



Water Resources ♦ Flood Control ♦ Water Rights

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CONSULTANTS:  
JOSEPH I. BURNS, P.E.  
DONALD E. KIENLEN, P.E.

March 17, 2021

Mr. Erik Ekdahl, Deputy Director  
Division of Water Rights  
State Water Resources Control Board  
P.O. Box 2000  
Sacramento, CA 95812-2000

**Subject: Pleasant Grove-Verona Mutual Water Company  
Petitions for Change Involving Water Transfer**

Dear Mr. Ekdahl:

On behalf of Pleasant Grove-Verona Mutual Water Company (PGV), enclosed are the following documents relative to 11 Petitions for Change Involving Water Transfer (Joint Petitions) being filed by participating shareholders of PGV (Joint Petitioners) under their individual water rights identified in the table contained in this letter:

1. Petitions for Change Involving Water Transfers Form with an Attachment (one original and one copy per petition).
2. Environmental Information Form with an Attachment (one original and one copy per petition).
3. Check in the amount of \$29,665.75 based on the total amount shown in the table contained in this letter to cover the Petition fees.
4. Check in the amount of \$850.00 to cover the fee for the Department of Fish and Wildlife.

Joint Petitioner	Application	License	Proposed Transfer Quantity (Up to Amount, AF)	Petition Fee
E. D. Willey and Son, Inc.	7641A	6389A	4,311.5	\$4,150.75
River Ranch Partnership	7641C	6389C	802.6	\$2,396.30
Brett Scheidel	7641B	6389B	1,160	\$2,575.00
	15606	11001	1,760	\$2,875.00
Nicoli G. Nicholas	7641D1	6389D1	638	\$2,314.00
	15856A	7064A	1,690	\$2,840.00
Maria John Nicholas Kelly Ranch, LLC	7641D2	6389D2	638	\$2,314.00
	15856B	7064B	1,466	\$2,728.00
Murphy Lake Farms	15856C	7064C	2,205	\$3,097.50
	15858	6399	500	\$2,245.00
William L. Spangler	16182	10848	270.4	\$2,130.20
<b>Total Petition Fees Combined:</b>				<b>\$29,665.75</b>

Each of the water right holders identified above are shareholders within PGV. PGV holds a Sacramento River Settlement Contract (Contract) with the U.S. Bureau of Reclamation, for which the above water rights form a portion of the water supply under the Contract. For this reason, the petitions are being filed jointly and accompanying each petition is a consolidated environmental information form and attachment addressing items related to the Joint Petitions. Additionally, enclosed is a check in the amount of \$850, payable to the Department of Fish & Wildlife (DFW) to cover the relevant fees associated with these Joint Petitions. This single filing fee to DFW is consistent with Public Resources Code Section 10005(e) for a single project.

The Join Petitions identified above are petitioning to temporarily add points of diversion, a point of rediversion, place of use, and purposes of use to the water rights identified above in order to transfer up to a total of 15,140 AF for use by participating entities within the San Luis & Delta-Mendota Water Authority (SLDMWA). The table above identifies a total of 15,441.5 AF proposed under the Joint Petitions; however, this is to provide operational flexibility due to unforeseen conditions. The Joint Petitioners propose to make surface water available for transfer through groundwater substitution and crop idling/shifting. As you are aware, time is of the essence to process this Petition for the implementation of the water transfer to the SLDMWA; and we appreciate your attention to this temporary transfer Petition.

Please call Kyle Knutson or me if you have any questions or require additional information.

Sincerely,  
MBK ENGINEERS



Angela Bezzone

AB/jp

3825.21/FINAL LETTER TO ERIK EKDAHL FOR PGV PETITION FOR 2021 WT 2021-03-17

Enclosures

cc: Brett Scheidel, Pleasant Grove-Verona Mutual Water Company (via e-mail)  
Andrea Clark, Downey Brand (via e-mail)  
Samuel Boland-Brien, Division of Water Rights (via e-mail)  
Anna Fock, Department of Water Resources (via e-mail)  
Andy Chu, Department of Water Resources (via e-mail)  
Adam Nickels, U.S. Bureau of Reclamation (via e-mail)  
Natalie Wolder, U.S. Bureau of Reclamation (via e-mail)  
Michelle Snapp, CVRWQCB (via e-mail)  
Bridget Gibbons, Department of Fish and Wildlife (via e-mail)  
Board of Supervisors, County of Sutter (via certified mail)  
Board of Supervisors, County of Fresno (via certified mail)  
Board of Supervisors, County of Kings (via certified mail)  
Board of Supervisors, County of Merced (via certified mail)  
Board of Supervisors, County of San Joaquin (via certified mail)  
Board of Supervisors, County of San Benito (via certified mail)  
Board of Supervisors, County of Santa Clara (via certified mail)  
Board of Supervisors, County of Stanislaus (via certified mail)

Please indicate County where your project is located here:

Sutter

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 7641A Permit 4215A License 6389A 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 Attachment No. 1
Proposed: See Attachment No. 1

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 Attachment No. 1
Proposed: See Attachment No. 1

Purpose of Use

Present: Irrigation
Proposed: Irrigation, Municipal, Industrial, Domestic

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: Not Applicable.
Downstream Location:

Table with 12 columns for months (Jan-Dec) and rows for cubic feet per second and 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.

San Luis & Delta-Mendota Water Authority
Attn: Frances Mizuno
P.O. Box 2157
Los Banos, CA 93635
(209) 832-6200

**Amount of Water to be Transferred**

To 4,311.5 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 Up to 26.4 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.

