

SMC/JL



United States Department of the Interior

BUREAU OF RECLAMATION
Mid-Pacific Regional Office
2800 Cottage Way
Sacramento, CA 95825-1898

A000023
A000234
A001465
A005638

IN REPLY REFER TO:
MP-440
WTR-4.10

DEC 14 2015
DEC 14 2015

STATE WATER RIGHTS
SACRAMENTO
2015 DEC 15 PM 2:02

Ms. Barbara Evoy
Deputy Director for Water Rights
State Water Resources Control Board
P.O. Box 2000
Sacramento, CA 95812-2000

Subject: Petitions for Temporary Transfer – License 1986 and Permits 11885, 11886, and 11887
(Applications 23, 234, 1465, and 5638), Friant Division, Central Valley Project,
California

Dear Ms. Evoy:

Please find the enclosed Petitions for Temporary Transfer involving the subject permits and license, filed pursuant to Water Code Section 1725 (Petitions). Reclamation has filed these Petitions in order to implement the Stipulation for Settlement dated September 13, 2006, in the matter of *Natural Resources Defense Council et al. v. Kirk Rodgers, et al.*, United States District Court, Eastern District of California, Civ. Case No. S-88-1658-LKK/GGH (Settlement), as authorized and directed by the San Joaquin River Restoration Settlement Act, Public Law 111-11, 123 Stat. 1349. The purpose of the change is to assist in implementing Paragraph 16 of the settlement. Paragraph 16 calls for the development and implementation of a plan for the recirculation, recapture, reuse, exchange, or transfer of Restoration Flows for the purpose of reducing or avoiding impacts to water deliveries to all of the Friant Contractors caused by Restoration Flows.

On October 21, 2013, the State Water Board amended the subject permits and license to authorize the dedication of instream flows, pursuant to Cal. Water Code §1707, to facilitate implementation of the San Joaquin River Restoration Program (SJRRP). This proposed transfer is for additional points of rediversion of dedicated instream flows at Patterson Irrigation District and Banta-Carbona Irrigation District facilities. Authorization for instream flow dedication as well as recapture, above and below these facilities, has already been received pursuant to the Division of Water Rights Order Dated October 21, 2013, and is included in the existing terms and conditions of the subject license and permits.

The enclosed Petitions each contains a pre-printed statement that an \$850.00 fee made payable to the California Department of Fish and Wildlife (CDFW) must accompany each Petition. Therefore, a check for \$850.00 made payable to the CDFW is enclosed with the Petitions. Since


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CHECK #1001
\$850.00
GC

all Petitions will be reviewed and considered together for the same action, only one fee is enclosed pursuant to Section 10005(e) of the California Public Resources Code.

Reclamation understands that the administrative filing fee required to process these Petitions is covered by the water right fees program to the extent that sufficient funds are available. Any administrative costs incurred as a result of processing Reclamation's Petitions that exceed the funds available under the water right fees program will be covered under the existing contract between Reclamation and the State Water Board (Board) for services rendered by Board staff.

Reclamation appreciates the assistance that the Division will be providing in processing these Petitions. Reclamation's point of contact for these Petitions is Mr. Bob Colella, Water Rights Specialist, at 916-978-5256 and by email at rcolella@usbr.gov. Reclamation's point of contact for implementation of the Settlement and Settlement Act is Ms. Alicia Forsythe, San Joaquin River Restoration Program Manager, at (916) 978-5464 and by email at aforsythe@usbr.gov.

Sincerely,


Richard J. Woodley
Regional Resources Manager

Enclosure

cc: Attached List
(each w/enclosure)

A000023

Please indicate County where your project is located here:

Madera, Fresno

MAIL FORM AND ATTACHMENTS TO:
State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. Box 2000, Sacramento, CA 95812-2000
Tel: (916) 341-5300 Fax: (916) 341-5400
http://www.waterboards.ca.gov/waterrights

STATE WATER RESOURCES CONTROL BOARD

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DIVISION OF WATER RIGHTS SACRAMENTO

PETITION FOR CHANGE INVOLVING WATER TRANSFERS

Separate petitions are required for each water right. Mark all areas that apply to your proposed change(s). Incomplete forms may not be accepted. Location and area information must be provided on maps in accordance with established requirements. (Cal. Code Regs., tit. 23, § 715 et seq.) Provide attachments if necessary.

- Point of Diversion, Point of Rediversion, Place of Use, Purpose of Use, Temporary Urgency, Temporary Change, Long-term Transfer, Instream Flow Dedication

Application 23 Permit 273 License 1986 Statement

I (we) hereby petition for change(s) noted above and described as follows:

Point of Diversion or Rediversion - Provide source name and identify points using both Public Land Survey System descriptions to 1/4-1/4 level and California Coordinate System (NAD 83).

Present: See Supplement
Proposed: See Supplement

Place of Use - Identify area using Public Land Survey System descriptions to 1/4-1/4 level; for irrigation, list number of acres irrigated.

Present: See Supplement
Proposed: See Supplement

Purpose of Use

Present: See Supplement
Proposed: See Supplement

Instream Flow Dedication - Provide source name and identify points using both Public Land Survey System descriptions to 1/4-1/4 level and California Coordinate System (NAD 83).

Upstream Location:
Downstream Location:

Table with 12 columns for months (Jan-Dec) and rows for flow quantities (cubic feet per second or gallons per day).

Will the dedicated flow be diverted for consumptive use at a downstream location? Yes No
If yes, provide the source name, location coordinates, and the quantities of flow that will be diverted from the stream.

Proposed New User(s)

Provide the names, addresses, and phone numbers for all proposed new user(s) of the water right.

See Supplement

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\$850.00

Amount of Water to be Transferred

See Supp. [] acre-feet will be transferred. If the basis of right is direct diversion, the average rate of diversion for the maximum 30-day period of use is [See Supp.] cubic feet per second or million gallons per day.

General Information – Provide the following information, if applicable to your proposed change(s).

Have you attached an analysis which documents that the amount of water to be transferred or exchanged would have been consumptively used or stored in the absence of the proposed temporary change or long-term transfer? Yes No

Have you attached an analysis of any changes to streamflow, water quality, timing of diversion or use, return flows, or effects on legal users from the proposed temporary change or long-term transfer? Yes No

Have you attached an analysis that shows the proposed temporary change or long-term transfer will not unreasonably affect fish, wildlife, or other instream beneficial uses? Yes No

I (we) have access to the proposed point of diversion or control the proposed place of use by virtue of:
 ownership lease verbal agreement written agreement

If by lease or agreement, state name and address of person(s) from whom access has been obtained.

See Supplement.

Give name and address of any person(s) taking water from the stream between the present point of diversion or rediversion and the proposed point of diversion or rediversion, as well as any other person(s) known to you who may be affected by the proposed change.

See Supplement

All Right Holders Must Sign Below: I (we) declare under penalty of perjury that this involves only the amount of water which would have been consumptively used or stored in the absence of the proposed temporary change, and that the above is true and correct to the best of my (our) knowledge and belief.

Dated 12/14/2015 at Sacramento, CA


Right Holder or Authorized Agent Signature

Right Holder or Authorized Agent Signature

NOTE: All petitions must be accompanied by:
(1) the form Environmental Information for Petitions, available at:
http://www.waterboards.ca.gov/waterrights/publications_forms/forms/docs/pet_info.pdf
(2) Division of Water Rights fee, per the Water Rights Fee Schedule, available at:
http://www.waterboards.ca.gov/waterrights/water_issues/programs/fees/
(3) Department of Fish and Wildlife fee of \$850 (Pub. Resources Code, § 10005)

Present Holder and User of Water Right

Bureau of Reclamation
Mid-Pacific Region, MP-440
Attention: Mr. Bob Colella
2800 Cottage Way
Sacramento, CA 95825

Telephone: (916) 978-5256
Email: rcolella@usbr.gov

Background and Proposed New User

On October 21, 2013, the State Water Board amended the subject permits and license to authorize the dedication of instream flows, pursuant to Cal. Water Code §1707, and the redirection of those flows at specified locations to facilitate implementation of the San Joaquin River Restoration Program (SJRRP). The October 21, 2013, order approving those amendments recognized that it is anticipated that recapture and recirculation of flows may occur in the future at Patterson Irrigation District (PID) and Banta-Carbona Irrigation District (BCID) facilities.

This proposed transfer is for the redirection at PID and BCID facilities of flows dedicated for instream use pursuant to the existing terms and conditions of the subject water right Permits and License. These are flows that, pursuant to Cal. Water Code § 1707, are and remain under the dominion and control of Reclamation after having been (a) released from Millerton Reservoir following collection to storage, or (2) taken control of using direct diversion rights at Friant Dam, but allowed to pass into the river channel in lieu of being conveyed into the Madera and Friant-Kern canals. Authorization for instream flow dedication has already been received pursuant to the Division of Water Rights Order Dated October 21, 2013, and therefore that authorization is neither requested nor required in this petition. Reclamation will make use of instream conveyance by means of the San Joaquin River to meet obligations of the Central Valley Project (CVP) under existing contracts.

Implementation of the proposed transfer is authorized and directed by, and would be implemented in accordance with, the San Joaquin River Restoration Settlement Act (P.L. 111-11) (Settlement Act). The purpose of the change is to assist in implementing Paragraph 16 of the settlement in *NRDC, et al., v. Kirk Rodgers, et al.*, as authorized in the Settlement Act. Paragraph 16 calls for the development and implementation of a plan for the recirculation, recapture, reuse, exchange, or transfer of Restoration Flows for the purpose of reducing or avoiding impacts to water deliveries to all of the Friant Contractors caused by Restoration Flows.

The subject permits and license provide that "Reclamation shall document that it has taken all practicable measures to provide contract water to the Friant Division Contractors, while complying with all other conditions of this water right. One of these practicable measures shall include implementation of the February 2011 Draft Plan for

the Recirculation, Recapture, Reuse, Exchange or Transfer of Interim and Restoration Flows..." (Permit Terms 26; License Term 22)

Terms and conditions addressing the availability, modification, and recapture of instream flows for implementation of the SJRRP are currently contained in the subject permits and license. The proposed action only involves the addition of other points of diversion to the ongoing implementation of the SJRRP pursuant to those permits and license. This action involves the location of the recapture of Restoration Flows already released and dedicated pursuant to the Order of October 21, 2013, and not to the dedication of those flows which is already authorized.

Reclamation has prepared a Draft Environmental Assessment (DEA) for this temporary action that incorporates the affected environment and the environmental analysis in the SJRRP Programmatic Environmental Impact Statement/Environmental Impact Report (PEIS/R) finalized in July 2012 and for which a corresponding Record of Decision was issued on September 28, 2012. The recapture of Restoration Flows at existing facilities is included among actions analyzed at the program-level in the PEIS/R. The recirculation of recaptured water at existing facilities, using Central Valley Project, Department of Water Resources, and private facilities, back to Friant Division contractors was covered in the Recirculation of Recaptured Water Year 2013-2017 SJRRP Flows Environmental Assessment (Recirculation EA) which, along with its corresponding Finding of No Significant Impact (Recirculation FONSI), is dated April, 2013. Reclamation is currently preparing the long-term Recapture and Recirculation of Restoration Flows EIS for the SJRRP. In July 2015, Reclamation published a Notice of Intent to prepare an EIS to identify a set of alternatives for the recapture and recirculation of Restoration Flows to long-term contractors of the Friant Division of the CVP.

Period of Transfer/Exchange

The period for the proposed temporary transfer is for one year beginning February 1, 2016.

Points of Diversion and Rediversion

Present Points of Diversion and Rediversion

The points of diversion and rediversion are the same as on file with the State Water Board for Applications 23, 234, 1465, and 5638.

Proposed Points of Rediversion to be Added

The proposed points of rediversion to be added are as follows:

Intake facility for PID, Located N2004071 E6392678 California Coordinate System, Zone 3, NAD 83, being within the SW ¼ of Section 15, T 5S, R8E, M.D.B.&M.

Intake facility for BCID, Located N2083018 E6327281 California Coordinate System, Zone 3, NAD 83, being within the SE ¼ of Section 33, T2S, R6E, M.D.B.&M.

Places of Use

Present Places of Use

The places of use are the same as on file with the State Water Board for Applications 23, 234, 1465, and 5638. See Map 1785-202-50, on file with the State Water Board.

Proposed Places of Use to be Added

No change. The water recaptured by redirection from the San Joaquin River would be used within the places of use authorized for the subject permits and license.

Purposes of Use

Present Purposes of Use

The combined purposes of use for all three permitted applications are irrigation, domestic, incidental domestic, municipal, stockwatering, preservation and enhancement of fish and wildlife, and recreational, as on file with the State Water Board.

Proposed Purpose of Use to be Added

No change.

Season of Use, Direct Use, and Storage

Present Season of Use, Direct Use, and Storage

The present season of use, season of direct use, and season of storage are as specified in these permitted applications and license on file with the State Water Board.

Proposed Season of Use, Direct Use, and Storage

No change.

Proposed New Users

Rediverted flows would be conveyed through PID and BCID facilities to the Delta-Mendota Canal (DMC). Reclamation's CVP contractors capable of receiving CVP supply in the San Luis Unit would receive this water. In addition, the rediverted water in the San Luis Canal would be conveyed through the Cross-Valley Canal to the Friant Division service area, or would be provided to entities in the Tulare Lake region for exchange.

Counties of Storage and Use

The proposed transfer water is presently used and stored within the following counties:

Madera; Fresno; Tulare; Kern; Merced; Stanislaus; Contra Costa; Alameda; San Joaquin; Sacramento.

The proposed transfer water will be placed to beneficial within the following counties within the existing authorized places of use:

Fresno; Merced; Kings, Tulare, Kern,

Amount of Water to be Transferred

A total maximum of up to 28,979 acre-feet of water is proposed for transfer through rediversion at the PID facility. Table 2-1 of the DEA shows potential capacity available for the rediversion at the PID facility for delivery into the DMC. The maximum rate of rediversion at the PID facility is 40 cubic feet per second (cfs).

A total maximum of up to 47,090 acre-feet of water is proposed for transfer through rediversion at BCID facility. Table 2-2 of the DEA shows potential capacity available for the rediversion at the BCID facility for delivery into the DMC. The maximum rate of rediversion at the BCID facility is 65 cfs.

