7 the claims, water rights, and SRS Contract held by Tisdale as reflected in documents on file with
8 the SWRCB, including use of those rights, are identified as Exhibits SVG-17-001 through SVG-
9 17-015, and SVG-19-001 through SVG-19-006.

10 **Windswept Land and Livestock Company**

11 24. Windswept Land and Livestock Company (Windswept) owns approximately 750
12 acres in Sutter County. Windswept holds an appropriative water right license to divert water from
13 the Sacramento River. Windswept executed its original SRS Contract with Reclamation on April
14 19, 1965, and entered into a renewal contract on April 7, 2006. True and correct copies of the
15 water right, and SRS Contract held by Windswept as reflected in documents on file with the
16 SWRCB, including use of those rights, are identified as Exhibits SVG-18-001 through SVG-18-
17 008, and SVG-19-001 through SVG-19-006.

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19 **IV. WATER RIGHTS OF FEATHER RIVER SETTLEMENT CONTRACTORS**

20 25. Similar to Reclamation on the Sacramento River, DWR entered into settlement
21 contracts with water right holders on the Feather River. Again, significant research and analysis
22 was undertaken to identify the water rights and arrive at the contracts.

23 **Sutter Extension Water District**

24 26. Sutter Extension Water District (SEWD) owns and operates a water distribution
25 system for agricultural, and other beneficial uses, as one of four "Joint Districts" (Butte Water
26 District, Richvale Irrigation District, SEWD, and Biggs West Gridley Water District) with pre-
27 1914 claims to divert water from the Feather River. SEWD also holds ten post-1914 appropriative
28 water right licenses to divert water from Feather River, Wadsworth Canal, Live Oak Canal, and

1 various reclamation drains.

2 27. In 1969, SEWD, together with the other Joint Districts, entered into an
3 “Agreement on Diversion of Water From the Feather River” with the State of California, acting
4 by and through the Department of Water Resources (1969 Agreement). The 1969 Agreement
5 memorialized the Joint Districts’ collective rights to divert water in the quantities, and at the
6 locations and times set forth therein. The 1969 Agreement states that, with the exception of one
7 previously agreed upon change in a point of diversion, the Joint Districts did not surrender,
8 modify, or terminate any of their rights to divert water, or change the priority of their rights by
9 agreeing to abide by its terms. The 1969 Agreement further provides that water diverted under the
10 Agreement shall be deemed diverted under the Joint Districts’ water rights. SEWD transferred
11 (considered as use) 9,030 acre-feet in 2010, 2,863 acre-feet in 2013, 15,464 acre-feet in 2014, and
12 1,725 acre-feet in 2015, under its pre-1914 claim. True and correct copies of the claim, post-1914
13 water rights, and 1969 Agreement held by SEWD as reflected in documents on file with the
14 SWRCB, including use of those rights, are identified as Exhibits SVG-20-001 through SVG-20-
15 073.

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17 **V. WATER RIGHTS OF OTHERS**

18 **El Dorado Water & Power Authority**

19 28. The El Dorado Water & Power Authority (EDWPA) was formed in 2004, pursuant
20 to a joint powers agreement between El Dorado County Water Agency, County of El Dorado, and
21 El Dorado Irrigation District. EDWPA has applied for the partial assignment of State-filed
22 Applications 5644 and 5645, to be used by EDWPA within the water’s area of origin. True and
23 correct copies of the applications filed by EDWPA as reflected in documents on file with the
24 SWRCB, are identified as Exhibits SVG-21-001 through SVG-21-002.

25 **El Dorado Irrigation District**

26 29. El Dorado Irrigation District (EID) is a member of the El Dorado Water & Power
27 Authority. EID claims numerous pre-1914 water rights and holds nine post-1914 water rights for
28 use of water from the South Fork of the American River system. The claims and water rights are

1 for both direct diversion and storage of water. The purpose of use of the claims and water rights
2 includes power, irrigation, municipal, and domestic. EID transferred (considered as use) 2,741
3 acre-feet in 2015 under its pre-1914 claims and post-1914 water rights. True and correct copies of
4 these claims and water rights held by EID as reflected in documents on file with the SWRCB,
5 including use of those rights, are identified as Exhibits SVG-22-001 through SVG-22-180, and
6 SVG-24-001.

7 **Sacramento Municipal Utility District**

8 30. Sacramento Municipal Utility District (SMUD) was formed in 1923, to maintain
9 the electric distribution system for Sacramento. SMUD owns and operates the Upper American
10 River Project (UARP), a large hydroelectric development composed of reservoirs and
11 powerhouses located along streams and rivers within the American River basin. SMUD claims
12 riparian right to the Sacramento River for use at its wind-powered electric generation project.
13 SMUD utilizes the water resources of the Rubicon River, Silver Creek, South Fork American
14 River, and Cosumnes River watersheds under six water right licenses and three permits. SMUD
15 holds an interim renewal contract with the United States, while a long-term renewal contract for
16 CVP water from the American River is negotiated. True and correct copies of the claims and
17 water rights held by SMUD as reflected in documents on file with the SWRCB, including use, are
18 identified as Exhibits SVG-23-001 through SVG-023-061. True and correct copies of the draft
19 long-term renewal contract, interim renewal contract, and table of American River CVP
20 Deliveries from 2002-2014 are identified as Exhibits SVG-23-062 through SVG-23-063 and
21 SVG-24-001.

22 **South Sutter Water District**

23 31. South Sutter Water District (SSWD) was formed in May 1954 to develop, store,
24 and distribute surface water supplies. SSWD serves a total gross area of approximately 64,000
25 acres, of which 6,960 acres are excluded, for a net area of approximately 57,000 acres in the
26 counties of Sutter and Placer. SSWD holds five appropriative water right licenses and one permit.
27 Two of the five licenses are for the direct diversion and storage of water from the Bear River at
28 Camp Far West Reservoir. The remaining three licenses are for the natural flows available from

1 Coon Creek, Yankee Slough, East Side Canal, Markham Ravine, and Auburn Ravine. SSWD's
2 permit (request for license made by SSWD on September 9, 1997) is for the appropriation of
3 water from the Bear River for power generation purposes. True and correct copies of the water
4 rights held by SSWD as reflected in documents on file with the SWRCB, including use of those
5 rights, are identified as Exhibits SVG-25-001 through SVG-25-036.

6 32. On February 14, 2000, SSWD entered into a Bay-Delta Settlement Agreement
7 (BDSA) with the DWR for the purposes of settling potential extended regulatory process leading
8 to D-1641. A true and correct copy of the BDSA is identified as Exhibit SVG-25-037. Pursuant to
9 the BDSA, SSWD has provided 4,400 acre-feet in 2013, 2014, and 2015. In addition to the
10 BDSA quantities, SSWD transferred (considered as use) 10,000 acre-feet in 2010, 2014, and 2015
11 by filing petitions to change its post-1914 appropriative water right.

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