Not Applicable

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 Attachment No. 1

**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 3/16/2021 at Reno, NV.

*Angela Bozzene*  
Right Holder or Authorized Agent Signature  
MBK Engineers, Agent

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](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/](http://www.waterboards.ca.gov/waterrights/water_issues/programs/fees/)  
(3) Department of Fish and Wildlife fee of \$850 (Pub. Resources Code, § 10005)

**Attachment No. 1  
to Petition for Change Involving Water Transfers  
License 6389A (Application 7641A)  
held by E. D. Willey & Son, Inc.**

**GENERAL**

The purpose of this Petition for Change Involving Water Transfers (Petition) is to: (1) add the State Water Project’s (SWP) Harvey O. Banks Pumping Plant and the Central Valley Project’s (CVP) CW “Bill” Jones Pumping Plant as points of diversion, (2) add San Luis Reservoir as a point of rediversion, (3) add a portion of the service area of the CVP as an additional place of use, and (4) add municipal, industrial, and domestic purposes of use under E.D. Willey & Son, Inc., et al’s (Petitioner) License 63891A (Application 7641A). The Petitioner is a shareholder of the Pleasant Grove-Verona Mutual Water Company (PGV). PGV holds Contract No. 14-06-200-5520A-R-1 (Contract) with the U.S. Bureau of Reclamation (Reclamation). The water rights held by the Petitioner and the other shareholders of PGV serve as the basis for the Base Supply under PGV’s Contract. This Petition is one of 11 petitions (Joint Petitions) being filed by participating shareholders of PGV (Joint Petitioners) pursuant to their individual water rights. The Joint Petitions include the following:

<b>Joint Petitioner</b>	<b>Application</b>	<b>License</b>	<b>Proposed Transfer Quantity (Up to Amount, AF)</b>
E. D. Willey and Son, Inc.	7641A	6389A	4,311.5
River Ranch Partnership	7641C	6389C	802.6
Brett Scheidel	7641B	6389B	1,160
	15606	11001	1,760
Nicoli G. Nicholas	7641D1	6389D1	638
	15856A	7064A	1,690
Maria John Nicholas Kelly Ranch, LLC	7641D2	6389D2	638
	15856B	7064B	1,466
Murphy Lake Farms	15856C	7064C	2,205*
	15858	6399	500*
William L. Spangler	16182	10848	270.4

This Petition is being filed to facilitate a temporary transfer (2021 Water Transfer) of up to a total of 4,311.5 acre-feet (AF) of surface water proposed to be made available from the Petitioner during May through September 2021. This proposed transfer quantity will be made available by groundwater substitution and by crop idling/shifting in order to provide an

\* Proposed upper limit quantities identified for each water right, limited to a combined quantity of up to 2,404.7 AF under Licenses 6399 and 7064C.

additional water supply for irrigation, municipal, industrial, and domestic purposes. Groundwater substitution involves the use of groundwater pumped to produce crops within PGV in exchange for a like amount of surface water that will remain instream for diversion at the proposed additional points of diversion. The quantity of surface water to be made available for transfer by crop idling/shifting involves only the consumptive use savings as a result of actions within PGV's boundaries. The quantity made available under this Petition will be limited to actions consistent with the terms and conditions of this license. At this time, the quantity of surface water to be made available by groundwater substitution versus crop idling/shifting is unknown. The split between water being made available by each mechanism will be determined after executing a Purchase Agreement with SLDMWA. As discussed further below, the quantity proposed to be made available by the Petitioner will be reviewed and approved by the U.S. Bureau of Reclamation (Reclamation) and the Department of Water Resources (DWR).

Absent the proposed temporary transfer, PGV would divert the entire quantity of surface water proposed for transfer from the Sacramento River pursuant to its water right and its Sacramento River Settlement Contract with Reclamation. Because the proposed project involves the transfer of water under PGV's Contract, these petitions are being filed jointly and should be treated as a single project. PGV has been authorized to act on behalf of the Joint Petitioners, each of which is filing similar petitions in order to facilitate the proposed transfer. Under the Joint Petitions, PGV is proposing a temporary transfer of up to 15,140 AF to SLDMWA. Absent the proposed temporary transfer, PGV and the Joint Petitioners would divert the entire quantity proposed for transfer from surface water sources pursuant to their water rights and the Contract with Reclamation.

**POINT OF DIVERSION OR REDIVERSION**

**POINT OF DIVERSION**

***Present Point of Diversion:***

Petitioner's authorized point of diversion under License 6389A are located as follows:

<u>Description</u>	<u>Located Within†</u>			
	<u>¼, ¼</u>	<u>Sec</u>	<u>T</u>	<u>R</u>
North nine hundred (900) feet and west one thousand seven hundred (1700) feet from SE corner of Section 23, T11N, R3E.	SW, SE	23	11N	3E

***Proposed Additional Points of Diversion:***

No change in the present points of diversion is proposed. Petitioner proposes to add the following points of diversion:

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† All references to Township and Range are to the MDB&M.

**Banks Pumping Plant via the Clifton Court Forebay**

N 2,126,440 ft., E 6,256,425 ft., California Coordinate System Zone 3, NAD 83, being within the NW ¼ of SE ¼ of Projected Section 20, T1S, R4E, MDB&M. This proposed additional point of diversion is identified on maps filed with the Division of Water Rights (Division) under Application 5630.

**CW “Bill” Jones Pumping Plant**

N 2,121,505 ft., E 6,255,368 ft., California Coordinate System Zone 3, NAD 83, being within the NE ¼ of SW ¼ of Projected Section 29, T1S, R4E, MDB&M. This proposed additional point of diversion is identified on maps filed with the Division under Application 5626.

**POINT OF REDIVERSION**

***Present Points of Rediversion:***

Petitioner’s authorized points of rediversion under License 6389A are listed below:

<u>Description</u>	<u>Located Within†</u>			
	<u>¼, ¼</u>	<u>Sec</u>	<u>T</u>	<u>R</u>
North 47° 49’ 20” West 4,044.56 feet from SE corner of Section 8, T11N, R4E.	SE, NW	8	11N	4E
North 51° 06’ 20” West 4,081.1 feet from SE corner of Section 8, T11N, R4E.	NE, SW	8	11N	4E

***Proposed Additional Points of Rediversion:***

No change in the present points of rediversion is proposed. Petitioner proposes to add the following point of rediversion, which will assist in the temporary retention of transfer water for later use by the participating entities within SLDMWA during periods that coincide with demands or other operational constraints:

**San Luis Reservoir**

N 1,845,103 ft., E 6,393,569 ft., California Coordinate System Zone 3, NAD 83, being within the SW ¼ of SE ¼ of Projected Section 15, T10S, R8E, MDB&M. This proposed additional point of rediversion is identified on maps filed with the Division under Application 5630.



## **PLACE OF USE**

### ***Present:***

The present place of use is 1,483 acres net within a gross area of 1,885.17 acres within Sections 7, 8, and 18, T11N, R4E, MDB&M; Sections 1 and 12, T11N, R3E, MDB&M; Section 31, T12N, R4E, MDB&M; and Section 36, T12N, R3E, MDB&M, as shown on petition map filed with the State Water Resources Control Board, Division of Water Rights.