A total combined maximum recapture of 76,069 acre-feet of water is proposed for transfer through both PID and BCID facilities up to a combined rediversion rate of 105 cfs.

General Information

The total quantity of water proposed to be transferred under this petition will be up to 76,069 acre-feet of dedicated instream flows previously stored at Millerton Reservoir and/or taken under control at Friant Dam pursuant to direct diversion rights. Absent the proposed transfer, Reclamation would continue to retain dominion and control of all instream flows downstream of the PID facilities, and would attempt to maximize rediversion at Sacramento-San Joaquin Delta facilities for consumptive use as currently authorized under the subject permits and license. The instream flows would remain protected and removed from use in the downstream water supply. Absent the presence of dedicated instream flows for recapture, the water would have remained in storage at Millerton Reservoir or would have been diverted into the Madera and Friant-Kern canals for use in the Friant Division service area of the CVP.

Reclamation would make the recaptured Restoration Flows available in south-of-Delta facilities (for example, such as San Luis Reservoir, O'Neill Forebay, Delta-Mendota Canal, California Aqueduct, Cross-Valley Canal) for recirculation and beneficial use by

the Friant Contractors. Recirculation to the Friant Contractors would be accomplished through direct delivery, exchange, and/or transfer. This could require the exchange and/or transfer of recaptured Restoration Flows among Friant Contractors or non-Friant Contractors. The Proposed Action would assist in Reclamation meeting its obligation pursuant to the Settlement Act to reduce or avoid adverse water supply impacts on all of the Friant Contractors that may result from Restoration Flows.

Recapture is subject to availability of Restoration Flows and the available capacity of the districts' facilities within the CVP and/or the SWP storage and conveyance facilities, including the California Aqueduct, DMC, San Luis Reservoir, and related pumping facilities. Available capacity is capacity that is available after all statutory and contractual obligations are satisfied to existing water service or supply contracts, exchange contracts, settlement contracts, transfers, or other agreements involving or intended to benefit CVP/SWP contractors served through CVP/SWP facilities. The proposed transfer would not affect water delivery quantities to contractors and refuges outside the Friant Division, including the San Joaquin River Exchange Contractors. There would be no expansion of existing obligations, or increases in demands, to provide CVP water supplies.

The proposed transfer would be subject to the following parameters:

- No native or untilled land (fallow for three consecutive years or more) will be cultivated with the water involved in this action.
- The purposes of water use are consistent with existing authorized purposes of use.
- The recapture of Restoration Flows will be limited to existing supply and will not increase overall consumptive use.
- The recapture of Restoration Flows will not lead to any land conversion.
- The recapture of Restoration Flows will comply with all applicable Federal, State, Local or Tribal laws or requirements imposed for the protection of the environment and Indian Trust Assets (ITAs).
- The recapture of Restoration Flows will not alter the flow regime of streams, creeks, ponds, pools, wetlands, etc.
- The Proposed Action does not include construction or modification of facilities.

The proposed recapture of Restoration Flows on the San Joaquin River downstream from the Merced River at existing facilities on the San Joaquin River (PID and BCID facilities) is described and analyzed at the program-level under Alternatives B and C of the DPEIS/R.

The proposed recapture will not change or affect the manner in which Reclamation will make Recapture and Recirculation Water available to Friant Contractors under the Recirculation EA/FONSI. The Recirculation EA states that the recirculation and

recapture of Restoration Flows in contract water year 2016 was found to have no impact on water resources, land use, biological resources, cultural resources, ITAs, socioeconomic resources, environmental justice, air quality, or global climate change.

The proposed recapture is consistent with the Draft Plan for Recirculation, Recapture, Reuse, Exchange, or Transfer of Interim and Restoration Flows (February 2011) referenced in Term 26 of the subject Permits and Term 22 of the subject License.

Based upon CalSim II water operations simulation, Table 3-1 of the EA provides the estimated portion of the water contract year 2016 Restoration Flows that would reach PID and BCID facilities and be available for recapture. Tables 3-2 and 3-3 show the maximum percentage of average San Joaquin River Flow at Vernalis able to be recaptured at the PID and BCID facilities, respectively. Table 3-4 shows the maximum percentage of average San Joaquin River Flow at Vernalis to be recaptured in the aggregate at PID and BCID facilities. The portion of flows that could be recaptured at PID and BCID is minimal in comparison to the availability of flows in the San Joaquin River. The EA provides that recapture at the PID and BCID facilities would not result in any violations of existing water quality standards or substantial water quality changes that would adversely affect beneficial uses, or have substantive impacts on public health.

Recapture would occur only at screened facilities. The proposed transfer will be conducted to comply with applicable United States Fish and Wildlife (USFWS) and National Marine Fisheries Service (NMFS) operations biological opinions. Reclamation is currently required to comply with Term 42 of the subject license and Term 47 of the subject permits as follows: "Consistent with the Settlement and Settlement Act, Reclamation shall coordinate any flow modifications with the USFWS and NMFS, as applicable. Recapture of water dedicated for instream flow shall be in compliance with the USFWS and NMFS biological opinions." This condition would continue to remain in place during the proposed transfer period as a term within the subject Permits and License.

Proposed Term

The proposed transfer operations with rediversion at the BCID Pumping Plant would be outside the current assumptions of State Water Board Water Right Decision 1641. Such an operation would increase Delta consumptive use and Net Delta Outflow Index as currently defined by Revised D-1641. Consequently, Reclamation requests that the following term be included in the order approving Reclamation's petitions:

- During the times that water is being rediverted at the Banta-Carbona Irrigation District facility pursuant to this temporary transfer order, the Net Delta Outflow Index (NDOI) may be calculated in the manner described in Figure 3 on Page 190 of Revised Water Right Decision 1641 by adding these rediversions to the DELTA EXPORTS calculation.

Access

Reclamation proposes to obtain access to the proposed points of diversion by virtue of seeking and entering into a one-year agreement with PID and with BCID for the recapture of up to 76,090 AF of Restoration Flows.

Persons Taking Water

Diverters between Friant Dam and the confluence of the Merced River, and from the confluence of the Merced River to and through the Delta, are on file with the Board. Many assumed riparian water right holders between Friant Dam and Gravelly Ford have executed Holding Contracts with Reclamation. Also, the San Joaquin River Exchange Contractors divert water downstream of Friant Dam.

Other Persons Who May Be Affected

The proposed transfer involves the recapture, at two new locations, of water that has been dedicated to instream flow. These two locations are within the river reaches authorized for instream flow dedication under existing permit and license terms and conditions. Other than PID and BCID whose facilities are proposed to be utilized, Reclamation is unaware of other persons who may be affected by the recapture of its dedicated flows.

Reclamation's point of contact is Lonnie Wass, 559-445-6051 at the Central Valley Regional Water Quality Control Board.

Reclamation's point of contact at the California Department of Fish and Wildlife is Gerald Hatler, 559-243-4005, ext. 127.

State of California
State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. Box 2000, Sacramento, CA 95812-2000
Tel: (916) 341-5300 Fax: (916) 341-5400
<http://www.waterboards.ca.gov/waterrights>

ENVIRONMENTAL INFORMATION FOR PETITIONS

This form is required for all petitions.

Before the State Water Resources Control Board (State Water Board) can approve a petition, the State Water Board must consider the information contained in an environmental document prepared in compliance with the California Environmental Quality Act (CEQA). This form is not a CEQA document. If a CEQA document has not yet been prepared, a determination must be made of who is responsible for its preparation. As the petitioner, you are responsible for all costs associated with the environmental evaluation and preparation of the required CEQA documents. Please answer the following questions to the best of your ability and submit any studies that have been conducted regarding the environmental evaluation of your project. If you need more space to completely answer the questions, please number and attach additional sheets.

DESCRIPTION OF PROPOSED CHANGES OR WORK REMAINING TO BE COMPLETED

For a petition for change, provide a description of the proposed changes to your project including, but not limited to, type of construction activity, structures existing or to be built, area to be graded or excavated, increase in water diversion and use (up to the amount authorized by the permit), changes in land use, and project operational changes, including changes in how the water will be used. For a petition for extension of time, provide a description of what work has been completed and what remains to be done. Include in your description any of the above elements that will occur during the requested extension period.

See Attachment

STATE WATER RESOURCES CONTROL BOARD
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DIVISION OF WATER RIGHTS
SACRAMENTO

Insert the attachment number here, if applicable:

1

Coordination with Regional Water Quality Control Board

For change petitions only, you must request consultation with the Regional Water Quality Control Board regarding the potential effects of your proposed change on water quality and other instream beneficial uses. (Cal. Code Regs., tit. 23, § 794.) In order to determine the appropriate office for consultation, see: http://www.waterboards.ca.gov/waterboards_map.shtml. Provide the date you submitted your request for consultation here, then provide the following information.

Date of Request

See Cover Letter

Will your project, during construction or operation, (1) generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or (2) cause erosion, turbidity or sedimentation?

Yes No

Will a waste discharge permit be required for the project?

Yes No

If necessary, provide additional information below:

[Empty text box for additional information]

Insert the attachment number here, if applicable:

Local Permits

For temporary transfers only, you must contact the board of supervisors for the county(ies) both for where you currently store or use water and where you propose to transfer the water. (Wat. Code § 1726.) Provide the date you submitted your request for consultation here.

Date of Contact

See Cover Letter

For change petitions only, you should contact your local planning or public works department and provide the information below.

Person Contacted: Date of Contact:

Department: Phone Number:

County Zoning Designation:

Are any county permits required for your project? If yes, indicate type below. Yes No

- Grading Permit Use Permit Watercourse Obstruction Permit
- Change of Zoning General Plan Change Other (explain below)

If applicable, have you obtained any of the permits listed above? If yes, provide copies. Yes No

If necessary, provide additional information below:

[Empty text box for additional information]

Insert the attachment number here, if applicable:

Federal and State Permits

Check any additional agencies that may require permits or other approvals for your project:

- Regional Water Quality Control Board Department of Fish and Game
- Dept of Water Resources, Division of Safety of Dams California Coastal Commission
- State Reclamation Board U.S. Army Corps of Engineers U.S. Forest Service
- Bureau of Land Management Federal Energy Regulatory Commission
- Natural Resources Conservation Service

Have you obtained any of the permits listed above? If yes, provide copies. Yes No

For each agency from which a permit is required, provide the following information:

Agency	Permit Type	Person(s) Contacted	Contact Date	Phone Number

If necessary, provide additional information below:

Reclamation is providing a copy of its petitions to the Central Valley Regional Water Quality Control Board. See cover letter.

Reclamation will seek and enter into agreements with Patterson Irrigation District and Banta-Carbona Irrigation District.

Insert the attachment number here, if applicable:

Construction or Grading Activity

Does the project involve any construction or grading-related activity that has significantly altered or would significantly alter the bed, bank or riparian habitat of any stream or lake? Yes No

If necessary, provide additional information below:

Insert the attachment number here, if applicable:

Archeology

Has an archeological report been prepared for this project? If yes, provide a copy. Yes No

Will another public agency be preparing an archeological report? Yes No

Do you know of any archeological or historic sites in the area? If yes, explain below. Yes No

If necessary, provide additional information below:

See Reclamation's DEA and Recirculation EA/FONSI.

Insert the attachment number here, if applicable:

Photographs

For all petitions other than time extensions, attach complete sets of color photographs, clearly dated and labeled, showing the vegetation that exists at the following three locations:

- Along the stream channel immediately downstream from each point of diversion
- Along the stream channel immediately upstream from each point of diversion
- At the place where water subject to this water right will be used

Maps

For all petitions other than time extensions, attach maps labeled in accordance with the regulations showing all applicable features, both present and proposed, including but not limited to: point of diversion, point of rediversion, distribution of storage reservoirs, point of discharge of treated wastewater, place of use, and location of instream flow dedication reach. (Cal. Code Regs., tit. 23, §§ 715 et seq., 794.)

Pursuant to California Code of Regulations, title 23, section 794, petitions for change submitted without maps may not be accepted.

All Water Right Holders Must Sign This Form:

I (we) hereby certify that the statements I (we) have furnished above and in the attachments are complete to the best of my (our) ability and that the facts, statements, and information presented are true and correct to the best of my (our) knowledge. Dated 12/14/2015 at Sacramento, CA.


Water Right Holder or Authorized Agent Signature

Water Right Holder or Authorized Agent Signature

NOTE:

- **Petitions for Change** may not be accepted unless you include proof that a copy of the petition was served on the Department of Fish and Game. (Cal. Code Regs., tit. 23, § 794.)
- **Petitions for Temporary Transfer** may not be accepted unless you include proof that a copy of the petition was served on the Department of Fish and Game and the board of supervisors for the county(ies) where you currently store or use water and the county(ies) where you propose to transfer the water. (Wat. Code § 1726.)

Description of Proposed Changes

This proposed temporary transfer is for the redirection at PID and BCID facilities of flows dedicated for instream use pursuant to the terms and conditions of the subject water right Permits and License. These are flows that, pursuant to Cal. Water Code § 1707, are and remain under the dominion and control of Reclamation after having been (a) released from Millerton Reservoir following collection to storage, or (2) taken control of using direct diversion rights at Friant Dam, but allowed to pass into the river channel in lieu of being conveyed into the Madera and Friant-Kern canals. Authorization for instream flow dedication has already been received pursuant to the Division of Water Rights Order Dated October 21, 2013, and therefore such authorization is neither requested nor required in this petition. Reclamation will make use of instream conveyance by means of the San Joaquin River to meet obligations of the Central Valley Project (CVP) under existing contracts.

Rediverted flows would be conveyed through PID and BCID facilities to the Delta-Mendota Canal (DMC). Reclamation's CVP contractors capable of receiving CVP supply in the San Luis Unit would receive this water. In addition, the rediverted water in the San Luis Canal would be conveyed through the Cross-Valley Canal to the Friant Division service area, or would be provided to entities in the Tulare Lake region for exchange. Reclamation would make the recaptured SJRRP Interim and Restoration Flows available in south-of-Delta facilities (for example, such as San Luis Reservoir, O'Neill Forebay, Delta-Mendota Canal, California Aqueduct, Cross-Valley Canal) for recirculation and beneficial use by the Friant Contractors. Recirculation to the Friant Contractors would be accomplished through direct delivery, exchange, and/or transfer.

