

August 5, 2014

*Delivered Via E-mail: Barbara.Evoy@waterboards.ca.gov*

Ms. Barbara L. Evoy  
Deputy Director  
Division of Water Rights  
State Water Resources Control Board  
1001 I Street  
Sacramento, CA 95814

Dear Ms. Evoy:

On July 23, 2014, the California Department of Water Resources and the United States Bureau of Reclamation (“Project Agencies”) submitted a letter (“Joint Letter”) to the State Water Resources Control Board (“State Water Board”). In the Joint Letter, the Project Agencies requested that the State Water Board use its authority to order those south and central Delta diverters claiming riparian and pre-1914 water rights to provide the State Water Board with certain information regarding the diverters’ claimed water rights and the quantity of their diversions.

The State Water Contractors (“SWC”) submit this letter to emphasize its support for the Joint Letter. As the Joint Letter demonstrates, current and projected natural flows at Vernalis are significantly less than the 1,334 cfs identified in D-1641 as the southern Delta diversion requirement for August. The difference between inflow and diversions strongly suggests that the deficit is being made up through illegal diversions of stored and transfer water by south and possibly central Delta diverters.

The SWC believe the information set forth in the Joint Letter provides a sufficient showing that stored and transfer water is being unlawfully diverted. On that basis, the SWC request that the State Water Board, through the Deputy Director, use the authority granted to her under the recently adopted Emergency Regulations, Title 23 to the California Code of Regulations, section 879(c), and order south and central Delta diverters claiming riparian and pre-1914 water rights to provide the State Water Board with information that (1) supports the basis of any asserted right or rights, and (2) reflects the quantity of water diverted and expected to be diverted.

Thank you in advance for your consideration.

Sincerely,



Terry L. Erlewine  
General Manager

cc: Felicia Marcus, Chair, State Water Resources Control Board  
Tom Howard, Executive Director, State Water Resources Control Board



#### DIRECTORS

**Dan Flory**  
President

Antelope Valley-East Kern  
Water Agency

**Ray Stokes**  
Vice President

Central Coast Water  
Authority

**Douglas Headrick**  
Secretary-Treasurer

San Bernardino Valley MWD

**Stephen Arakawa**  
Metropolitan Water District  
of Southern California

**Curtis Creel**

Kern County Water Agency

**Mark Gilkey**

Tulare Lake Basin Water  
Storage District

**Joan Maher**

Santa Clara Valley Water  
District

**Dan Masnada**

Castaic Lake Water Agency

**David Okita**

Solano County Water Agency

**General Manager**

Terry Erlewine