### ***Proposed:***

No change in the present place of use is proposed. The Petitioner proposes to add a portion of the service area of the CVP as the proposed additional place of use in order to facilitate the temporary water transfer to the SLDMWA. This portion of the service area of the CVP is shown on Map 214-208 – 12581 on file with the Division under Application 5626.

## **GENERAL INFORMATION**

Surface water will be made available for transfer from PGV by groundwater substitution and by crop idling/shifting, consistent with the current *Draft Technical Information for Preparing Water Transfer Proposals*, dated December 2019 (Draft Technical Information) published by the Department of Water Resources (DWR) and Reclamation. The Draft Technical Information has been developed to address the concerns of DWR and Reclamation relative to the potential impacts that water transfers may have on other legal users, instream beneficial uses, and the overall economy and environment. PGV will submit a proposal to DWR and Reclamation for a water transfer to participating entities within the SLDMWA during 2021, which includes detailed information relative to historical groundwater pumping, groundwater well characteristics, groundwater monitoring and reporting elements, historical cropping data, and associated maps. DWR and Reclamation will conduct an extensive review of these documents in order to ensure that the quantity of water proposed to be made available by PGV meets the relevant criteria to demonstrate a reduction in surface water use will occur as a result of the proposed temporary transfer. Absent the proposed temporary transfer to SLDMWA, groundwater would not be pumped by the Petitioner for groundwater substitution and crops would not be idled/shifted to make surface water available for SLDMWA; thus, the Petitioner would have diverted surface water to meet its irrigation demands.

Only wells which have been approved by DWR and Reclamation will be used for the proposed temporary transfer. In accordance with Water Code Section 1745.10, the Petitioner does not believe the proposed transfer to SLDMWA by groundwater substitution will result in an overdraft of the underlying groundwater basin. In addition, the proposed 2021 Water Transfer is consistent with the Groundwater Management Plan covering the area within PGV, which was adopted in 2012 pursuant to Water Code Section 10750 *et. seq.* As a condition of participation in the proposed temporary transfer, PGV has developed groundwater monitoring,

reporting, and mitigation plans to ensure the proposed transfer does not result in any unreasonable and adverse effects, such as impacts to other legal users of water, land subsidence, groundwater-dependent vegetation, and groundwater quality. As described above, the requirements of the monitoring program and mitigation plan are outlined in the Draft Technical Information and will be implemented by the Petitioner accordingly. The monitoring program also includes recurring review of groundwater level monitoring data obtained prior to, during, and following periods when surface water is made available by the Petitioner for the proposed water transfer, in accordance with the Draft Technical Information. To account for anticipated streamflow depletion, DWR and Reclamation will apply a factor of 13% to the amount of groundwater pumped pursuant to the Petitioner's proposed groundwater substitution transfer in accordance with the Draft Technical Information. Evaluation and approval by DWR and Reclamation of the groundwater monitoring, reporting, and mitigation plans will be obtained for PGV's groundwater substitution program. Further, PGV is providing notification to the Reclamation District No. 1001 Groundwater Sustainability Agency, which is the groundwater sustainability agency formed pursuant to the Sustainable Groundwater Management Act that covers the area where groundwater substitution pumping is proposed to occur within PGV. Documentation of PGV's notifications to the Reclamation District No. 1001 Groundwater Sustainability Agency will be provided to DWR and Reclamation, in accordance with the Draft Technical Information.

As indicated above, PGV conducts water transfers in accordance with the Draft Technical Information and other relevant requirements. The monitoring requirements associated with PGV's proposed groundwater substitution water transfer will be incorporated to agreements with DWR and Reclamation. Following the proposed water transfer, PGV will prepare a monitoring report summarizing the results. In PGV's previous groundwater substitution transfers, some of which involved similar quantities compared to the quantity proposed in this Petition, the groundwater basin in and around PGV recovered from the effects of the transfer the following spring. We expect the hydrologic data to show a similar recovery pattern for the proposed 2021 Water Transfer.

Crop idling/shifting water transfers involve surface water made available for transfer by reducing the consumptive use of surface water applied for irrigation. As indicated above, PGV is preparing a water transfer proposal for submittal to DWR and Reclamation to provide the information required pursuant to the Draft Technical Information, which includes supporting documentation to determine the quantity of surface water to be made available by crop idling/shifting. Following submittal of a proposal for the 2021 Water Transfer, DWR and Reclamation will evaluate the fields proposed to be idled/shifted for the temporary transfer. Evaluation and approval by DWR and Reclamation of the lands to be idled/shifted and verification of the quantity of surface water made available will ensure the proposed transfer does not result in any unreasonable and adverse impacts to the environment or third parties. In accordance with the Draft Technical Information and the *Final Long-Term Water Transfers Environmental Impact Statement/Environmental Impact Report* (Final EIS/EIR) prepared by SLDMWA and Reclamation, dated September 2019, PGV's crop idling/shifting will incorporate relevant mitigation measures that minimize impacts on threatened species, including the Giant Garter Snake.

As a result of the proposed temporary transfer, the flow in the Sacramento River downstream of the Petitioner's present points of diversion will increase by up to 4,311.5 AF over what would have occurred absent the proposed transfer. These increases will occur during the period that surface water is made available by the Petitioner or if possible, during the following months thereafter through releases by Reclamation for conveyance to SLDMWA. If excess capacity is available in Shasta Reservoir, the Delta is in balanced conditions, and regulatory requirements are being met, Reclamation may temporarily hold the quantity of surface water made available by the Petitioner, until export capacity at the SWP's Banks Pumping Plant or the CVP's Jones Pumping Plant is available, which is typically during July, August, or September. This "backing up" of transfer water would decrease releases from Shasta Reservoir early in the irrigation season, such as during May and June, and increase releases later in the season. Reclamation would only consider operations to facilitate and accommodate "backing up" of transfer water if those operations avoid temperature impacts, and possibly aid with overall temperature management, consistent with the Final EIS/R. In fact, this temporary retention of water in Shasta Reservoir, as a result of surface water made available by the Petitioner, may provide a benefit for fisheries during the early portion of the irrigation season. Shasta Reservoir would continue to be operated in accordance with regulatory requirements, such as flow and temperature requirements established by various agencies including the U.S. Fish and Wildlife Service, National Oceanic and Atmospheric Administration's National Marine Fisheries Service, Federal Energy Regulatory Commission, and State Water Resources Control Board, for the protection of downstream resources. During the period when it is possible for the increased flows in the Sacramento River to reach the proposed additional points of diversion for the proposed transfer, these flows will be a small percentage of the total flow and will be water that would be diverted by the Petitioner absent this proposed transfer. The Petitioner's reduced diversions will provide additional flows during the proposed transfer period, up to a maximum of approximately 26.4 cfs. Therefore, there will be no injury to other legal water users, water quality, or return flows; in fact, these increased flows may provide benefits for fisheries and wildlife and may result in a positive effect to the water users between the present points of diversion and the proposed additional points of diversion.