A total maximum of up to 28,979 acre-feet of water is proposed for transfer through redirection at the PID facility. Table 2-1 of the DEA shows potential capacity available for the redirection at the PID facility for delivery into the Delta Mendota Canal. The maximum rate of redirection at the PID facility is 40 cubic feet per second (cfs). A total maximum of up to 47,090 acre-feet of water is proposed for transfer through redirection at BCID facility. Table 2-2 of the DEA shows potential capacity available for the redirection at the BCID facility for delivery into the Delta Mendota Canal. The maximum rate of redirection at the BCID facility is 65 cfs. A total combined maximum recapture of 76,069 acre-feet of water is proposed for transfer through both PID and BCID facilities up to a combined redirection rate of 105 cfs. The period for the proposed temporary transfer is for one year beginning February 1, 2016.

Reclamation has prepared a Draft Environmental Assessment (DEA) for this temporary action that incorporates the affected environment and environmental analysis in the SJRRP Programmatic Environmental Impact Statement/Environmental Impact Report (PEIS/R) finalized in July 2012 and for which a corresponding Record of Decision was issued on September 28, 2012. The recapture of Restoration Flows at existing facilities is included among actions analyzed at the program-level in the PEIS/R. The Recirculation of recaptured water at

existing facilities, using Central Valley Project, Department of Water Resources, and private facilities, back to Friant Division contractors was covered in the Recirculation of Recaptured Water Year 2013-2017 SJRRP Flows Environmental Assessment (Recirculation EA) which, along with the corresponding Finding of No Significant Impact (Recirculation FONSI), is dated April, 2013.

The proposed recapture will not change or affect the manner in which Reclamation will make Recapture and Recirculation Water available to Friant Contractors under the Recirculation EA/FONSI. The Recirculation EA states that the recirculation and recapture of Restoration Flows in contract water year 2016 was found to have no impact on water resources, land use, biological resources, cultural resources, Indian Trust Assets, socioeconomic resources, environmental justice, air quality, or global climate change.

Federal and State Permits

Reclamation's point of contact is Lonnie Wass, 559-445-6051 at the Central Valley Regional Water Quality Control Board.

Reclamation's point of contact at the California Department of Fish and Wildlife is Gerald Hatler, 559-243-4005, ext. 127.

Photographs

The proposed points of diversion using existing facilities and proposed places of use are well known with the State Water Board. Therefore, no representative photographs have been provided here and are presumed to be on file already with the State Water Board.

Maps

Map 1785-202-53 displays the locations of the proposed points of diversion, and Map 1785-202-50 depicts the San Joaquin River Restoration Program instream dedication and places of use. Both maps are on file with the State Water Board.

Please indicate County where your project is located here:

Madera, Fresno

MAIL FORM AND ATTACHMENTS TO: State Water Resources Control Board DIVISION OF WATER RIGHTS P.O. Box 2000, Sacramento, CA 95812-2000 Tel: (916) 341-5300 Fax: (916) 341-5400 http://www.waterboards.ca.gov/waterrights

PETITION FOR CHANGE INVOLVING WATER TRANSFERS

Separate petitions are required for each water right. Mark all areas that apply to your proposed change(s). Incomplete forms may not be accepted. Location and area information must be provided on maps in accordance with established requirements. (Cal. Code Regs., tit. 23, § 715 et seq.) Provide attachments if necessary.

- Point of Diversion, Point of Rediversion, Place of Use, Purpose of Use, Temporary Urgency, Temporary Change, Long-term Transfer, Instream Flow Dedication

Application 234 Permit 11885 License Statement

I (we) hereby petition for change(s) noted above and described as follows:

Point of Diversion or Rediversion - Provide source name and identify points using both Public Land Survey System descriptions to 1/4-1/4 level and California Coordinate System (NAD 83).

Present: See Supplement Proposed: See Supplement

Place of Use - Identify area using Public Land Survey System descriptions to 1/4-1/4 level; for irrigation, list number of acres irrigated.

Present: See Supplement Proposed: See Supplement

Purpose of Use

Present: See Supplement Proposed: See Supplement

Instream Flow Dedication - Provide source name and identify points using both Public Land Survey System descriptions to 1/4-1/4 level and California Coordinate System (NAD 83).

Upstream Location: Downstream Location:

Table with 12 columns for months (Jan-Dec) and 2 rows for flow quantities (cubic feet per second or gallons per day).

Will the dedicated flow be diverted for consumptive use at a downstream location? Yes No If yes, provide the source name, location coordinates, and the quantities of flow that will be diverted from the stream.

Proposed New User(s)

Provide the names, addresses, and phone numbers for all proposed new user(s) of the water right.

See Supplement

Amount of Water to be Transferred

acre-feet will be transferred. If the basis of right is direct diversion, the average rate of diversion for the maximum 30-day period of use is cubic feet per second or million gallons per day.

General Information – Provide the following information, if applicable to your proposed change(s).

Have you attached an analysis which documents that the amount of water to be transferred or exchanged would have been consumptively used or stored in the absence of the proposed temporary change or long-term transfer? Yes No

Have you attached an analysis of any changes to streamflow, water quality, timing of diversion or use, return flows, or effects on legal users from the proposed temporary change or long-term transfer? Yes No

Have you attached an analysis that shows the proposed temporary change or long-term transfer will not unreasonably affect fish, wildlife, or other instream beneficial uses? Yes No

I (we) have access to the proposed point of diversion or control the proposed place of use by virtue of:
 ownership lease verbal agreement written agreement

If by lease or agreement, state name and address of person(s) from whom access has been obtained.

Give name and address of any person(s) taking water from the stream between the present point of diversion or rediversion and the proposed point of diversion or rediversion, as well as any other person(s) known to you who may be affected by the proposed change.

All Right Holders Must Sign Below: I (we) declare under penalty of perjury that this involves only the amount of water which would have been consumptively used or stored in the absence of the proposed temporary change, and that the above is true and correct to the best of my (our) knowledge and belief.

Dated at


Right Holder or Authorized Agent Signature

Right Holder or Authorized Agent Signature

NOTE: All petitions must be accompanied by:
(1) the form Environmental Information for Petitions, available at:
http://www.waterboards.ca.gov/waterrights/publications_forms/docs/pet_info.pdf
(2) Division of Water Rights fee, per the Water Rights Fee Schedule, available at:
http://www.waterboards.ca.gov/waterrights/water_issues/programs/fees/
(3) Department of Fish and Wildlife fee of \$850 (Pub. Resources Code, § 10005)

Present Holder and User of Water Right

Bureau of Reclamation
Mid-Pacific Region, MP-440
Attention: Mr. Bob Colella
2800 Cottage Way
Sacramento, CA 95825

Telephone: (916) 978-5256
Email: rcolella@usbr.gov

Background and Proposed New User

On October 21, 2013, the State Water Board amended the subject permits and license to authorize the dedication of instream flows, pursuant to Cal. Water Code §1707, and the redirection of those flows at specified locations to facilitate implementation of the San Joaquin River Restoration Program (SJRRP). The October 21, 2013, order approving those amendments recognized that it is anticipated that recapture and recirculation of flows may occur in the future at Patterson Irrigation District (PID) and Banta-Carbona Irrigation District (BCID) facilities.

This proposed transfer is for the redirection at PID and BCID facilities of flows dedicated for instream use pursuant to the existing terms and conditions of the subject water right Permits and License. These are flows that, pursuant to Cal. Water Code § 1707, are and remain under the dominion and control of Reclamation after having been (a) released from Millerton Reservoir following collection to storage, or (2) taken control of using direct diversion rights at Friant Dam, but allowed to pass into the river channel in lieu of being conveyed into the Madera and Friant-Kern canals. Authorization for instream flow dedication has already been received pursuant to the Division of Water Rights Order Dated October 21, 2013, and therefore that authorization is neither requested nor required in this petition. Reclamation will make use of instream conveyance by means of the San Joaquin River to meet obligations of the Central Valley Project (CVP) under existing contracts.

Implementation of the proposed transfer is authorized and directed by, and would be implemented in accordance with, the San Joaquin River Restoration Settlement Act (P.L. 111-11) (Settlement Act). The purpose of the change is to assist in implementing Paragraph 16 of the settlement in *NRDC, et al., v. Kirk Rodgers, et al.*, as authorized in the Settlement Act. Paragraph 16 calls for the development and implementation of a plan for the recirculation, recapture, reuse, exchange, or transfer of Restoration Flows for the purpose of reducing or avoiding impacts to water deliveries to all of the Friant Contractors caused by Restoration Flows.

The subject permits and license provide that "Reclamation shall document that it has taken all practicable measures to provide contract water to the Friant Division Contractors, while complying with all other conditions of this water right. One of these practicable measures shall include implementation of the February 2011 Draft Plan for

the Recirculation, Recapture, Reuse, Exchange or Transfer of Interim and Restoration Flows..." (Permit Terms 26; License Term 22)

Terms and conditions addressing the availability, modification, and recapture of instream flows for implementation of the SJRRP are currently contained in the subject permits and license. The proposed action only involves the addition of other points of rediversion to the ongoing implementation of the SJRRP pursuant to those permits and license. This action involves the location of the recapture of Restoration Flows already released and dedicated pursuant to the Order of October 21, 2013, and not to the dedication of those flows which is already authorized.

Reclamation has prepared a Draft Environmental Assessment (DEA) for this temporary action that incorporates the affected environment and the environmental analysis in the SJRRP Programmatic Environmental Impact Statement/Environmental Impact Report (PEIS/R) finalized in July 2012 and for which a corresponding Record of Decision was issued on September 28, 2012. The recapture of Restoration Flows at existing facilities is included among actions analyzed at the program-level in the PEIS/R. The recirculation of recaptured water at existing facilities, using Central Valley Project, Department of Water Resources, and private facilities, back to Friant Division contractors was covered in the Recirculation of Recaptured Water Year 2013-2017 SJRRP Flows Environmental Assessment (Recirculation EA) which, along with its corresponding Finding of No Significant Impact (Recirculation FONSI), is dated April, 2013. Reclamation is currently preparing the long-term Recapture and Recirculation of Restoration Flows EIS for the SJRRP. In July 2015, Reclamation published a Notice of Intent to prepare an EIS to identify a set of alternatives for the recapture and recirculation of Restoration Flows to long-term contractors of the Friant Division of the CVP.

Period of Transfer/Exchange

The period for the proposed temporary transfer is for one year beginning February 1, 2016.

Points of Diversion and Rediversion

Present Points of Diversion and Rediversion

The points of diversion and rediversion are the same as on file with the State Water Board for Applications 23, 234, 1465, and 5638.

Proposed Points of Rediversion to be Added

The proposed points of rediversion to be added are as follows:

Intake facility for PID, Located N2004071 E6392678 California Coordinate System, Zone 3, NAD 83, being within the SW ¼ of Section 15, T 5S, R8E, M.D.B.&M.

Intake facility for BCID, Located N2083018 E6327281 California Coordinate System, Zone 3, NAD 83, being within the SE ¼ of Section 33, T2S, R6E, M.D.B.&M.

Places of Use

Present Places of Use

The places of use are the same as on file with the State Water Board for Applications 23, 234, 1465, and 5638. See Map 1785-202-50, on file with the State Water Board.

Proposed Places of Use to be Added

No change. The water recaptured by redirection from the San Joaquin River would be used within the places of use authorized for the subject permits and license.

Purposes of Use

Present Purposes of Use

The combined purposes of use for all three permitted applications are irrigation, domestic, incidental domestic, municipal, stockwatering, preservation and enhancement of fish and wildlife, and recreational, as on file with the State Water Board.

Proposed Purpose of Use to be Added

No change.

Season of Use, Direct Use, and Storage

Present Season of Use, Direct Use, and Storage

The present season of use, season of direct use, and season of storage are as specified in these permitted applications and license on file with the State Water Board.

Proposed Season of Use, Direct Use, and Storage

No change.

Proposed New Users

Rediverted flows would be conveyed through PID and BCID facilities to the Delta-Mendota Canal (DMC). Reclamation's CVP contractors capable of receiving CVP supply in the San Luis Unit would receive this water. In addition, the rediverted water in the San Luis Canal would be conveyed through the Cross-Valley Canal to the Friant Division service area, or would be provided to entities in the Tulare Lake region for exchange.

Counties of Storage and Use

The proposed transfer water is presently used and stored within the following counties:

Madera; Fresno; Tulare; Kern; Merced; Stanislaus; Contra Costa; Alameda; San Joaquin; Sacramento.

The proposed transfer water will be placed to beneficial within the following counties within the existing authorized places of use:

Fresno; Merced; Kings, Tulare, Kern,

Amount of Water to be Transferred

A total maximum of up to 28,979 acre-feet of water is proposed for transfer through rediversion at the PID facility. Table 2-1 of the DEA shows potential capacity available for the rediversion at the PID facility for delivery into the DMC. The maximum rate of rediversion at the PID facility is 40 cubic feet per second (cfs).

A total maximum of up to 47,090 acre-feet of water is proposed for transfer through rediversion at BCID facility. Table 2-2 of the DEA shows potential capacity available for the rediversion at the BCID facility for delivery into the DMC. The maximum rate of rediversion at the BCID facility is 65 cfs.

A total combined maximum recapture of 76,069 acre-feet of water is proposed for transfer through both PID and BCID facilities up to a combined rediversion rate of 105 cfs.

General Information

The total quantity of water proposed to be transferred under this petition will be up to 76,069 acre-feet of dedicated instream flows previously stored at Millerton Reservoir and/or taken under control at Friant Dam pursuant to direct diversion rights. Absent the proposed transfer, Reclamation would continue to retain dominion and control of all instream flows downstream of the PID facilities, and would attempt to maximize rediversion at Sacramento-San Joaquin Delta facilities for consumptive use as currently authorized under the subject permits and license. The instream flows would remain protected and removed from use in the downstream water supply. Absent the presence of dedicated instream flows for recapture, the water would have remained in storage at Millerton Reservoir or would have been diverted into the Madera and Friant-Kern canals for use in the Friant Division service area of the CVP.

