



**Terry Tamminen**  
*Secretary for  
Environmental  
Protection*

# State Water Resources Control Board

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**Division of Water Rights**  
1001 I Street, 14<sup>th</sup> Floor • Sacramento, California 95814 • (916) 341-5300  
Mailing Address: P.O. Box 2000 • Sacramento, California • 95812-2000  
FAX (916) 341-5400 • Web Site Address: <http://www.swrcb.ca.gov>  
Division of Water Rights: <http://www.waterrights.ca.gov>



**Arnold Schwarzenegger**  
*Governor*

## **NOTICE OF PETITIONS REQUESTING CHANGES, CORRECTIONS OR EXTENSIONS OF TIME IN WATER RIGHT PERMITS AND LICENSES**

**Dated: April 30, 2004**

**NOTICE:** The purpose of this notice is to advise interested persons of petitions requesting changes to water right permits and licenses. This notice provides a summary of all petitions that have been reviewed and prepared for noticing during the month by the State Water Resources Control Board (SWRCB), Division of Water Rights (Division).

This notice provides a short summary of each petition and also provides instructions for filing a protest against the requested changes. If you would like additional information relating to a petition, or information relating to the procedure for filing a protest, please call the contact person listed for the specific petition. Public notices of the State Water Resources Control Board's Division of Water Rights may be viewed and printed at the Division's web site [www.waterrights.ca.gov](http://www.waterrights.ca.gov).

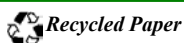
**GENERAL INFORMATION:** Persons diverting water from a stream must, in most cases, obtain a water right permit issued by the SWRCB, in accordance with provisions of the California Water Code. (People can also divert water from a stream under riparian rights or rights initiated prior to 1914.) A water right permit issued by the SWRCB defines the:

- Stream or river from which water is diverted;
- Amount of water that can be diverted;
- Season of the year during which the water can be diverted;
- Point of diversion from the stream;
- Place of use of the diverted water; and
- Purpose of use.

In addition, the water right permit includes a date for applying water to beneficial use. Any party having a water right permit must submit a petition and receive approval from the SWRCB to change the place of use, the purpose of use, point of diversion, or to request an extension of time to make full beneficial use of water. The SWRCB must consider the potential impacts to other water users that could be affected by the proposed change and must also consider the potential environmental impacts that would result from the proposed change. The SWRCB must comply with the requirements of the California Environmental Quality Act prior to the approval of any petition.

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**California Environmental Protection Agency**



**PROCEDURES FOR FILING PROTESTS:** Any person may file a protest against the changes proposed in a petition. However, protests filed in response to this notice **must be postmarked or received** in the office of the Division of Water Rights of the SWRCB at the address listed below by **4:00 p.m. on the 30<sup>th</sup> day after the date of this notice.**

A protest should be submitted on the standard protest form that is available from the Division, or can be printed from the Division's web site [www.waterrights.ca.gov/forms/](http://www.waterrights.ca.gov/forms/). Due to the constraints of the noticing period, protestants may file protests, etc., by FAX. However, an original copy of all materials must be received, for the SWRCB to consider your protest. The protest should be submitted to:

State Water Resources Control Board  
 Division of Water Rights  
 c/o Greg Wilson  
 P.O. Box 2000  
 Sacramento, CA 95812-2000

**Additionally, a copy of the protest must also be sent to the petitioner.** SWRCB will respond to all protests within 90 days from the date of the notice.

A protest may be based on any of the factors listed below:

Injury existing water rights;  
 Has an adverse environmental impact;  
 Is not in the public interest;  
 Is contrary to law; or  
 Is not within the jurisdiction of the SWRCB.

All protests must clearly describe the objections to approval of the petition and the factual basis for those objections. For example, if the objection is based on injury to existing water rights, the protest must describe the specific injury to the existing water right that would result from approval of the changes proposed by the petition. In addition, the party claiming injury to prior water rights must provide specific information that describes the basis of the existing right, the date the use began, the quantity of water use, the purpose of use, and the place of use. Protests based on environmental impacts, public interest, legality, or jurisdictional issues must be accompanied by a statement of facts supporting the basis of the protest. If sufficient information is not submitted, the SWRCB may reject the protest or request that the protestant submit additional information. **The Division will not accept protests that are directed against the underlying water right, rather than the change proposed by the petition.**

The SWRCB may grant an extension of time to file a protest, for good cause. A request for an extension of time must be submitted in a timely manner, must specify the additional time required, and must state why additional time is needed to file the protest. A pamphlet is available that provides additional information relating to water rights and the procedure for filing protests. Please contact the person listed below if you would like a copy of the pamphlet or protest forms.

**RESOLUTION OF PROTESTS** The petitioner and the protestant are encouraged to meet and discuss methods that could be used to resolve the protest. If the protest can not be resolved, SWRCB staff may conduct a field investigation with all interested parties or may hold a water right hearing.

**CONTACT PERSON:** Please contact the staff person designated under the petition of interest, if you would like additional information regarding the petition, protests, information pamphlets, protest forms, or to request an extension of time in which to file a protest.