See files of the State Water Resources Control Board for more information regarding other legal water users, which may include the Delta water users, the Central Valley Project, and the SWP. Discussions with the Department of Fish and Wildlife (DFW) staff regarding the Petition occurred on February 10 and 26, and March 1, 2021 in order to discuss the proposed water transfer, including the overall process/review of the Petition and associated documentation by DFW and other agencies. Coordination with DFW staff is continuing in order to obtain any comments; and DFW staff have been provided a copy of this Petition for review. The Central Valley Regional Water Quality Control Board (CVRWQCB) has also been contacted and were provided information regarding the proposed temporary water transfer; CVRWQCB staff are currently reviewing the Petition. Copies of this Petition have been provided to Bridget Gibbons (916-767-3993) of DFW and Michelle Snapp (916-464-4824) of the CVRWQCB for review and comment.

## 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 No. 1

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](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

2/25/2021

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:

Michelle Snapp (916-464-4824) of the Central Valley Regional Water Quality Control Board was contacted in order to discuss the proposed temporary water transfer; and no comments were provided at this time. A copy of this petition has been provided to Ms. Snapp concurrently with the submittal of this petition to the Division of Water Rights.

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

3/17/2021

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:

Not Applicable.

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
Not Applicable.				

If necessary, provide additional information below:

Not Applicable.

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:

Not Applicable.

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:

Not Applicable.

Insert the attachment number here, if applicable:

**Photographs** See Attachment No. 1.

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** See Attachment No. 1.

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  at .

*Angela Bozzene*  
 \_\_\_\_\_  
 Water Right Holder or Authorized Agent Signature  
 MBK Engineers, Agent

\_\_\_\_\_  
 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.)

**Attachment No. 1**  
**to Environmental Information for**  
**Petitions for Change Involving Water Transfers**  
**Filed by Joint Petitioners within Pleasant Grove-Verona MWC**

DESCRIPTION OF PROPOSED CHANGES

The Pleasant Grove-Verona Mutual Water Company (PGV) is proposing a temporary water transfer to San Luis & Delta-Mendota Water Authority (SLDMWA) in 2021. To facilitate this transfer, the Joint Petitioners are petitioning to temporarily add two points of diversion, a point of rediversion, a place of use, and purposes of use to the water rights summarized below in order to transfer up to 15,140 AF for use by participating entities within SLDMWA by groundwater substitution and by crop idling/shifting. The State Water Project's (SWP) Banks Pumping Plant and the Central Valley Project's (CVP) CW "Bill" Jones Pumping Plant are proposed to be added as points of diversion; San Luis Reservoir is proposed to be added as a point of rediversion; and a portion of the service area of the CVP is proposed to be added as a place of use. The purposes of use proposed to be added are municipal, industrial, and domestic, in addition to the existing purpose of use for irrigation. These proposed additions would authorize the transfer of water to SLDMWA in order to provide an additional water supply during the current drier hydrologic conditions. There are no changes to the Petitioner's existing points of diversion, place of use, or purpose of use.

The Petitioner is a shareholder of PGV which holds Contract No. 14-06-200-5520A-R-1 (Contract) with the U.S. Bureau of Reclamation (Reclamation). The water rights held by the Joint Petitioners and the other shareholders of PGV serve as the basis for the Base Supply under PGV's Contract. This Petition is one of 11 petitions (Joint Petitions) being filed by participating shareholders of PGV (Joint Petitioners) pursuant to their individual water rights. The Joint Petitions include the following:



PGV Joint Petitions for Temporary Water Transfer  
Attachment No. 1 to Environmental Information Form

<b>Joint Petitioner</b>	<b>Application</b>	<b>License</b>	<b>Proposed Transfer Quantity (Up to Amount, AF)</b>
E. D. Willey and Son, Inc.	7641A	6389A	4,311.5
River Ranch Partnership	7641C	6389C	802.6
Brett Scheidel	7641B	6389B	1,160
	15606	11001	1,760
Nicoli G. Nicholas	7641D1	6389D1	638
	15856A	7064A	1,690
Maria John Nicholas Kelly Ranch, LLC	7641D2	6389D2	638
	15856B	7064B	1,466
Murphy Lake Farms	15856C	7064C	2,205*
	15858	6399	500*
William L. Spangler	16182	10848	270.4

Because the proposed project involves the transfer of water under PGV’s Contract these petitions are being filed jointly and should be treated as a single project. PGV has been authorized to act on behalf of the Joint Petitioners, each of which is filing similar petitions in order to facilitate the proposed transfer. Thus, this consolidated environmental information form accompanies each petition for the water rights listed above. The quantities shown in the table above are up to amounts for each Petitioner. PGV will coordinate with the Joint Petitioners to assure the maximum quantity to be transferred under the Joint Petitions will not exceed 15,140 AF.

The quantity of surface water proposed to be made available by groundwater substitution involves the use of groundwater pumped upon overlying lands in exchange for a like amount of surface water that will remain instream for diversion at the proposed additional points of diversion. The quantity of surface water proposed to be made available for transfer by crop idling/shifting involves only the consumptive use savings as a result of actions within PGV’s boundaries. These proposed quantities would be made available by the Petitioner during May through September 2021. The quantity made available under this Petition will be limited to actions consistent with the terms and conditions of this license. At this time, the quantity of surface water to be made available by groundwater substitution versus crop idling/shifting is unknown. The split between water being made available by each mechanism will be determined after executing a Purchase Agreement with SLDMWA. Absent the proposed temporary transfer, surface water would be diverted to meet the irrigation demands of the Joint Petitioners. The

\* Proposed upper limit quantities identified for each water right, limited to a combined quantity of up to 2,404.7 AF under Licenses 6399 and 7064C.

proposed temporary transfer does not involve any construction or other physical changes to the Petitioners's facilities.