Reclamation would make the recaptured Restoration Flows available in south-of-Delta facilities (for example, such as San Luis Reservoir, O'Neill Forebay, Delta-Mendota Canal, California Aqueduct, Cross-Valley Canal) for recirculation and beneficial use by

the Friant Contractors. Recirculation to the Friant Contractors would be accomplished through direct delivery, exchange, and/or transfer. This could require the exchange and/or transfer of recaptured Restoration Flows among Friant Contractors or non-Friant Contractors. The Proposed Action would assist in Reclamation meeting its obligation pursuant to the Settlement Act to reduce or avoid adverse water supply impacts on all of the Friant Contractors that may result from Restoration Flows.

Recapture is subject to availability of Restoration Flows and the available capacity of the districts' facilities within the CVP and/or the SWP storage and conveyance facilities, including the California Aqueduct, DMC, San Luis Reservoir, and related pumping facilities. Available capacity is capacity that is available after all statutory and contractual obligations are satisfied to existing water service or supply contracts, exchange contracts, settlement contracts, transfers, or other agreements involving or intended to benefit CVP/SWP contractors served through CVP/SWP facilities. The proposed transfer would not affect water delivery quantities to contractors and refugees outside the Friant Division, including the San Joaquin River Exchange Contractors. There would be no expansion of existing obligations, or increases in demands, to provide CVP water supplies.

The proposed transfer would be subject to the following parameters:

- No native or untilled land (fallow for three consecutive years or more) will be cultivated with the water involved in this action.
- The purposes of water use are consistent with existing authorized purposes of use.
- The recapture of Restoration Flows will be limited to existing supply and will not increase overall consumptive use.
- The recapture of Restoration Flows will not lead to any land conversion.
- The recapture of Restoration Flows will comply with all applicable Federal, State, Local or Tribal laws or requirements imposed for the protection of the environment and Indian Trust Assets (ITAs).
- The recapture of Restoration Flows will not alter the flow regime of streams, creeks, ponds, pools, wetlands, etc.
- The Proposed Action does not include construction or modification of facilities.

The proposed recapture of Restoration Flows on the San Joaquin River downstream from the Merced River at existing facilities on the San Joaquin River (PID and BCID facilities) is described and analyzed at the program-level under Alternatives B and C of the DPEIS/R.

The proposed recapture will not change or affect the manner in which Reclamation will make Recapture and Recirculation Water available to Friant Contractors under the Recirculation EA/FONSI. The Recirculation EA states that the recirculation and

recapture of Restoration Flows in contract water year 2016 was found to have no impact on water resources, land use, biological resources, cultural resources, ITAs, socioeconomic resources, environmental justice, air quality, or global climate change.

The proposed recapture is consistent with the Draft Plan for Recirculation, Recapture, Reuse, Exchange, or Transfer of Interim and Restoration Flows (February 2011) referenced in Term 26 of the subject Permits and Term 22 of the subject License.

Based upon CalSim II water operations simulation, Table 3-1 of the EA provides the estimated portion of the water contract year 2016 Restoration Flows that would reach PID and BCID facilities and be available for recapture. Tables 3-2 and 3-3 show the maximum percentage of average San Joaquin River Flow at Vernalis able to be recaptured at the PID and BCID facilities, respectively. Table 3-4 shows the maximum percentage of average San Joaquin River Flow at Vernalis to be recaptured in the aggregate at PID and BCID facilities. The portion of flows that could be recaptured at PID and BCID is minimal in comparison to the availability of flows in the San Joaquin River. The EA provides that recapture at the PID and BCID facilities would not result in any violations of existing water quality standards or substantial water quality changes that would adversely affect beneficial uses, or have substantive impacts on public health.

Recapture would occur only at screened facilities. The proposed transfer will be conducted to comply with applicable United States Fish and Wildlife (USFWS) and National Marine Fisheries Service (NMFS) operations biological opinions. Reclamation is currently required to comply with Term 42 of the subject license and Term 47 of the subject permits as follows: "Consistent with the Settlement and Settlement Act, Reclamation shall coordinate any flow modifications with the USFWS and NMFS, as applicable. Recapture of water dedicated for instream flow shall be in compliance with the USFWS and NMFS biological opinions." This condition would continue to remain in place during the proposed transfer period as a term within the subject Permits and License.

Proposed Term

The proposed transfer operations with rediversion at the BCID Pumping Plant would be outside the current assumptions of State Water Board Water Right Decision 1641. Such an operation would increase Delta consumptive use and Net Delta Outflow Index as currently defined by Revised D-1641. Consequently, Reclamation requests that the following term be included in the order approving Reclamation's petitions:

- During the times that water is being rediverted at the Banta-Carbona Irrigation District facility pursuant to this temporary transfer order, the Net Delta Outflow Index (NDOI) may be calculated in the manner described in Figure 3 on Page 190 of Revised Water Right Decision 1641 by adding these rediversions to the DELTA EXPORTS calculation.

Access

Reclamation proposes to obtain access to the proposed points of rediversion by virtue of seeking and entering into a one-year agreement with PID and with BCID for the recapture of up to 76,090 AF of Restoration Flows.

Persons Taking Water

Diversers between Friant Dam and the confluence of the Merced River, and from the confluence of the Merced River to and through the Delta, are on file with the Board. Many assumed riparian water right holders between Friant Dam and Gravelly Ford have executed Holding Contracts with Reclamation. Also, the San Joaquin River Exchange Contractors divert water downstream of Friant Dam.

Other Persons Who May Be Affected

The proposed transfer involves the recapture, at two new locations, of water that has been dedicated to instream flow. These two locations are within the river reaches authorized for instream flow dedication under existing permit and license terms and conditions. Other than PID and BCID whose facilities are proposed to be utilized, Reclamation is unaware of other persons who may be affected by the recapture of its dedicated flows.

Reclamation's point of contact is Lonnie Wass, 559-445-6051 at the Central Valley Regional Water Quality Control Board.

Reclamation's point of contact at the California Department of Fish and Wildlife is Gerald Hatler, 559-243-4005, ext. 127.

ENVIRONMENTAL INFORMATION FOR PETITIONS

This form is required for all petitions.

Before the State Water Resources Control Board (State Water Board) can approve a petition, the State Water Board must consider the information contained in an environmental document prepared in compliance with the California Environmental Quality Act (CEQA). This form is not a CEQA document. If a CEQA document has not yet been prepared, a determination must be made of who is responsible for its preparation. As the petitioner, you are responsible for all costs associated with the environmental evaluation and preparation of the required CEQA documents. Please answer the following questions to the best of your ability and submit any studies that have been conducted regarding the environmental evaluation of your project. If you need more space to completely answer the questions, please number and attach additional sheets.

DESCRIPTION OF PROPOSED CHANGES OR WORK REMAINING TO BE COMPLETED

For a petition for change, provide a description of the proposed changes to your project including, but not limited to, type of construction activity, structures existing or to be built, area to be graded or excavated, increase in water diversion and use (up to the amount authorized by the permit), changes in land use, and project operational changes, including changes in how the water will be used. For a petition for extension of time, provide a description of what work has been completed and what remains to be done. Include in your description any of the above elements that will occur during the requested extension period.

See Attachment

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
SACRAMENTO
2015 DEC 15 PM 2:02

Insert the attachment number here, if applicable:

1

Coordination with Regional Water Quality Control Board

For change petitions only, you must request consultation with the Regional Water Quality Control Board regarding the potential effects of your proposed change on water quality and other instream beneficial uses. (Cal. Code Regs., tit. 23, § 794.) In order to determine the appropriate office for consultation, see: http://www.waterboards.ca.gov/waterboards_map.shtml. Provide the date you submitted your request for consultation here, then provide the following information.

Date of Request

See Cover Letter

Will your project, during construction or operation, (1) generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or (2) cause erosion, turbidity or sedimentation?

Yes No

Will a waste discharge permit be required for the project?

Yes No

If necessary, provide additional information below:

[Empty text box for additional information]

Insert the attachment number here, if applicable:

Local Permits

For temporary transfers only, you must contact the board of supervisors for the county(ies) both for where you currently store or use water and where you propose to transfer the water. (Wat. Code § 1726.) Provide the date you submitted your request for consultation here.

Date of Contact

See Cover Letter

For change petitions only, you should contact your local planning or public works department and provide the information below.

Person Contacted: Date of Contact:

Department: Phone Number:

County Zoning Designation:

Are any county permits required for your project? If yes, indicate type below. Yes No

- Grading Permit
- Use Permit
- Watercourse
- Obstruction Permit
- Change of Zoning
- General Plan Change
- Other (explain below)

If applicable, have you obtained any of the permits listed above? If yes, provide copies. Yes No

If necessary, provide additional information below:

[Empty text box for additional information]

Insert the attachment number here, if applicable:

Federal and State Permits

Check any additional agencies that may require permits or other approvals for your project:

- Regional Water Quality Control Board Department of Fish and Game
- Dept of Water Resources, Division of Safety of Dams California Coastal Commission
- State Reclamation Board U.S. Army Corps of Engineers U.S. Forest Service
- Bureau of Land Management Federal Energy Regulatory Commission
- Natural Resources Conservation Service

Have you obtained any of the permits listed above? If yes, provide copies. Yes No

For each agency from which a permit is required, provide the following information:

Agency	Permit Type	Person(s) Contacted	Contact Date	Phone Number

If necessary, provide additional information below:

Reclamation is providing a copy of its petitions to the Central Valley Regional Water Quality Control Board. See cover letter.

Reclamation will seek and enter into agreements with Patterson Irrigation District and Banta-Carbona Irrigation District.

Insert the attachment number here, if applicable:

Construction or Grading Activity

Does the project involve any construction or grading-related activity that has significantly altered or would significantly alter the bed, bank or riparian habitat of any stream or lake? Yes No

If necessary, provide additional information below:

Insert the attachment number here, if applicable:

Archeology

Has an archeological report been prepared for this project? If yes, provide a copy. Yes No

Will another public agency be preparing an archeological report? Yes No

Do you know of any archeological or historic sites in the area? If yes, explain below. Yes No

If necessary, provide additional information below:

See Reclamation's DEA and Recirculation EA/FONSI.

Insert the attachment number here, if applicable:

Photographs

For all petitions other than time extensions, attach complete sets of color photographs, clearly dated and labeled, showing the vegetation that exists at the following three locations:

- Along the stream channel immediately downstream from each point of diversion
- Along the stream channel immediately upstream from each point of diversion
- At the place where water subject to this water right will be used

Maps

For all petitions other than time extensions, attach maps labeled in accordance with the regulations showing all applicable features, both present and proposed, including but not limited to: point of diversion, point of rediversion, distribution of storage reservoirs, point of discharge of treated wastewater, place of use, and location of instream flow dedication reach. (Cal. Code Regs., tit. 23, §§ 715 et seq., 794.)

Pursuant to California Code of Regulations, title 23, section 794, petitions for change submitted without maps may not be accepted.

All Water Right Holders Must Sign This Form:

I (we) hereby certify that the statements I (we) have furnished above and in the attachments are complete to the best of my (our) ability and that the facts, statements, and information presented are true and correct to the best of my (our) knowledge. Dated 12/19/2015 at Sacramento, CA.


Water Right Holder or Authorized Agent Signature

Water Right Holder or Authorized Agent Signature

NOTE:

- **Petitions for Change** may not be accepted unless you include proof that a copy of the petition was served on the Department of Fish and Game. (Cal. Code Regs., tit. 23, § 794.)
- **Petitions for Temporary Transfer** may not be accepted unless you include proof that a copy of the petition was served on the Department of Fish and Game and the board of supervisors for the county(ies) where you currently store or use water and the county(ies) where you propose to transfer the water. (Wat. Code § 1726.)

Description of Proposed Changes

This proposed temporary transfer is for the redirection at PID and BCID facilities of flows dedicated for instream use pursuant to the terms and conditions of the subject water right Permits and License. These are flows that, pursuant to Cal. Water Code § 1707, are and remain under the dominion and control of Reclamation after having been (a) released from Millerton Reservoir following collection to storage, or (2) taken control of using direct diversion rights at Friant Dam, but allowed to pass into the river channel in lieu of being conveyed into the Madera and Friant-Kern canals. Authorization for instream flow dedication has already been received pursuant to the Division of Water Rights Order Dated October 21, 2013, and therefore such authorization is neither requested nor required in this petition. Reclamation will make use of instream conveyance by means of the San Joaquin River to meet obligations of the Central Valley Project (CVP) under existing contracts.

Rediverted flows would be conveyed through PID and BCID facilities to the Delta-Mendota Canal (DMC). Reclamation's CVP contractors capable of receiving CVP supply in the San Luis Unit would receive this water. In addition, the rediverted water in the San Luis Canal would be conveyed through the Cross-Valley Canal to the Friant Division service area, or would be provided to entities in the Tulare Lake region for exchange. Reclamation would make the recaptured SJRRP Interim and Restoration Flows available in south-of-Delta facilities (for example, such as San Luis Reservoir, O'Neill Forebay, Delta-Mendota Canal, California Aqueduct, Cross-Valley Canal) for recirculation and beneficial use by the Friant Contractors. Recirculation to the Friant Contractors would be accomplished through direct delivery, exchange, and/or transfer.

A total maximum of up to 28,979 acre-feet of water is proposed for transfer through redirection at the PID facility. Table 2-1 of the DEA shows potential capacity available for the redirection at the PID facility for delivery into the Delta Mendota Canal. The maximum rate of redirection at the PID facility is 40 cubic feet per second (cfs). A total maximum of up to 47,090 acre-feet of water is proposed for transfer through redirection at BCID facility. Table 2-2 of the DEA shows potential capacity available for the redirection at the BCID facility for delivery into the Delta Mendota Canal. The maximum rate of redirection at the BCID facility is 65 cfs. A total combined maximum recapture of 76,069 acre-feet of water is proposed for transfer through both PID and BCID facilities up to a combined redirection rate of 105 cfs. The period for the proposed temporary transfer is for one year beginning February 1, 2016.

Reclamation has prepared a Draft Environmental Assessment (DEA) for this temporary action that incorporates the affected environment and environmental analysis in the SJRRP Programmatic Environmental Impact Statement/Environmental Impact Report (PEIS/R) finalized in July 2012 and for which a corresponding Record of Decision was issued on September 28, 2012. The recapture of Restoration Flows at existing facilities is included among actions analyzed at the program-level in the PEIS/R. The Recirculation of recaptured water at

Attachment to Environmental Information for Petitions for Temporary Transfer
Permitted Applications 234, 1465, 5638 and Licensed Application 23

existing facilities, using Central Valley Project, Department of Water Resources, and private facilities, back to Friant Division contractors was covered in the Recirculation of Recaptured Water Year 2013-2017 SJRRP Flows Environmental Assessment (Recirculation EA) which, along with the corresponding Finding of No Significant Impact (Recirculation FONSI), is dated April, 2013.

