

**SUGAR PINE
SPRING WATER LP**

A029971
A031491
Tuolumne

State Water Resources Control Board
Division of Water Right
P.O. Box 2000
Sacramento, CA 95814-2000

June 3, 2014

Re.: Curtailment Certification Form – OTHER

Ref.: Water Right Applications 29977 and 31491

In good-faith, when ample water resources were available; I purchased a total of eighty-two (82) acre-feet of water from the Tuolumne Utility District (TUD), during a two year period from 6/15/09 through 6/15/11. The Stanislaus River was the origin of that water. That water was released by TUD from Phoenix Lake to New Lake Don Pedro Reservoir (NDPR), via Sullivan Creek.

The reason for the purchase and diversion of that water was to ensure the City and County of San Francisco (San Francisco) and the Modesto & Turlock Irrigation Districts (Districts) would have water standing-by behind NDPR in the event “notification by San Francisco of potential or actual water supply reduction” was sent to me as a result of the reference water rights’ applications. Such notice has never been received. In the event that were to occur, the “replacement water” that I would be obligated to provide within one year of said notice would already be available in NDPR for its owners beneficial use.

I acknowledge that if NDPR had spilled, or spills in the future, that the water I have purchased, had divert, and is now pre-positioned there as “replacement water” would be lost and not available to me for its intended purpose.

As the manager of Sugar Pine Spring Water LP’s General Partner, make every effort to ensure the holders of senior downstream water rights are not impacted nor affected by Sugar Pine’s diversion of spring water. That has been accomplished by taking the initiative to purchase “replacement water” when it was available; so, if needed, neither San Francisco nor the Districts must wait one year for it to arrive. As a result, the flow of water from NDPR will not be affected nor will any senior water right holders be impacted by the referenced applications. After consultation with San Francisco and the Districts regarding this matter they concur, therefore, I contend that the diversion and use of water authorized by the referenced water rights applications is legally authorized.

Sincerely,

G. Scott Fahey
Manager of the General Partner
Sugar Pine Spring Water LP

CC: San Francisco – Attn.: Jonathan Knapp