Petitions for temporary transfer of water pursuant to Water Code Section 1725 are exempt from the California Environmental Quality Act (CEQA). The U.S. Bureau of Reclamation (Reclamation) and SLDMWA have prepared a *Final Long-Term Water Transfers Environmental Impact Statement/Environmental Impact Report* (Final EIS/EIR), dated September 2019, pursuant to the requirements under the National Environmental Policy Act (NEPA) and CEQA. A copy of the Final EIS/EIR, dated September 2019, is available at: < [https://www.usbr.gov/mp/nepa/nepa\\_project\\_details.php?Project\\_ID=18361](https://www.usbr.gov/mp/nepa/nepa_project_details.php?Project_ID=18361) > Based on the requirements associated with the Final EIS/EIR, and in accordance with the Draft Technical Information for Preparing Water Transfer Proposals, dated December 2019 published by the Department of Water Resources and Reclamation, the Petitioner will implement the relevant, applicable measures for the proposed 2021 Water Transfer.

#### PHOTOGRAPHS

The present points of diversion and the proposed additional points of diversion and rediversion include existing facilities that are well known and documented with the Division of Water Rights (Division). In addition, the present and proposed places of use are also well known and documented with the Division. Therefore, for these reasons, the Petitioner respectfully requests that said documentation be made a part of the record for the petition.

#### MAPS

The present points of diversion and place of use are shown on a map filed with the Division. The proposed additional point of diversion for the SWP's Banks Pumping Plant and the proposed additional point of rediversion for San Luis Reservoir are shown on maps filed with the Division for Application 5630. The proposed additional point of diversion for the CVP's Jones Pumping Plant is shown on maps filed with the Division for Application 5626. The proposed additional place of use is a portion of the CVP service area, as shown on Map 214-208 – 12581 on file with the Division under Application 5626. The Petitioner respectfully requests that said maps be made a part of the record for the petition.

Please indicate County where your project is located here:

Sutter

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 7641C Permit 4215 License 6389C 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 Attachment No. 1
Proposed: See Attachment No. 1

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 Attachment No. 1
Proposed: See Attachment No. 1

Purpose of Use

Present: Irrigation
Proposed: Irrigation, Domestic, Industrial, Municipal

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 cubic feet per second and 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.

San Luis & Delta-Mendota Water Authority
Attn: Frances Mizuno
P.O. Box 2157
Los Banos, CA 93635
(209) 832-6200

**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 redirection and the proposed point of diversion or redirection, 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](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/](http://www.waterboards.ca.gov/waterrights/water_issues/programs/fees/)  
(3) Department of Fish and Wildlife fee of \$850 (Pub. Resources Code, § 10005)

**Attachment No. 1  
to Petition for Change Involving Water Transfers  
License 6389C (Application 7641C)  
held by River Ranch Partnership**

**GENERAL**

The purpose of this Petition for Change Involving Water Transfers (Petition) is to: (1) add the State Water Project’s (SWP) Harvey O. Banks Pumping Plant and the Central Valley Project’s (CVP) CW “Bill” Jones Pumping Plant as points of diversion, (2) add San Luis Reservoir as a point of rediversion, (3) add a portion of the service area of the CVP as an additional place of use, and (4) add municipal, industrial, and domestic purposes of use under River Ranch Partnership’s (Petitioner) License 6389C (Application 7641C). The Petitioner is a shareholder of the Pleasant Grove-Verona Mutual Water Company (PGV). PGV holds Contract No. 14-06-200-5520A-R-1 (Contract) with the U.S. Bureau of Reclamation (Reclamation). The water rights held by the Petitioner and the other shareholders of PGV serve as the basis for the Base Supply under PGV’s Contract. This Petition is one of 11 petitions (Joint Petitions) being filed by participating shareholders of PGV (Joint Petitioners) pursuant to their individual water rights. The Joint Petitions include the following:

<b>Joint Petitioner</b>	<b>Application</b>	<b>License</b>	<b>Proposed Transfer Quantity (Up to Amount, AF)</b>
E. D. Willey and Son, Inc.	7641A	6389A	4,311.5
River Ranch Partnership	7641C	6389C	802.6
Brett Scheidel	7641B	6389B	1,160
	15606	11001	1,760
Nicoli G. Nicholas	7641D1	6389D1	638
	15856A	7064A	1,690
Maria John Nicholas Kelly Ranch, LLC	7641D2	6389D2	638
	15856B	7064B	1,466
Murphy Lake Farms	15856C	7064C	2,205*
	15858	6399	500*
William L. Spanger	16182	10848	270.4

This Petition is being filed to facilitate a temporary transfer (2021 Water Transfer) of up to a total of 802.6 acre-feet (AF) of surface water proposed to be made available from the Petitioner during May through September 2021. This proposed transfer quantity will be made available by groundwater substitution and by crop idling/shifting in order to provide an

\* Proposed upper limit quantities identified for each water right, limited to a combined quantity of up to 2,404.7 AF under Licenses 6399 and 7064C.

additional water supply for irrigation, municipal, industrial, and domestic purposes. Groundwater substitution involves the use of groundwater pumped to produce crops within PGV in exchange for a like amount of surface water that will remain instream for diversion at the proposed additional points of diversion. The quantity of surface water to be made available for transfer by crop idling/shifting involves only the consumptive use savings as a result of actions within PGV's boundaries. The quantity made available under this Petition will be limited to actions consistent with the terms and conditions of this license. At this time, the quantity of surface water to be made available by groundwater substitution versus crop idling/shifting is unknown. The split between water being made available by each mechanism will be determined after executing a Purchase Agreement with SLDMWA. As discussed further below, the quantity proposed to be made available by the Petitioner will be reviewed and approved by the U.S. Bureau of Reclamation (Reclamation) and the Department of Water Resources (DWR).

Absent the proposed temporary transfer, PGV would divert the entire quantity of surface water proposed for transfer from the Sacramento River pursuant to its water right and its Sacramento River Settlement Contract with Reclamation. Because the proposed project involves the transfer of water under PGV's Contract, these petitions are being filed jointly and should be treated as a single project. PGV has been authorized to act on behalf of the Joint Petitioners, each of which is filing similar petitions in order to facilitate the proposed transfer. Under the Joint Petitions, PGV is proposing a temporary transfer of up to 15,140 AF to SLDMWA. Absent the proposed temporary transfer, PGV and the Joint Petitioners would divert the entire quantity proposed for transfer from surface water sources pursuant to their water rights and the Contract with Reclamation.