**DESCRIPTION OF PETITIONS:** The following provides a summary of all petitions for changes in water rights or extensions of time to put water to use. The petitions are listed alphabetically by County.

COUNTY	OWNER	APPLICATION NO.
SAN JOAQUIN	West Side Irrigation District	301

#### NOTICES WITHIN THE COUNTY OF SAN JOAQUIN

APPLICATION 301	LICENSE 1381	ISSUED ON SEPTEMBER 29, 1933
Licensee	West Side Irrigation District c/o Ms. Jeanne M. Zolezzi Herum, Crabtree and Brown 2291 West March Lane, Suite B100 Stockton, CA 95207	
Source(s)	Old River tributary to San Joaquin River	
Point(s) of Diversion	South Bank of Old River, SE ¼ of NE ¼ of Section 3, T2S, R4E, MDB&M	
Purpose(s) of Use	Irrigation	
Direct Diversion Rate and Season of Diversion	82.5 cubic feet per second (cfs) from April 1 to October 31 of each year	
Max Annual Amount	35,000 acre-feet per annum (afa)	

Place of Use	Irrigation of 11,993.8 acres located within the boundaries of the West Side Irrigation District (WSID) as shown on map filed with the Division of Water Rights (Division), March 21, 1929.																																																
Existing project	<p>WSID originally served 11,994 acres pursuant to License 1381. The project was licensed in 1933.</p> <p>Water is diverted from Old River through an intake canal about 1.5 miles long. The channel is from four to eight feet deep, depending on tides. The estimated capacity of the intake canal is 280 cfs. The canal directs water to nine pumps, with an estimated total capacity of 144 cfs. Water from four of the pumps is discharged into the lower main canal, which has an estimated capacity of 157 cfs. It is about 10 miles in total length. Water from five pumps is discharged into the upper main canal, which has an estimated capacity of 218 cfs.</p> <p>A July 18, 1985 inspection by the Division recommended that the licensed diversion amount be reduced from 82.5 cfs to 64.75 cfs, and the place of use reduced from 11,994 acres to 9,413 acres. The WSID service area has been reduced further since the 1985 inspection, to 6,161 acres. The Division did not make the recommended changes to License 1381.</p> <p>WSID has used the following amounts of water in recent years:</p> <table border="1" data-bbox="500 1367 976 1948"> <thead> <tr> <th>Year</th> <th>AF</th> <th>Average CFS</th> </tr> </thead> <tbody> <tr><td>1975</td><td>44,836</td><td>105.6</td></tr> <tr><td>1976</td><td>48,673</td><td>114.7</td></tr> <tr><td>1977</td><td>42,274</td><td>99.6</td></tr> <tr><td>1978</td><td>22,658</td><td>53.4</td></tr> <tr><td>1979</td><td>28,591</td><td>67.4</td></tr> <tr><td>1980</td><td>17,239</td><td>49.6</td></tr> <tr><td>1981</td><td>25,546</td><td>60.2</td></tr> <tr><td>1982</td><td>27,960</td><td>65.9</td></tr> <tr><td>1983</td><td>23,025</td><td>54.2</td></tr> <tr><td>1984</td><td>31,492</td><td>74.2</td></tr> <tr><td>1985</td><td>31,838</td><td>75.0</td></tr> <tr><td>1986</td><td>23,097</td><td>54.4</td></tr> <tr><td>1987</td><td>21,119</td><td>49.8</td></tr> <tr><td>1988</td><td>22,949</td><td>54.1</td></tr> <tr><td>1989</td><td>19,673</td><td>46.4</td></tr> </tbody> </table>	Year	AF	Average CFS	1975	44,836	105.6	1976	48,673	114.7	1977	42,274	99.6	1978	22,658	53.4	1979	28,591	67.4	1980	17,239	49.6	1981	25,546	60.2	1982	27,960	65.9	1983	23,025	54.2	1984	31,492	74.2	1985	31,838	75.0	1986	23,097	54.4	1987	21,119	49.8	1988	22,949	54.1	1989	19,673	46.4
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Petition for: Change(s)	<p>The original boundaries of WSID consisted of 11,994 acres. Due to urbanization surrounding the City of Tracy, approximately 5,800 acres of land have changed from agricultural to urban uses, and have detached from WSID. WSID is now comprised of approximately 6,161 acres. WSID seeks to change the purposes of use under its license to include domestic, municipal, and industrial purposes of use, in addition to the currently authorized irrigation use. WSID intends to enlarge the area that it serves from the present 6,161 acres to 11,994 acres. The 11,994 acres are within the existing License 1381 place of use.</p>																											
Environmental Document	<p>WSID prepared an Initial Study and Negative Declaration SCH#: 2001092073 for the Petition for Change in Purpose of Use For Water Right License 1381 and a Notice of Determination was certified by WSID on November 14, 2001.</p> <p>The Negative Declaration states the following: “The project has no effect on the environment because it consists solely of the administrative approval in a purpose of use of the water right license held by WSID”.</p>																											
Contact person	Katherine Mrowka at (916) 341 – 5363.																											