The proposed recapture will not change or affect the manner in which Reclamation will make Recapture and Recirculation Water available to Friant Contractors under the Recirculation EA/FONSI. The Recirculation EA states that the recirculation and recapture of Restoration Flows in contract water year 2016 was found to have no impact on water resources, land use, biological resources, cultural resources, Indian Trust Assets, socioeconomic resources, environmental justice, air quality, or global climate change.

Federal and State Permits

Reclamation's point of contact is Lonnie Wass, 559-445-6051 at the Central Valley Regional Water Quality Control Board.

Reclamation's point of contact at the California Department of Fish and Wildlife is Gerald Hatler, 559-243-4005, ext. 127.

Photographs

The proposed points of diversion using existing facilities and proposed places of use are well known with the State Water Board. Therefore, no representative photographs have been provided here and are presumed to be on file already with the State Water Board.

Maps

Map 1785-202-53 displays the locations of the proposed points of diversion, and Map 1785-202-50 depicts the San Joaquin River Restoration Program instream dedication and places of use. Both maps are on file with the State Water Board.

A001465

Please indicate County where your project is located here:

Madera, Fresno

MAIL FORM AND ATTACHMENTS TO:
State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. Box 2000, Sacramento, CA 95812-2000
Tel: (916) 341-5300 Fax: (916) 341-5400
http://www.waterboards.ca.gov/waterrights

STATE WATER RESOURCES CONTROL BOARD

2015 DEC 15 PM 2:03

DIVISION OF WATER RIGHTS SACRAMENTO

PETITION FOR CHANGE INVOLVING WATER TRANSFERS

Separate petitions are required for each water right. Mark all areas that apply to your proposed change(s). Incomplete forms may not be accepted. Location and area information must be provided on maps in accordance with established requirements. (Cal. Code Regs., tit. 23, § 715 et seq.) Provide attachments if necessary.

- Point of Diversion, Point of Rediversion, Place of Use, Purpose of Use, Temporary Urgency, Temporary Change, Long-term Transfer, Instream Flow Dedication

Application 1465 Permit 11886 License Statement

I (we) hereby petition for change(s) noted above and described as follows:

Point of Diversion or Rediversion - Provide source name and identify points using both Public Land Survey System descriptions to 1/4-1/4 level and California Coordinate System (NAD 83).

Present: See Supplement
Proposed: See Supplement

Place of Use - Identify area using Public Land Survey System descriptions to 1/4-1/4 level; for irrigation, list number of acres irrigated.

Present: See Supplement
Proposed: See Supplement

Purpose of Use

Present: See Supplement
Proposed: See Supplement

Instream Flow Dedication - Provide source name and identify points using both Public Land Survey System descriptions to 1/4-1/4 level and California Coordinate System (NAD 83).

Upstream Location:
Downstream Location:

Table with 12 columns for months (Jan-Dec) and 2 rows for flow quantities.

Will the dedicated flow be diverted for consumptive use at a downstream location? Yes No
If yes, provide the source name, location coordinates, and the quantities of flow that will be diverted from the stream.

Proposed New User(s)

Provide the names, addresses, and phone numbers for all proposed new user(s) of the water right.

See Supplement

Amount of Water to be Transferred

acre-feet will be transferred. If the basis of right is direct diversion, the average rate of diversion for the maximum 30-day period of use is cubic feet per second or million gallons per day.

General Information – Provide the following information, if applicable to your proposed change(s).

Have you attached an analysis which documents that the amount of water to be transferred or exchanged would have been consumptively used or stored in the absence of the proposed temporary change or long-term transfer? Yes No

Have you attached an analysis of any changes to streamflow, water quality, timing of diversion or use, return flows, or effects on legal users from the proposed temporary change or long-term transfer? Yes No

Have you attached an analysis that shows the proposed temporary change or long-term transfer will not unreasonably affect fish, wildlife, or other instream beneficial uses? Yes No

I (we) have access to the proposed point of diversion or control the proposed place of use by virtue of:
 ownership lease verbal agreement written agreement

If by lease or agreement, state name and address of person(s) from whom access has been obtained.

See Supplement.

Give name and address of any person(s) taking water from the stream between the present point of diversion or rediversion and the proposed point of diversion or rediversion, as well as any other person(s) known to you who may be affected by the proposed change.

See Supplement

All Right Holders Must Sign Below: I (we) declare under penalty of perjury that this involves only the amount of water which would have been consumptively used or stored in the absence of the proposed temporary change, and that the above is true and correct to the best of my (our) knowledge and belief.

Dated at


Right Holder or Authorized Agent Signature

Right Holder or Authorized Agent Signature

NOTE: All petitions must be accompanied by:
(1) the form Environmental Information for Petitions, available at:
http://www.waterboards.ca.gov/waterrights/publications_forms/docs/pet_info.pdf
(2) Division of Water Rights fee, per the Water Rights Fee Schedule, available at:
http://www.waterboards.ca.gov/waterrights/water_issues/programs/fees/
(3) Department of Fish and Wildlife fee of \$850 (Pub. Resources Code, § 10005)

Present Holder and User of Water Right

Bureau of Reclamation
Mid-Pacific Region, MP-440
Attention: Mr. Bob Colella
2800 Cottage Way
Sacramento, CA 95825

Telephone: (916) 978-5256
Email: rcolella@usbr.gov

Background and Proposed New User

On October 21, 2013, the State Water Board amended the subject permits and license to authorize the dedication of instream flows, pursuant to Cal. Water Code §1707, and the redirection of those flows at specified locations to facilitate implementation of the San Joaquin River Restoration Program (SJRRP). The October 21, 2013, order approving those amendments recognized that it is anticipated that recapture and recirculation of flows may occur in the future at Patterson Irrigation District (PID) and Banta-Carbona Irrigation District (BCID) facilities.

This proposed transfer is for the redirection at PID and BCID facilities of flows dedicated for instream use pursuant to the existing terms and conditions of the subject water right Permits and License. These are flows that, pursuant to Cal. Water Code § 1707, are and remain under the dominion and control of Reclamation after having been (a) released from Millerton Reservoir following collection to storage, or (2) taken control of using direct diversion rights at Friant Dam, but allowed to pass into the river channel in lieu of being conveyed into the Madera and Friant-Kern canals. Authorization for instream flow dedication has already been received pursuant to the Division of Water Rights Order Dated October 21, 2013, and therefore that authorization is neither requested nor required in this petition. Reclamation will make use of instream conveyance by means of the San Joaquin River to meet obligations of the Central Valley Project (CVP) under existing contracts.

Implementation of the proposed transfer is authorized and directed by, and would be implemented in accordance with, the San Joaquin River Restoration Settlement Act (P.L. 111-11) (Settlement Act). The purpose of the change is to assist in implementing Paragraph 16 of the settlement in *NRDC, et al., v. Kirk Rodgers, et al.*, as authorized in the Settlement Act. Paragraph 16 calls for the development and implementation of a plan for the recirculation, recapture, reuse, exchange, or transfer of Restoration Flows for the purpose of reducing or avoiding impacts to water deliveries to all of the Friant Contractors caused by Restoration Flows.

The subject permits and license provide that "Reclamation shall document that it has taken all practicable measures to provide contract water to the Friant Division Contractors, while complying with all other conditions of this water right. One of these practicable measures shall include implementation of the February 2011 Draft Plan for

the Recirculation, Recapture, Reuse, Exchange or Transfer of Interim and Restoration Flows..." (Permit Terms 26; License Term 22)

Terms and conditions addressing the availability, modification, and recapture of instream flows for implementation of the SJRRP are currently contained in the subject permits and license. The proposed action only involves the addition of other points of rediversion to the ongoing implementation of the SJRRP pursuant to those permits and license. This action involves the location of the recapture of Restoration Flows already released and dedicated pursuant to the Order of October 21, 2013, and not to the dedication of those flows which is already authorized.

Reclamation has prepared a Draft Environmental Assessment (DEA) for this temporary action that incorporates the affected environment and the environmental analysis in the SJRRP Programmatic Environmental Impact Statement/Environmental Impact Report (PEIS/R) finalized in July 2012 and for which a corresponding Record of Decision was issued on September 28, 2012. The recapture of Restoration Flows at existing facilities is included among actions analyzed at the program-level in the PEIS/R. The recirculation of recaptured water at existing facilities, using Central Valley Project, Department of Water Resources, and private facilities, back to Friant Division contractors was covered in the Recirculation of Recaptured Water Year 2013-2017 SJRRP Flows Environmental Assessment (Recirculation EA) which, along with its corresponding Finding of No Significant Impact (Recirculation FONSI), is dated April, 2013. Reclamation is currently preparing the long-term Recapture and Recirculation of Restoration Flows EIS for the SJRRP. In July 2015, Reclamation published a Notice of Intent to prepare an EIS to identify a set of alternatives for the recapture and recirculation of Restoration Flows to long-term contractors of the Friant Division of the CVP.

Period of Transfer/Exchange

The period for the proposed temporary transfer is for one year beginning February 1, 2016.

Points of Diversion and Rediversion

Present Points of Diversion and Rediversion

The points of diversion and rediversion are the same as on file with the State Water Board for Applications 23, 234, 1465, and 5638.

Proposed Points of Rediversion to be Added

The proposed points of rediversion to be added are as follows:

Intake facility for PID, Located N2004071 E6392678 California Coordinate System, Zone 3, NAD 83, being within the SW ¼ of Section 15, T 5S, R8E, M.D.B.&M.

Intake facility for BCID, Located N2083018 E6327281 California Coordinate System, Zone 3, NAD 83, being within the SE ¼ of Section 33, T2S, R6E, M.D.B.&M.

Places of Use

Present Places of Use

The places of use are the same as on file with the State Water Board for Applications 23, 234, 1465, and 5638. See Map 1785-202-50, on file with the State Water Board.

Proposed Places of Use to be Added

No change. The water recaptured by redirection from the San Joaquin River would be used within the places of use authorized for the subject permits and license.

Purposes of Use

Present Purposes of Use

The combined purposes of use for all three permitted applications are irrigation, domestic, incidental domestic, municipal, stockwatering, preservation and enhancement of fish and wildlife, and recreational, as on file with the State Water Board.

Proposed Purpose of Use to be Added

No change.

Season of Use, Direct Use, and Storage

Present Season of Use, Direct Use, and Storage

The present season of use, season of direct use, and season of storage are as specified in these permitted applications and license on file with the State Water Board.

Proposed Season of Use, Direct Use, and Storage

No change.

Proposed New Users

Rediverted flows would be conveyed through PID and BCID facilities to the Delta-Mendota Canal (DMC). Reclamation's CVP contractors capable of receiving CVP supply in the San Luis Unit would receive this water. In addition, the rediverted water in the San Luis Canal would be conveyed through the Cross-Valley Canal to the Friant Division service area, or would be provided to entities in the Tulare Lake region for exchange.

Counties of Storage and Use

The proposed transfer water is presently used and stored within the following counties:

Madera; Fresno; Tulare; Kern; Merced; Stanislaus; Contra Costa; Alameda; San Joaquin; Sacramento.

The proposed transfer water will be placed to beneficial within the following counties within the existing authorized places of use:

Fresno; Merced; Kings, Tulare, Kern,

Amount of Water to be Transferred

A total maximum of up to 28,979 acre-feet of water is proposed for transfer through rediversion at the PID facility. Table 2-1 of the DEA shows potential capacity available for the rediversion at the PID facility for delivery into the DMC. The maximum rate of rediversion at the PID facility is 40 cubic feet per second (cfs).

A total maximum of up to 47,090 acre-feet of water is proposed for transfer through rediversion at BCID facility. Table 2-2 of the DEA shows potential capacity available for the rediversion at the BCID facility for delivery into the DMC. The maximum rate of rediversion at the BCID facility is 65 cfs.

A total combined maximum recapture of 76,069 acre-feet of water is proposed for transfer through both PID and BCID facilities up to a combined rediversion rate of 105 cfs.

General Information

The total quantity of water proposed to be transferred under this petition will be up to 76,069 acre-feet of dedicated instream flows previously stored at Millerton Reservoir and/or taken under control at Friant Dam pursuant to direct diversion rights. Absent the proposed transfer, Reclamation would continue to retain dominion and control of all instream flows downstream of the PID facilities, and would attempt to maximize rediversion at Sacramento-San Joaquin Delta facilities for consumptive use as currently authorized under the subject permits and license. The instream flows would remain protected and removed from use in the downstream water supply. Absent the presence of dedicated instream flows for recapture, the water would have remained in storage at Millerton Reservoir or would have been diverted into the Madera and Friant-Kern canals for use in the Friant Division service area of the CVP.

Reclamation would make the recaptured Restoration Flows available in south-of-Delta facilities (for example, such as San Luis Reservoir, O'Neill Forebay, Delta-Mendota Canal, California Aqueduct, Cross-Valley Canal) for recirculation and beneficial use by

the Friant Contractors. Recirculation to the Friant Contractors would be accomplished through direct delivery, exchange, and/or transfer. This could require the exchange and/or transfer of recaptured Restoration Flows among Friant Contractors or non-Friant Contractors. The Proposed Action would assist in Reclamation meeting its obligation pursuant to the Settlement Act to reduce or avoid adverse water supply impacts on all of the Friant Contractors that may result from Restoration Flows.

Recapture is subject to availability of Restoration Flows and the available capacity of the districts' facilities within the CVP and/or the SWP storage and conveyance facilities, including the California Aqueduct, DMC, San Luis Reservoir, and related pumping facilities. Available capacity is capacity that is available after all statutory and contractual obligations are satisfied to existing water service or supply contracts, exchange contracts, settlement contracts, transfers, or other agreements involving or intended to benefit CVP/SWP contractors served through CVP/SWP facilities. The proposed transfer would not affect water delivery quantities to contractors and refuges outside the Friant Division, including the San Joaquin River Exchange Contractors. There would be no expansion of existing obligations, or increases in demands, to provide CVP water supplies.