**POINT OF DIVERSION OR REDIVERSION**

**POINT OF DIVERSION**

***Present Point of Diversion:***

No change in the present point of diversion is proposed. Petitioner's authorized point of diversion under License 6389C is located as follows:

<u>Description</u>	<u>Located Within†</u>			
	<u>¼, ¼</u>	<u>Sec</u>	<u>T</u>	<u>R</u>
North 900 feet and west 1,700 feet from SE corner of Section 23	SW, SE	23	11N	3E

***Proposed Additional Points of Diversion:***

No change in the present points of diversion is proposed. Petitioner proposes to add the following points of diversion:

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† All references to Township and Range are to the MDB&M.

**Banks Pumping Plant via the Clifton Court Forebay**

N 2,126,440 ft., E 6,256,425 ft., California Coordinate System Zone 3, NAD 83, being within the NW ¼ of SE ¼ of Projected Section 20, T1S, R4E, MDB&M. This proposed additional point of diversion is identified on maps filed with the Division of Water Rights (Division) under Application 5630.

**CW “Bill” Jones Pumping Plant**

N 2,121,505 ft., E 6,255,368 ft., California Coordinate System Zone 3, NAD 83, being within the NE ¼ of SW ¼ of Projected Section 29, T1S, R4E, MDB&M. This proposed additional point of diversion is identified on maps filed with the Division under Application 5626.

**POINT OF REDIVERSION**

***Present Point of Rediversion:***

No change in the present point of rediversion is proposed. Petitioner’s authorized point of rediversion under License 6389C is listed below:

<u>Description</u>	<u>Located Within†</u>			
	<u>¼, ¼</u>	<u>Sec</u>	<u>T</u>	<u>R</u>
South 49° 11’ east 3,460 feet from NW corner of Section 8	SE, NW	8	11N	4E

***Proposed Additional Points of Rediversion:***

The Petitioner proposes to add the following point of rediversion, which will assist in the temporary retention of transfer water for later use by the participating entities within SLDMWA during periods that coincide with demands or other operational constraints:

**San Luis Reservoir**

N 1,845,103 ft., E 6,393,569 ft., California Coordinate System Zone 3, NAD 83, being within the SW ¼ of SE ¼ of Projected Section 15, T10S, R8E, MDB&M. This proposed additional point of rediversion is identified on maps filed with the Division under Application 5630.

## **PLACE OF USE**

### ***Present:***

The present place of use is 519 acres net within a gross area of 547.24 acres located within Sections 6 and 7, T11N, R4E, MDB&M, as shown on map filed with State Water Board.

### ***Proposed:***

No change in the present place of use is proposed. The Petitioner proposes to add a portion of the service area of the CVP as the proposed additional place of use in order to facilitate the temporary water transfer to the SLDMWA. This portion of the service area of the CVP is shown on Map 214-208 – 12581 on file with the Division under Application 5626.

## **GENERAL INFORMATION**

Surface water will be made available for transfer from PGV by groundwater substitution and by crop idling/shifting, consistent with the current *Draft Technical Information for Preparing Water Transfer Proposals*, dated December 2019 (Draft Technical Information) published by the Department of Water Resources (DWR) and Reclamation. The Draft Technical Information has been developed to address the concerns of DWR and Reclamation relative to the potential impacts that water transfers may have on other legal users, instream beneficial uses, and the overall economy and environment. PGV will submit a proposal to DWR and Reclamation for a water transfer to participating entities within the SLDMWA during 2021, which includes detailed information relative to historical groundwater pumping, groundwater well characteristics, groundwater monitoring and reporting elements, historical cropping data, and associated maps. DWR and Reclamation will conduct an extensive review of these documents in order to ensure that the quantity of water proposed to be made available by PGV meets the relevant criteria to demonstrate a reduction in surface water use will occur as a result of the proposed temporary transfer. Absent the proposed temporary transfer to SLDMWA, groundwater would not be pumped by the Petitioner for groundwater substitution and crops would not be idled/shifted to make surface water available for SLDMWA; thus, the Petitioner would have diverted surface water to meet its irrigation demands.

Only wells which have been approved by DWR and Reclamation will be used for the proposed temporary transfer. In accordance with Water Code Section 1745.10, the Petitioner does not believe the proposed transfer to SLDMWA by groundwater substitution will result in an overdraft of the underlying groundwater basin. In addition, the proposed 2021 Water Transfer is consistent with the Groundwater Management Plan covering the area within PGV, which was adopted in 2012 pursuant to Water Code Section 10750 *et. seq.* As a condition of participation in the proposed temporary transfer, PGV has developed groundwater monitoring, reporting, and mitigation plans to ensure the proposed transfer does not result in any unreasonable and adverse effects, such as impacts to other legal users of water, land subsidence,



groundwater-dependent vegetation, and groundwater quality. As described above, the requirements of the monitoring program and mitigation plan are outlined in the Draft Technical Information and will be implemented by the Petitioner accordingly. The monitoring program also includes recurring review of groundwater level monitoring data obtained prior to, during, and following periods when surface water is made available by the Petitioner for the proposed water transfer, in accordance with the Draft Technical Information. To account for anticipated streamflow depletion, DWR and Reclamation will apply a factor of 13% to the amount of groundwater pumped pursuant to the Petitioner's proposed groundwater substitution transfer in accordance with the Draft Technical Information. Evaluation and approval by DWR and Reclamation of the groundwater monitoring, reporting, and mitigation plans will be obtained for PGV's groundwater substitution program. Further, PGV is providing notification to the Reclamation District No. 1001 Groundwater Sustainability Agency, which is the groundwater sustainability agency formed pursuant to the Sustainable Groundwater Management Act that covers the area where groundwater substitution pumping is proposed to occur within PGV. Documentation of PGV's notifications to the Reclamation District No. 1001 Groundwater Sustainability Agency will be provided to DWR and Reclamation, in accordance with the Draft Technical Information.

As indicated above, PGV conducts water transfers in accordance with the Draft Technical Information and other relevant requirements. The monitoring requirements associated with PGV's proposed groundwater substitution water transfer will be incorporated to agreements with DWR and Reclamation. Following the proposed water transfer, PGV will prepare a monitoring report summarizing the results. In PGV's previous groundwater substitution transfers, some of which involved similar quantities compared to the quantity proposed in this Petition, the groundwater basin in and around PGV recovered from the effects of the transfer the following spring. We expect the hydrologic data to show a similar recovery pattern for the proposed 2021 Water Transfer.

Crop idling/shifting water transfers involve surface water made available for transfer by reducing the consumptive use of surface water applied for irrigation. As indicated above, PGV is preparing a water transfer proposal for submittal to DWR and Reclamation to provide the information required pursuant to the Draft Technical Information, which includes supporting documentation to determine the quantity of surface water to be made available by crop idling/shifting. Following submittal of a proposal for the 2021 Water Transfer, DWR and Reclamation will evaluate the fields proposed to be idled/shifted for the temporary transfer. Evaluation and approval by DWR and Reclamation of the lands to be idled/shifted and verification of the quantity of surface water made available will ensure the proposed transfer does not result in any unreasonable and adverse impacts to the environment or third parties. In accordance with the Draft Technical Information and the *Final Long-Term Water Transfers Environmental Impact Statement/Environmental Impact Report* (Final EIS/EIR) prepared by SLDMWA and Reclamation, dated September 2019, PGV's crop idling/shifting will incorporate relevant mitigation measures that minimize impacts on threatened species, including the Giant Garter Snake.

As a result of the proposed temporary transfer, the flow in the Sacramento River downstream of the Petitioner's present points of diversion will increase by up to 802.6 AF over what would have occurred absent the proposed transfer. These increases will occur during the period that surface water is made available by the Petitioner or if possible, during the following months thereafter through releases by Reclamation for conveyance to SLDMWA. If excess capacity is available in Shasta Reservoir, the Delta is in balanced conditions, and regulatory requirements are being met, Reclamation may temporarily hold the quantity of surface water made available by the Petitioner, until export capacity at the SWP's Banks Pumping Plant or the CVP's Jones Pumping Plant is available, which is typically during July, August, or September. This "backing up" of transfer water would decrease releases from Shasta Reservoir early in the irrigation season, such as during May and June, and increase releases later in the season. Reclamation would only consider operations to facilitate and accommodate "backing up" of transfer water if those operations avoid temperature impacts, and possibly aid with overall temperature management, consistent with the Final EIS/R. In fact, this temporary retention of water in Shasta Reservoir, as a result of surface water made available by the Petitioner, may provide a benefit for fisheries during the early portion of the irrigation season. Shasta Reservoir would continue to be operated in accordance with regulatory requirements, such as flow and temperature requirements established by various agencies including the U.S. Fish and Wildlife Service, National Oceanic and Atmospheric Administration's National Marine Fisheries Service, Federal Energy Regulatory Commission, and State Water Resources Control Board, for the protection of downstream resources. During the period when it is possible for the increased flows in the Sacramento River to reach the proposed additional points of diversion for the proposed transfer, these flows will be a small percentage of the total flow and will be water that would be diverted by the Petitioner absent this proposed transfer. The Petitioner's reduced diversions will provide additional flows during the proposed transfer period, up to a maximum of approximately 7.7 cfs. Therefore, there will be no injury to other legal water users, water quality, or return flows; in fact, these increased flows may provide benefits for fisheries and wildlife and may result in a positive effect to the water users between the present points of diversion and the proposed additional points of diversion.

See files of the State Water Resources Control Board for more information regarding other legal water users, which may include the Delta water users, the Central Valley Project, and the SWP. Discussions with the Department of Fish and Wildlife (DFW) staff regarding the Petition occurred on February 10 and 26, and March 1, 2021 in order to discuss the proposed water transfer, including the overall process/review of the Petition and associated documentation by DFW and other agencies. Coordination with DFW staff is continuing in order to obtain any comments; and DFW staff have been provided a copy of this Petition for review. The Central Valley Regional Water Quality Control Board (CVRWQCB) has also been contacted and were provided information regarding the proposed temporary water transfer; CVRWQCB staff are currently reviewing the Petition. Copies of this Petition have been provided to Bridget Gibbons (916-767-3993) of DFW and Michelle Snapp (916-464-4824) of the CVRWQCB for review and comment.

## 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 No. 1

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](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

2/25/2021

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:

Michelle Snapp (916-464-4824) of the Central Valley Regional Water Quality Control Board was contacted in order to discuss the proposed temporary water transfer; and no comments were provided at this time. A copy of this petition has been provided to Ms. Snapp concurrently with the submittal of this petition to the Division of Water Rights.

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

3/17/2021

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:

Not Applicable.

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
Not Applicable.				

If necessary, provide additional information below:

Not Applicable.

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:

Not Applicable.

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:

Not Applicable.

Insert the attachment number here, if applicable:

**Photographs** See Attachment No. 1.

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

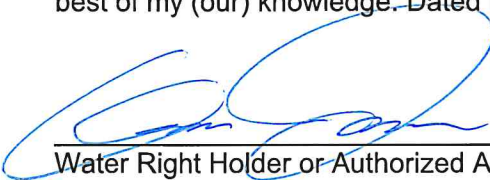
**Maps** See Attachment No. 1.

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 redirection, 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  at .

  
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.)

**Attachment No. 1**  
**to Environmental Information for**  
**Petitions for Change Involving Water Transfers**  
**Filed by Joint Petitioners within Pleasant Grove-Verona MWC**

DESCRIPTION OF PROPOSED CHANGES

The Pleasant Grove-Verona Mutual Water Company (PGV) is proposing a temporary water transfer to San Luis & Delta-Mendota Water Authority (SLDMWA) in 2021. To facilitate this transfer, the Joint Petitioners are petitioning to temporarily add two points of diversion, a point of rediversion, a place of use, and purposes of use to the water rights summarized below in order to transfer up to 15,140 AF for use by participating entities within SLDMWA by groundwater substitution and by crop idling/shifting. The State Water Project's (SWP) Banks Pumping Plant and the Central Valley Project's (CVP) CW "Bill" Jones Pumping Plant are proposed to be added as points of diversion; San Luis Reservoir is proposed to be added as a point of rediversion; and a portion of the service area of the CVP is proposed to be added as a place of use. The purposes of use proposed to be added are municipal, industrial, and domestic, in addition to the existing purpose of use for irrigation. These proposed additions would authorize the transfer of water to SLDMWA in order to provide an additional water supply during the current drier hydrologic conditions. There are no changes to the Petitioner's existing points of diversion, place of use, or purpose of use.