The proposed transfer would be subject to the following parameters:

- No native or untilled land (fallow for three consecutive years or more) will be cultivated with the water involved in this action.
- The purposes of water use are consistent with existing authorized purposes of use.
- The recapture of Restoration Flows will be limited to existing supply and will not increase overall consumptive use.
- The recapture of Restoration Flows will not lead to any land conversion.
- The recapture of Restoration Flows will comply with all applicable Federal, State, Local or Tribal laws or requirements imposed for the protection of the environment and Indian Trust Assets (ITAs).
- The recapture of Restoration Flows will not alter the flow regime of streams, creeks, ponds, pools, wetlands, etc.
- The Proposed Action does not include construction or modification of facilities.

The proposed recapture of Restoration Flows on the San Joaquin River downstream from the Merced River at existing facilities on the San Joaquin River (PID and BCID facilities) is described and analyzed at the program-level under Alternatives B and C of the DPEIS/R.

The proposed recapture will not change or affect the manner in which Reclamation will make Recapture and Recirculation Water available to Friant Contractors under the Recirculation EA/FONSI. The Recirculation EA states that the recirculation and

recapture of Restoration Flows in contract water year 2016 was found to have no impact on water resources, land use, biological resources, cultural resources, ITAs, socioeconomic resources, environmental justice, air quality, or global climate change.

The proposed recapture is consistent with the Draft Plan for Recirculation, Recapture, Reuse, Exchange, or Transfer of Interim and Restoration Flows (February 2011) referenced in Term 26 of the subject Permits and Term 22 of the subject License.

Based upon CalSim II water operations simulation, Table 3-1 of the EA provides the estimated portion of the water contract year 2016 Restoration Flows that would reach PID and BCID facilities and be available for recapture. Tables 3-2 and 3-3 show the maximum percentage of average San Joaquin River Flow at Vernalis able to be recaptured at the PID and BCID facilities, respectively. Table 3-4 shows the maximum percentage of average San Joaquin River Flow at Vernalis to be recaptured in the aggregate at PID and BCID facilities. The portion of flows that could be recaptured at PID and BCID is minimal in comparison to the availability of flows in the San Joaquin River. The EA provides that recapture at the PID and BCID facilities would not result in any violations of existing water quality standards or substantial water quality changes that would adversely affect beneficial uses, or have substantive impacts on public health.

Recapture would occur only at screened facilities. The proposed transfer will be conducted to comply with applicable United States Fish and Wildlife (USFWS) and National Marine Fisheries Service (NMFS) operations biological opinions. Reclamation is currently required to comply with Term 42 of the subject license and Term 47 of the subject permits as follows: "Consistent with the Settlement and Settlement Act, Reclamation shall coordinate any flow modifications with the USFWS and NMFS, as applicable. Recapture of water dedicated for instream flow shall be in compliance with the USFWS and NMFS biological opinions." This condition would continue to remain in place during the proposed transfer period as a term within the subject Permits and License.

Proposed Term

The proposed transfer operations with rediversion at the BCID Pumping Plant would be outside the current assumptions of State Water Board Water Right Decision 1641. Such an operation would increase Delta consumptive use and Net Delta Outflow Index as currently defined by Revised D-1641. Consequently, Reclamation requests that the following term be included in the order approving Reclamation's petitions:

- During the times that water is being rediverted at the Banta-Carbona Irrigation District facility pursuant to this temporary transfer order, the Net Delta Outflow Index (NDOI) may be calculated in the manner described in Figure 3 on Page 190 of Revised Water Right Decision 1641 by adding these rediversions to the DELTA EXPORTS calculation.

Access

Reclamation proposes to obtain access to the proposed points of rediversion by virtue of seeking and entering into a one-year agreement with PID and with BCID for the recapture of up to 76,090 AF of Restoration Flows.

Persons Taking Water

Diverters between Friant Dam and the confluence of the Merced River, and from the confluence of the Merced River to and through the Delta, are on file with the Board. Many assumed riparian water right holders between Friant Dam and Gravelly Ford have executed Holding Contracts with Reclamation. Also, the San Joaquin River Exchange Contractors divert water downstream of Friant Dam.

Other Persons Who May Be Affected

The proposed transfer involves the recapture, at two new locations, of water that has been dedicated to instream flow. These two locations are within the river reaches authorized for instream flow dedication under existing permit and license terms and conditions. Other than PID and BCID whose facilities are proposed to be utilized, Reclamation is unaware of other persons who may be affected by the recapture of its dedicated flows.

Reclamation's point of contact is Lonnie Wass, 559-445-6051 at the Central Valley Regional Water Quality Control Board.

Reclamation's point of contact at the California Department of Fish and Wildlife is Gerald Hatler, 559-243-4005, ext. 127.

State of California
State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. Box 2000, Sacramento, CA 95812-2000
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<http://www.waterboards.ca.gov/waterrights>

ENVIRONMENTAL INFORMATION FOR PETITIONS

This form is required for all petitions.

Before the State Water Resources Control Board (State Water Board) can approve a petition, the State Water Board must consider the information contained in an environmental document prepared in compliance with the California Environmental Quality Act (CEQA). This form is not a CEQA document. If a CEQA document has not yet been prepared, a determination must be made of who is responsible for its preparation. As the petitioner, you are responsible for all costs associated with the environmental evaluation and preparation of the required CEQA documents. Please answer the following questions to the best of your ability and submit any studies that have been conducted regarding the environmental evaluation of your project. If you need more space to completely answer the questions, please number and attach additional sheets.

DESCRIPTION OF PROPOSED CHANGES OR WORK REMAINING TO BE COMPLETED

For a petition for change, provide a description of the proposed changes to your project including, but not limited to, type of construction activity, structures existing or to be built, area to be graded or excavated, increase in water diversion and use (up to the amount authorized by the permit), changes in land use, and project operational changes, including changes in how the water will be used. For a petition for extension of time, provide a description of what work has been completed and what remains to be done. Include in your description any of the above elements that will occur during the requested extension period.

See Attachment

STATE WATER RESOURCES CONTROL BOARD
2015 DEC 15 PM 2:03
DIVISION OF WATER RIGHTS
SACRAMENTO

Insert the attachment number here, if applicable:

1

Coordination with Regional Water Quality Control Board

For change petitions only, you must request consultation with the Regional Water Quality Control Board regarding the potential effects of your proposed change on water quality and other instream beneficial uses. (Cal. Code Regs., tit. 23, § 794.) In order to determine the appropriate office for consultation, see: http://www.waterboards.ca.gov/waterboards_map.shtml. Provide the date you submitted your request for consultation here, then provide the following information.

Date of Request

See Cover Letter

Will your project, during construction or operation, (1) generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or (2) cause erosion, turbidity or sedimentation?

Yes No

Will a waste discharge permit be required for the project?

Yes No

If necessary, provide additional information below:

[Empty text box for additional information]

Insert the attachment number here, if applicable:

Local Permits

For temporary transfers only, you must contact the board of supervisors for the county(ies) both for where you currently store or use water and where you propose to transfer the water. (Wat. Code § 1726.) Provide the date you submitted your request for consultation here.

Date of Contact

See Cover Letter

For change petitions only, you should contact your local planning or public works department and provide the information below.

Person Contacted: Date of Contact:

Department: Phone Number:

County Zoning Designation:

Are any county permits required for your project? If yes, indicate type below. Yes No

- Grading Permit
- Use Permit
- Watercourse
- Obstruction Permit
- Change of Zoning
- General Plan Change
- Other (explain below)

If applicable, have you obtained any of the permits listed above? If yes, provide copies. Yes No

If necessary, provide additional information below:

[Empty text box for additional information]

Insert the attachment number here, if applicable:

Federal and State Permits

Check any additional agencies that may require permits or other approvals for your project:

- Regional Water Quality Control Board Department of Fish and Game
- Dept of Water Resources, Division of Safety of Dams California Coastal Commission
- State Reclamation Board U.S. Army Corps of Engineers U.S. Forest Service
- Bureau of Land Management Federal Energy Regulatory Commission
- Natural Resources Conservation Service

Have you obtained any of the permits listed above? If yes, provide copies. Yes No

For each agency from which a permit is required, provide the following information:

Agency	Permit Type	Person(s) Contacted	Contact Date	Phone Number

If necessary, provide additional information below:

Reclamation is providing a copy of its petitions to the Central Valley Regional Water Quality Control Board. See cover letter.
 Reclamation will seek and enter into agreements with Patterson Irrigation District and Banta-Carbona Irrigation District.

Insert the attachment number here, if applicable:

Construction or Grading Activity

Does the project involve any construction or grading-related activity that has significantly altered or would significantly alter the bed, bank or riparian habitat of any stream or lake? Yes No

If necessary, provide additional information below:

Insert the attachment number here, if applicable:

Archeology

Has an archeological report been prepared for this project? If yes, provide a copy. Yes No

Will another public agency be preparing an archeological report? Yes No

Do you know of any archeological or historic sites in the area? If yes, explain below. Yes No

If necessary, provide additional information below:

See Reclamation's DEA and Recirculation EA/FONSI.

Insert the attachment number here, if applicable:

Photographs

For all petitions other than time extensions, attach complete sets of color photographs, clearly dated and labeled, showing the vegetation that exists at the following three locations:

- Along the stream channel immediately downstream from each point of diversion
- Along the stream channel immediately upstream from each point of diversion
- At the place where water subject to this water right will be used

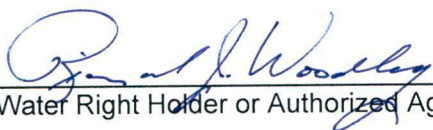
Maps

For all petitions other than time extensions, attach maps labeled in accordance with the regulations showing all applicable features, both present and proposed, including but not limited to: point of diversion, point of rediversion, distribution of storage reservoirs, point of discharge of treated wastewater, place of use, and location of instream flow dedication reach. (Cal. Code Regs., tit. 23, §§ 715 et seq., 794.)

Pursuant to California Code of Regulations, title 23, section 794, petitions for change submitted without maps may not be accepted.

All Water Right Holders Must Sign This Form:

I (we) hereby certify that the statements I (we) have furnished above and in the attachments are complete to the best of my (our) ability and that the facts, statements, and information presented are true and correct to the best of my (our) knowledge. Dated 12/17/2015 at Sacramento, CA.



Water Right Holder or Authorized Agent Signature

Water Right Holder or Authorized Agent Signature

NOTE:

- **Petitions for Change** may not be accepted unless you include proof that a copy of the petition was served on the Department of Fish and Game. (Cal. Code Regs., tit. 23, § 794.)
- **Petitions for Temporary Transfer** may not be accepted unless you include proof that a copy of the petition was served on the Department of Fish and Game and the board of supervisors for the county(ies) where you currently store or use water and the county(ies) where you propose to transfer the water. (Wat. Code § 1726.)

Description of Proposed Changes

This proposed temporary transfer is for the redirection at PID and BCID facilities of flows dedicated for instream use pursuant to the terms and conditions of the subject water right Permits and License. These are flows that, pursuant to Cal. Water Code § 1707, are and remain under the dominion and control of Reclamation after having been (a) released from Millerton Reservoir following collection to storage, or (2) taken control of using direct diversion rights at Friant Dam, but allowed to pass into the river channel in lieu of being conveyed into the Madera and Friant-Kern canals. Authorization for instream flow dedication has already been received pursuant to the Division of Water Rights Order Dated October 21, 2013, and therefore such authorization is neither requested nor required in this petition. Reclamation will make use of instream conveyance by means of the San Joaquin River to meet obligations of the Central Valley Project (CVP) under existing contracts.

Rediverted flows would be conveyed through PID and BCID facilities to the Delta-Mendota Canal (DMC). Reclamation's CVP contractors capable of receiving CVP supply in the San Luis Unit would receive this water. In addition, the rediverted water in the San Luis Canal would be conveyed through the Cross-Valley Canal to the Friant Division service area, or would be provided to entities in the Tulare Lake region for exchange. Reclamation would make the recaptured SJRRP Interim and Restoration Flows available in south-of-Delta facilities (for example, such as San Luis Reservoir, O'Neill Forebay, Delta-Mendota Canal, California Aqueduct, Cross-Valley Canal) for recirculation and beneficial use by the Friant Contractors. Recirculation to the Friant Contractors would be accomplished through direct delivery, exchange, and/or transfer.

A total maximum of up to 28,979 acre-feet of water is proposed for transfer through redirection at the PID facility. Table 2-1 of the DEA shows potential capacity available for the redirection at the PID facility for delivery into the Delta Mendota Canal. The maximum rate of redirection at the PID facility is 40 cubic feet per second (cfs). A total maximum of up to 47,090 acre-feet of water is proposed for transfer through redirection at BCID facility. Table 2-2 of the DEA shows potential capacity available for the redirection at the BCID facility for delivery into the Delta Mendota Canal. The maximum rate of redirection at the BCID facility is 65 cfs. A total combined maximum recapture of 76,069 acre-feet of water is proposed for transfer through both PID and BCID facilities up to a combined redirection rate of 105 cfs. The period for the proposed temporary transfer is for one year beginning February 1, 2016.

Reclamation has prepared a Draft Environmental Assessment (DEA) for this temporary action that incorporates the affected environment and environmental analysis in the SJRRP Programmatic Environmental Impact Statement/Environmental Impact Report (PEIS/R) finalized in July 2012 and for which a corresponding Record of Decision was issued on September 28, 2012. The recapture of Restoration Flows at existing facilities is included among actions analyzed at the program-level in the PEIS/R. The Recirculation of recaptured water at

existing facilities, using Central Valley Project, Department of Water Resources, and private facilities, back to Friant Division contractors was covered in the Recirculation of Recaptured Water Year 2013-2017 SJRRP Flows Environmental Assessment (Recirculation EA) which, along with the corresponding Finding of No Significant Impact (Recirculation FONSI), is dated April, 2013.

The proposed recapture will not change or affect the manner in which Reclamation will make Recapture and Recirculation Water available to Friant Contractors under the Recirculation EA/FONSI. The Recirculation EA states that the recirculation and recapture of Restoration Flows in contract water year 2016 was found to have no impact on water resources, land use, biological resources, cultural resources, Indian Trust Assets, socioeconomic resources, environmental justice, air quality, or global climate change.

Federal and State Permits

Reclamation's point of contact is Lonnie Wass, 559-445-6051 at the Central Valley Regional Water Quality Control Board.

Reclamation's point of contact at the California Department of Fish and Wildlife is Gerald Hatler, 559-243-4005, ext. 127.

Photographs

The proposed points of redirection using existing facilities and proposed places of use are well known with the State Water Board. Therefore, no representative photographs have been provided here and are presumed to be on file already with the State Water Board.

Maps

Map 1785-202-53 displays the locations of the proposed points of redirection, and Map 1785-202-50 depicts the San Joaquin River Restoration Program instream dedication and places of use. Both maps are on file with the State Water Board.

A005638

Please indicate County where your project is located here:

Madera, Fresno

MAIL FORM AND ATTACHMENTS TO:
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P.O. Box 2000, Sacramento, CA 95812-2000
Tel: (916) 341-5300 Fax: (916) 341-5400
http://www.waterboards.ca.gov/waterrights

STATE WATER RESOURCES CONTROL BOARD

2015 DEC 15 PM 2:06

DIVISION OF WATER RIGHTS SACRAMENTO

PETITION FOR CHANGE INVOLVING WATER TRANSFERS

Separate petitions are required for each water right. Mark all areas that apply to your proposed change(s). Incomplete forms may not be accepted. Location and area information must be provided on maps in accordance with established requirements. (Cal. Code Regs., tit. 23, § 715 et seq.) Provide attachments if necessary.

- Point of Diversion, Point of Rediversion, Place of Use, Purpose of Use, Temporary Urgency, Temporary Change, Long-term Transfer, Instream Flow Dedication

Application 5638 Permit 11887 License Statement

I (we) hereby petition for change(s) noted above and described as follows:

Point of Diversion or Rediversion - Provide source name and identify points using both Public Land Survey System descriptions to 1/4-1/4 level and California Coordinate System (NAD 83).

Present: See Supplement
Proposed: See Supplement

Place of Use - Identify area using Public Land Survey System descriptions to 1/4-1/4 level; for irrigation, list number of acres irrigated.

Present: See Supplement
Proposed: See Supplement

Purpose of Use

Present: See Supplement
Proposed: See Supplement

Instream Flow Dedication - Provide source name and identify points using both Public Land Survey System descriptions to 1/4-1/4 level and California Coordinate System (NAD 83).

Upstream Location:
Downstream Location:

Table with 12 columns for months (Jan-Dec) and 2 rows for flow quantities.

Will the dedicated flow be diverted for consumptive use at a downstream location? Yes No
If yes, provide the source name, location coordinates, and the quantities of flow that will be diverted from the stream.

Proposed New User(s)

Provide the names, addresses, and phone numbers for all proposed new user(s) of the water right.

See Supplement

Amount of Water to be Transferred

acre-feet will be transferred. If the basis of right is direct diversion, the average rate of diversion for the maximum 30-day period of use is cubic feet per second or million gallons per day.

General Information – Provide the following information, if applicable to your proposed change(s).

Have you attached an analysis which documents that the amount of water to be transferred or exchanged would have been consumptively used or stored in the absence of the proposed temporary change or long-term transfer? Yes No

Have you attached an analysis of any changes to streamflow, water quality, timing of diversion or use, return flows, or effects on legal users from the proposed temporary change or long-term transfer? Yes No

Have you attached an analysis that shows the proposed temporary change or long-term transfer will not unreasonably affect fish, wildlife, or other instream beneficial uses? Yes No

I (we) have access to the proposed point of diversion or control the proposed place of use by virtue of:
 ownership lease verbal agreement written agreement

If by lease or agreement, state name and address of person(s) from whom access has been obtained.

Give name and address of any person(s) taking water from the stream between the present point of diversion or rediversion and the proposed point of diversion or rediversion, as well as any other person(s) known to you who may be affected by the proposed change.

All Right Holders Must Sign Below: I (we) declare under penalty of perjury that this involves only the amount of water which would have been consumptively used or stored in the absence of the proposed temporary change, and that the above is true and correct to the best of my (our) knowledge and belief.

Dated at


Right Holder or Authorized Agent Signature

Right Holder or Authorized Agent Signature

NOTE: All petitions must be accompanied by:
(1) the form Environmental Information for Petitions, available at: http://www.waterboards.ca.gov/waterrights/publications_forms/forms/docs/pet_info.pdf
(2) Division of Water Rights fee, per the Water Rights Fee Schedule, available at: http://www.waterboards.ca.gov/waterrights/water_issues/programs/fees/
(3) Department of Fish and Wildlife fee of \$850 (Pub. Resources Code, § 10005)

Present Holder and User of Water Right

Bureau of Reclamation
Mid-Pacific Region, MP-440
Attention: Mr. Bob Colella
2800 Cottage Way
Sacramento, CA 95825

Telephone: (916) 978-5256
Email: rcolella@usbr.gov

Background and Proposed New User

On October 21, 2013, the State Water Board amended the subject permits and license to authorize the dedication of instream flows, pursuant to Cal. Water Code §1707, and the redirection of those flows at specified locations to facilitate implementation of the San Joaquin River Restoration Program (SJRRP). The October 21, 2013, order approving those amendments recognized that it is anticipated that recapture and recirculation of flows may occur in the future at Patterson Irrigation District (PID) and Banta-Carbona Irrigation District (BCID) facilities.

This proposed transfer is for the redirection at PID and BCID facilities of flows dedicated for instream use pursuant to the existing terms and conditions of the subject water right Permits and License. These are flows that, pursuant to Cal. Water Code § 1707, are and remain under the dominion and control of Reclamation after having been (a) released from Millerton Reservoir following collection to storage, or (2) taken control of using direct diversion rights at Friant Dam, but allowed to pass into the river channel in lieu of being conveyed into the Madera and Friant-Kern canals. Authorization for instream flow dedication has already been received pursuant to the Division of Water Rights Order Dated October 21, 2013, and therefore that authorization is neither requested nor required in this petition. Reclamation will make use of instream conveyance by means of the San Joaquin River to meet obligations of the Central Valley Project (CVP) under existing contracts.

Implementation of the proposed transfer is authorized and directed by, and would be implemented in accordance with, the San Joaquin River Restoration Settlement Act (P.L. 111-11) (Settlement Act). The purpose of the change is to assist in implementing Paragraph 16 of the settlement in *NRDC, et al., v. Kirk Rodgers, et al.*, as authorized in the Settlement Act. Paragraph 16 calls for the development and implementation of a plan for the recirculation, recapture, reuse, exchange, or transfer of Restoration Flows for the purpose of reducing or avoiding impacts to water deliveries to all of the Friant Contractors caused by Restoration Flows.

The subject permits and license provide that "Reclamation shall document that it has taken all practicable measures to provide contract water to the Friant Division Contractors, while complying with all other conditions of this water right. One of these practicable measures shall include implementation of the February 2011 Draft Plan for

the Recirculation, Recapture, Reuse, Exchange or Transfer of Interim and Restoration Flows..." (Permit Terms 26; License Term 22)

Terms and conditions addressing the availability, modification, and recapture of instream flows for implementation of the SJRRP are currently contained in the subject permits and license. The proposed action only involves the addition of other points of rediversion to the ongoing implementation of the SJRRP pursuant to those permits and license. This action involves the location of the recapture of Restoration Flows already released and dedicated pursuant to the Order of October 21, 2013, and not to the dedication of those flows which is already authorized.

Reclamation has prepared a Draft Environmental Assessment (DEA) for this temporary action that incorporates the affected environment and the environmental analysis in the SJRRP Programmatic Environmental Impact Statement/Environmental Impact Report (PEIS/R) finalized in July 2012 and for which a corresponding Record of Decision was issued on September 28, 2012. The recapture of Restoration Flows at existing facilities is included among actions analyzed at the program-level in the PEIS/R. The recirculation of recaptured water at existing facilities, using Central Valley Project, Department of Water Resources, and private facilities, back to Friant Division contractors was covered in the Recirculation of Recaptured Water Year 2013-2017 SJRRP Flows Environmental Assessment (Recirculation EA) which, along with its corresponding Finding of No Significant Impact (Recirculation FONSI), is dated April, 2013. Reclamation is currently preparing the long-term Recapture and Recirculation of Restoration Flows EIS for the SJRRP. In July 2015, Reclamation published a Notice of Intent to prepare an EIS to identify a set of alternatives for the recapture and recirculation of Restoration Flows to long-term contractors of the Friant Division of the CVP.

Period of Transfer/Exchange

The period for the proposed temporary transfer is for one year beginning February 1, 2016.

Points of Diversion and Rediversion

Present Points of Diversion and Rediversion

The points of diversion and rediversion are the same as on file with the State Water Board for Applications 23, 234, 1465, and 5638.

Proposed Points of Rediversion to be Added

The proposed points of rediversion to be added are as follows:

Intake facility for PID, Located N2004071 E6392678 California Coordinate System, Zone 3, NAD 83, being within the SW ¼ of Section 15, T 5S, R8E, M.D.B.&M.

Intake facility for BCID, Located N2083018 E6327281 California Coordinate System, Zone 3, NAD 83, being within the SE ¼ of Section 33, T2S, R6E, M.D.B.&M.

Places of Use

Present Places of Use

The places of use are the same as on file with the State Water Board for Applications 23, 234, 1465, and 5638. See Map 1785-202-50, on file with the State Water Board.

Proposed Places of Use to be Added

No change. The water recaptured by redirection from the San Joaquin River would be used within the places of use authorized for the subject permits and license.

Purposes of Use

Present Purposes of Use

The combined purposes of use for all three permitted applications are irrigation, domestic, incidental domestic, municipal, stockwatering, preservation and enhancement of fish and wildlife, and recreational, as on file with the State Water Board.

Proposed Purpose of Use to be Added

No change.

Season of Use, Direct Use, and Storage

Present Season of Use, Direct Use, and Storage

The present season of use, season of direct use, and season of storage are as specified in these permitted applications and license on file with the State Water Board.

Proposed Season of Use, Direct Use, and Storage

No change.

Proposed New Users

Rediverted flows would be conveyed through PID and BCID facilities to the Delta-Mendota Canal (DMC). Reclamation's CVP contractors capable of receiving CVP supply in the San Luis Unit would receive this water. In addition, the rediverted water in the San Luis Canal would be conveyed through the Cross-Valley Canal to the Friant Division service area, or would be provided to entities in the Tulare Lake region for exchange.

Counties of Storage and Use

The proposed transfer water is presently used and stored within the following counties:

Madera; Fresno; Tulare; Kern; Merced; Stanislaus; Contra Costa; Alameda; San Joaquin; Sacramento.

The proposed transfer water will be placed to beneficial within the following counties within the existing authorized places of use:

Fresno; Merced; Kings, Tulare, Kern,

Amount of Water to be Transferred

A total maximum of up to 28,979 acre-feet of water is proposed for transfer through rediversion at the PID facility. Table 2-1 of the DEA shows potential capacity available for the rediversion at the PID facility for delivery into the DMC. The maximum rate of rediversion at the PID facility is 40 cubic feet per second (cfs).

A total maximum of up to 47,090 acre-feet of water is proposed for transfer through rediversion at BCID facility. Table 2-2 of the DEA shows potential capacity available for the rediversion at the BCID facility for delivery into the DMC. The maximum rate of rediversion at the BCID facility is 65 cfs.

A total combined maximum recapture of 76,069 acre-feet of water is proposed for transfer through both PID and BCID facilities up to a combined rediversion rate of 105 cfs.

General Information

The total quantity of water proposed to be transferred under this petition will be up to 76,069 acre-feet of dedicated instream flows previously stored at Millerton Reservoir and/or taken under control at Friant Dam pursuant to direct diversion rights. Absent the proposed transfer, Reclamation would continue to retain dominion and control of all instream flows downstream of the PID facilities, and would attempt to maximize rediversion at Sacramento-San Joaquin Delta facilities for consumptive use as currently authorized under the subject permits and license. The instream flows would remain protected and removed from use in the downstream water supply. Absent the presence of dedicated instream flows for recapture, the water would have remained in storage at Millerton Reservoir or would have been diverted into the Madera and Friant-Kern canals for use in the Friant Division service area of the CVP.

Reclamation would make the recaptured Restoration Flows available in south-of-Delta facilities (for example, such as San Luis Reservoir, O'Neill Forebay, Delta-Mendota Canal, California Aqueduct, Cross-Valley Canal) for recirculation and beneficial use by

the Friant Contractors. Recirculation to the Friant Contractors would be accomplished through direct delivery, exchange, and/or transfer. This could require the exchange and/or transfer of recaptured Restoration Flows among Friant Contractors or non-Friant Contractors. The Proposed Action would assist in Reclamation meeting its obligation pursuant to the Settlement Act to reduce or avoid adverse water supply impacts on all of the Friant Contractors that may result from Restoration Flows.

Recapture is subject to availability of Restoration Flows and the available capacity of the districts' facilities within the CVP and/or the SWP storage and conveyance facilities, including the California Aqueduct, DMC, San Luis Reservoir, and related pumping facilities. Available capacity is capacity that is available after all statutory and contractual obligations are satisfied to existing water service or supply contracts, exchange contracts, settlement contracts, transfers, or other agreements involving or intended to benefit CVP/SWP contractors served through CVP/SWP facilities. The proposed transfer would not affect water delivery quantities to contractors and refugees outside the Friant Division, including the San Joaquin River Exchange Contractors. There would be no expansion of existing obligations, or increases in demands, to provide CVP water supplies.

The proposed transfer would be subject to the following parameters:

- No native or untilled land (fallow for three consecutive years or more) will be cultivated with the water involved in this action.
- The purposes of water use are consistent with existing authorized purposes of use.
- The recapture of Restoration Flows will be limited to existing supply and will not increase overall consumptive use.
- The recapture of Restoration Flows will not lead to any land conversion.
- The recapture of Restoration Flows will comply with all applicable Federal, State, Local or Tribal laws or requirements imposed for the protection of the environment and Indian Trust Assets (ITAs).
- The recapture of Restoration Flows will not alter the flow regime of streams, creeks, ponds, pools, wetlands, etc.
- The Proposed Action does not include construction or modification of facilities.

The proposed recapture of Restoration Flows on the San Joaquin River downstream from the Merced River at existing facilities on the San Joaquin River (PID and BCID facilities) is described and analyzed at the program-level under Alternatives B and C of the DPEIS/R.

The proposed recapture will not change or affect the manner in which Reclamation will make Recapture and Recirculation Water available to Friant Contractors under the Recirculation EA/FONSI. The Recirculation EA states that the recirculation and

recapture of Restoration Flows in contract water year 2016 was found to have no impact on water resources, land use, biological resources, cultural resources, ITAs, socioeconomic resources, environmental justice, air quality, or global climate change.

The proposed recapture is consistent with the Draft Plan for Recirculation, Recapture, Reuse, Exchange, or Transfer of Interim and Restoration Flows (February 2011) referenced in Term 26 of the subject Permits and Term 22 of the subject License.

Based upon CalSim II water operations simulation, Table 3-1 of the EA provides the estimated portion of the water contract year 2016 Restoration Flows that would reach PID and BCID facilities and be available for recapture. Tables 3-2 and 3-3 show the maximum percentage of average San Joaquin River Flow at Vernalis able to be recaptured at the PID and BCID facilities, respectively. Table 3-4 shows the maximum percentage of average San Joaquin River Flow at Vernalis to be recaptured in the aggregate at PID and BCID facilities. The portion of flows that could be recaptured at PID and BCID is minimal in comparison to the availability of flows in the San Joaquin River. The EA provides that recapture at the PID and BCID facilities would not result in any violations of existing water quality standards or substantial water quality changes that would adversely affect beneficial uses, or have substantive impacts on public health.

Recapture would occur only at screened facilities. The proposed transfer will be conducted to comply with applicable United States Fish and Wildlife (USFWS) and National Marine Fisheries Service (NMFS) operations biological opinions. Reclamation is currently required to comply with Term 42 of the subject license and Term 47 of the subject permits as follows: "Consistent with the Settlement and Settlement Act, Reclamation shall coordinate any flow modifications with the USFWS and NMFS, as applicable. Recapture of water dedicated for instream flow shall be in compliance with the USFWS and NMFS biological opinions." This condition would continue to remain in place during the proposed transfer period as a term within the subject Permits and License.

Proposed Term

The proposed transfer operations with rediversion at the BCID Pumping Plant would be outside the current assumptions of State Water Board Water Right Decision 1641. Such an operation would increase Delta consumptive use and Net Delta Outflow Index as currently defined by Revised D-1641. Consequently, Reclamation requests that the following term be included in the order approving Reclamation's petitions:

- During the times that water is being rediverted at the Banta-Carbona Irrigation District facility pursuant to this temporary transfer order, the Net Delta Outflow Index (NDOI) may be calculated in the manner described in Figure 3 on Page 190 of Revised Water Right Decision 1641 by adding these rediversions to the DELTA EXPORTS calculation.

Access

Reclamation proposes to obtain access to the proposed points of rediversion by virtue of seeking and entering into a one-year agreement with PID and with BCID for the recapture of up to 76,090 AF of Restoration Flows.

Persons Taking Water

Diverters between Friant Dam and the confluence of the Merced River, and from the confluence of the Merced River to and through the Delta, are on file with the Board. Many assumed riparian water right holders between Friant Dam and Gravelly Ford have executed Holding Contracts with Reclamation. Also, the San Joaquin River Exchange Contractors divert water downstream of Friant Dam.

Other Persons Who May Be Affected

The proposed transfer involves the recapture, at two new locations, of water that has been dedicated to instream flow. These two locations are within the river reaches authorized for instream flow dedication under existing permit and license terms and conditions. Other than PID and BCID whose facilities are proposed to be utilized, Reclamation is unaware of other persons who may be affected by the recapture of its dedicated flows.

Reclamation's point of contact is Lonnie Wass, 559-445-6051 at the Central Valley Regional Water Quality Control Board.

Reclamation's point of contact at the California Department of Fish and Wildlife is Gerald Hatler, 559-243-4005, ext. 127.

State of California
State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. Box 2000, Sacramento, CA 95812-2000
Tel: (916) 341-5300 Fax: (916) 341-5400
<http://www.waterboards.ca.gov/waterrights>

ENVIRONMENTAL INFORMATION FOR PETITIONS

This form is required for all petitions.

Before the State Water Resources Control Board (State Water Board) can approve a petition, the State Water Board must consider the information contained in an environmental document prepared in compliance with the California Environmental Quality Act (CEQA). This form is not a CEQA document. If a CEQA document has not yet been prepared, a determination must be made of who is responsible for its preparation. As the petitioner, you are responsible for all costs associated with the environmental evaluation and preparation of the required CEQA documents. Please answer the following questions to the best of your ability and submit any studies that have been conducted regarding the environmental evaluation of your project. If you need more space to completely answer the questions, please number and attach additional sheets.

DESCRIPTION OF PROPOSED CHANGES OR WORK REMAINING TO BE COMPLETED

For a petition for change, provide a description of the proposed changes to your project including, but not limited to, type of construction activity, structures existing or to be built, area to be graded or excavated, increase in water diversion and use (up to the amount authorized by the permit), changes in land use, and project operational changes, including changes in how the water will be used. For a petition for extension of time, provide a description of what work has been completed and what remains to be done. Include in your description any of the above elements that will occur during the requested extension period.

See Attachment

STATE WATER RESOURCES
CONTROL BOARD
2015 DEC 15 PM 2:06
DIVISION OF WATER RIGHTS
SACRAMENTO

Insert the attachment number here, if applicable:

1

Coordination with Regional Water Quality Control Board

For change petitions only, you must request consultation with the Regional Water Quality Control Board regarding the potential effects of your proposed change on water quality and other instream beneficial uses. (Cal. Code Regs., tit. 23, § 794.) In order to determine the appropriate office for consultation, see: http://www.waterboards.ca.gov/waterboards_map.shtml. Provide the date you submitted your request for consultation here, then provide the following information.

Date of Request

See Cover Letter

Will your project, during construction or operation, (1) generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or (2) cause erosion, turbidity or sedimentation?

Yes No

Will a waste discharge permit be required for the project?

Yes No

If necessary, provide additional information below:

[Empty text box for additional information]

Insert the attachment number here, if applicable:

Local Permits

For temporary transfers only, you must contact the board of supervisors for the county(ies) both for where you currently store or use water and where you propose to transfer the water. (Wat. Code § 1726.) Provide the date you submitted your request for consultation here.

Date of Contact

See Cover Letter

For change petitions only, you should contact your local planning or public works department and provide the information below.

Person Contacted: Date of Contact:

Department: Phone Number:

County Zoning Designation:

Are any county permits required for your project? If yes, indicate type below. Yes No

- Grading Permit
- Use Permit
- Watercourse
- Obstruction Permit
- Change of Zoning
- General Plan Change
- Other (explain below)

If applicable, have you obtained any of the permits listed above? If yes, provide copies. Yes No

If necessary, provide additional information below:

[Empty text box for additional information]

Insert the attachment number here, if applicable:

Federal and State Permits

Check any additional agencies that may require permits or other approvals for your project:

- Regional Water Quality Control Board Department of Fish and Game
- Dept of Water Resources, Division of Safety of Dams California Coastal Commission
- State Reclamation Board U.S. Army Corps of Engineers U.S. Forest Service
- Bureau of Land Management Federal Energy Regulatory Commission
- Natural Resources Conservation Service

Have you obtained any of the permits listed above? If yes, provide copies. Yes No

For each agency from which a permit is required, provide the following information:

Agency	Permit Type	Person(s) Contacted	Contact Date	Phone Number

If necessary, provide additional information below:

Reclamation is providing a copy of its petitions to the Central Valley Regional Water Quality Control Board. See cover letter.
Reclamation will seek and enter into agreements with Patterson Irrigation District and Banta-Carbona Irrigation District.

Insert the attachment number here, if applicable:

Construction or Grading Activity

Does the project involve any construction or grading-related activity that has significantly altered or would significantly alter the bed, bank or riparian habitat of any stream or lake? Yes No

If necessary, provide additional information below:

Insert the attachment number here, if applicable:

Archeology

Has an archeological report been prepared for this project? If yes, provide a copy. Yes No

Will another public agency be preparing an archeological report? Yes No

Do you know of any archeological or historic sites in the area? If yes, explain below. Yes No

If necessary, provide additional information below:

See Reclamation's DEA and Recirculation EA/FONSI.

Insert the attachment number here, if applicable:

Photographs

For all petitions other than time extensions, attach complete sets of color photographs, clearly dated and labeled, showing the vegetation that exists at the following three locations:

- Along the stream channel immediately downstream from each point of diversion
- Along the stream channel immediately upstream from each point of diversion
- At the place where water subject to this water right will be used

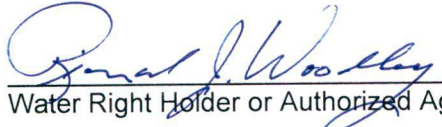
Maps

For all petitions other than time extensions, attach maps labeled in accordance with the regulations showing all applicable features, both present and proposed, including but not limited to: point of diversion, point of rediversion, distribution of storage reservoirs, point of discharge of treated wastewater, place of use, and location of instream flow dedication reach. (Cal. Code Regs., tit. 23, §§ 715 et seq., 794.)

Pursuant to California Code of Regulations, title 23, section 794, petitions for change submitted without maps may not be accepted.

All Water Right Holders Must Sign This Form:

I (we) hereby certify that the statements I (we) have furnished above and in the attachments are complete to the best of my (our) ability and that the facts, statements, and information presented are true and correct to the best of my (our) knowledge. Dated 12/14/2015 at Sacramento, CA.


Water Right Holder or Authorized Agent Signature

Water Right Holder or Authorized Agent Signature

NOTE:

- **Petitions for Change** may not be accepted unless you include proof that a copy of the petition was served on the Department of Fish and Game. (Cal. Code Regs., tit. 23, § 794.)
- **Petitions for Temporary Transfer** may not be accepted unless you include proof that a copy of the petition was served on the Department of Fish and Game and the board of supervisors for the county(ies) where you currently store or use water and the county(ies) where you propose to transfer the water. (Wat. Code § 1726.)

Description of Proposed Changes

This proposed temporary transfer is for the redirection at PID and BCID facilities of flows dedicated for instream use pursuant to the terms and conditions of the subject water right Permits and License. These are flows that, pursuant to Cal. Water Code § 1707, are and remain under the dominion and control of Reclamation after having been (a) released from Millerton Reservoir following collection to storage, or (2) taken control of using direct diversion rights at Friant Dam, but allowed to pass into the river channel in lieu of being conveyed into the Madera and Friant-Kern canals. Authorization for instream flow dedication has already been received pursuant to the Division of Water Rights Order Dated October 21, 2013, and therefore such authorization is neither requested nor required in this petition. Reclamation will make use of instream conveyance by means of the San Joaquin River to meet obligations of the Central Valley Project (CVP) under existing contracts.

Rediverted flows would be conveyed through PID and BCID facilities to the Delta-Mendota Canal (DMC). Reclamation's CVP contractors capable of receiving CVP supply in the San Luis Unit would receive this water. In addition, the rediverted water in the San Luis Canal would be conveyed through the Cross-Valley Canal to the Friant Division service area, or would be provided to entities in the Tulare Lake region for exchange. Reclamation would make the recaptured SJRRP Interim and Restoration Flows available in south-of-Delta facilities (for example, such as San Luis Reservoir, O'Neill Forebay, Delta-Mendota Canal, California Aqueduct, Cross-Valley Canal) for recirculation and beneficial use by the Friant Contractors. Recirculation to the Friant Contractors would be accomplished through direct delivery, exchange, and/or transfer.

A total maximum of up to 28,979 acre-feet of water is proposed for transfer through redirection at the PID facility. Table 2-1 of the DEA shows potential capacity available for the redirection at the PID facility for delivery into the Delta Mendota Canal. The maximum rate of redirection at the PID facility is 40 cubic feet per second (cfs). A total maximum of up to 47,090 acre-feet of water is proposed for transfer through redirection at BCID facility. Table 2-2 of the DEA shows potential capacity available for the redirection at the BCID facility for delivery into the Delta Mendota Canal. The maximum rate of redirection at the BCID facility is 65 cfs. A total combined maximum recapture of 76,069 acre-feet of water is proposed for transfer through both PID and BCID facilities up to a combined redirection rate of 105 cfs. The period for the proposed temporary transfer is for one year beginning February 1, 2016.

Reclamation has prepared a Draft Environmental Assessment (DEA) for this temporary action that incorporates the affected environment and environmental analysis in the SJRRP Programmatic Environmental Impact Statement/Environmental Impact Report (PEIS/R) finalized in July 2012 and for which a corresponding Record of Decision was issued on September 28, 2012. The recapture of Restoration Flows at existing facilities is included among actions analyzed at the program-level in the PEIS/R. The Recirculation of recaptured water at

Attachment to Environmental Information for Petitions for Temporary Transfer
Permitted Applications 234, 1465, 5638 and Licensed Application 23

existing facilities, using Central Valley Project, Department of Water Resources, and private facilities, back to Friant Division contractors was covered in the Recirculation of Recaptured Water Year 2013-2017 SJRRP Flows Environmental Assessment (Recirculation EA) which, along with the corresponding Finding of No Significant Impact (Recirculation FONSI), is dated April, 2013.

The proposed recapture will not change or affect the manner in which Reclamation will make Recapture and Recirculation Water available to Friant Contractors under the Recirculation EA/FONSI. The Recirculation EA states that the recirculation and recapture of Restoration Flows in contract water year 2016 was found to have no impact on water resources, land use, biological resources, cultural resources, Indian Trust Assets, socioeconomic resources, environmental justice, air quality, or global climate change.

Federal and State Permits

Reclamation's point of contact is Lonnie Wass, 559-445-6051 at the Central Valley Regional Water Quality Control Board.

Reclamation's point of contact at the California Department of Fish and Wildlife is Gerald Hatler, 559-243-4005, ext. 127.

Photographs

The proposed points of diversion using existing facilities and proposed places of use are well known with the State Water Board. Therefore, no representative photographs have been provided here and are presumed to be on file already with the State Water Board.

Maps

Map 1785-202-53 displays the locations of the proposed points of diversion, and Map 1785-202-50 depicts the San Joaquin River Restoration Program instream dedication and places of use. Both maps are on file with the State Water Board.