The Petitioner is a shareholder of PGV which holds Contract No. 14-06-200-5520A-R-1 (Contract) with the U.S. Bureau of Reclamation (Reclamation). The water rights held by the Joint Petitioners and the other shareholders of PGV serve as the basis for the Base Supply under PGV's Contract. This Petition is one of 11 petitions (Joint Petitions) being filed by participating shareholders of PGV (Joint Petitioners) pursuant to their individual water rights. The Joint Petitions include the following:

PGV Joint Petitions for Temporary Water Transfer  
Attachment No. 1 to Environmental Information Form

<b>Joint Petitioner</b>	<b>Application</b>	<b>License</b>	<b>Proposed Transfer Quantity (Up to Amount, AF)</b>
E. D. Willey and Son, Inc.	7641A	6389A	4,311.5
River Ranch Partnership	7641C	6389C	802.6
Brett Scheidel	7641B	6389B	1,160
	15606	11001	1,760
Nicoli G. Nicholas	7641D1	6389D1	638
	15856A	7064A	1,690
Maria John Nicholas Kelly Ranch, LLC	7641D2	6389D2	638
	15856B	7064B	1,466
Murphy Lake Farms	15856C	7064C	2,205*
	15858	6399	500*
William L. Spangler	16182	10848	270.4

Because the proposed project involves the transfer of water under PGV’s Contract these petitions are being filed jointly and should be treated as a single project. PGV has been authorized to act on behalf of the Joint Petitioners, each of which is filing similar petitions in order to facilitate the proposed transfer. Thus, this consolidated environmental information form accompanies each petition for the water rights listed above. The quantities shown in the table above are up to amounts for each Petitioner. PGV will coordinate with the Joint Petitioners to assure the maximum quantity to be transferred under the Joint Petitions will not exceed 15,140 AF.

The quantity of surface water proposed to be made available by groundwater substitution involves the use of groundwater pumped upon overlying lands in exchange for a like amount of surface water that will remain instream for diversion at the proposed additional points of diversion. The quantity of surface water proposed to be made available for transfer by crop idling/shifting involves only the consumptive use savings as a result of actions within PGV’s boundaries. These proposed quantities would be made available by the Petitioner during May through September 2021. The quantity made available under this Petition will be limited to actions consistent with the terms and conditions of this license. At this time, the quantity of surface water to be made available by groundwater substitution versus crop idling/shifting is unknown. The split between water being made available by each mechanism will be determined after executing a Purchase Agreement with SLDMWA. Absent the proposed temporary transfer, surface water would be diverted to meet the irrigation demands of the Joint Petitioners. The

\* Proposed upper limit quantities identified for each water right, limited to a combined quantity of up to 2,404.7 AF under Licenses 6399 and 7064C.



PGV Joint Petitions for Temporary Water Transfer  
Attachment No. 1 to Environmental Information Form

proposed temporary transfer does not involve any construction or other physical changes to the Petitioners's facilities.

Petitions for temporary transfer of water pursuant to Water Code Section 1725 are exempt from the California Environmental Quality Act (CEQA). The U.S. Bureau of Reclamation (Reclamation) and SLDMWA have prepared a *Final Long-Term Water Transfers Environmental Impact Statement/Environmental Impact Report* (Final EIS/EIR), dated September 2019, pursuant to the requirements under the National Environmental Policy Act (NEPA) and CEQA. A copy of the Final EIS/EIR, dated September 2019, is available at: < [https://www.usbr.gov/mp/nepa/nepa\\_project\\_details.php?Project\\_ID=18361](https://www.usbr.gov/mp/nepa/nepa_project_details.php?Project_ID=18361) > Based on the requirements associated with the Final EIS/EIR, and in accordance with the Draft Technical Information for Preparing Water Transfer Proposals, dated December 2019 published by the Department of Water Resources and Reclamation, the Petitioner will implement the relevant, applicable measures for the proposed 2021 Water Transfer.

#### PHOTOGRAPHS

The present points of diversion and the proposed additional points of diversion and rediversion include existing facilities that are well known and documented with the Division of Water Rights (Division). In addition, the present and proposed places of use are also well known and documented with the Division. Therefore, for these reasons, the Petitioner respectfully requests that said documentation be made a part of the record for the petition.

#### MAPS

The present points of diversion and place of use are shown on a map filed with the Division. The proposed additional point of diversion for the SWP's Banks Pumping Plant and the proposed additional point of rediversion for San Luis Reservoir are shown on maps filed with the Division for Application 5630. The proposed additional point of diversion for the CVP's Jones Pumping Plant is shown on maps filed with the Division for Application 5626. The proposed additional place of use is a portion of the CVP service area, as shown on Map 214-208 – 12581 on file with the Division under Application 5626. The Petitioner respectfully requests that said maps be made a part of the record for the petition.

Please indicate County where your project is located here:

Sutter

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 7641B Permit 4215 License 6389B 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 Attachment No. 1
Proposed: See Attachment No. 1

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 Attachment No. 1
Proposed: See Attachment No. 1

Purpose of Use

Present: Irrigation
Proposed: Irrigation, Municipal, Industrial, Domestic

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: Not Applicable.
Downstream Location:

Table with 12 columns for months (Jan-Dec) and rows for cubic feet per second and 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.

San Luis & Delta-Mendota Water Authority
Attn: Frances Mizuno
P.O. Box 2157
Los Banos, CA 93635
(209) 832-6200

**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

Angela Bozzene  
Right Holder or Authorized Agent Signature  
MBK Engineers, Agent

\_\_\_\_\_  
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](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/](http://www.waterboards.ca.gov/waterrights/water_issues/programs/fees/)  
(3) Department of Fish and Wildlife fee of \$850 (Pub. Resources Code, § 10005)

**Attachment No. 1**  
**to Petition for Change Involving Water Transfers**  
**License 6389B (Application 7641B)**  
**held by Brett Scheidel**

**PURPOSE OF PETITION**

The purpose of this Petition for Change Involving Water Transfers (Petition) is to: (1) add the State Water Project’s (SWP) Harvey O. Banks Pumping Plant and the Central Valley Project’s (CVP) CW “Bill” Jones Pumping Plant as points of diversion, (2) add San Luis Reservoir as a point of rediversion, (3) add a portion of the service area of the CVP as an additional place of use, and (4) add municipal, industrial, and domestic purposes of use under Brett Scheidel’s (Petitioner) License 6389B (Application 7641B). The Petitioner is a shareholder of the Pleasant Grove-Verona Mutual Water Company (PGV). PGV holds Contract No. 14-06-200-5520A-R-1 (Contract) with the U.S. Bureau of Reclamation (Reclamation). The water rights held by the Petitioner and the other shareholders of PGV serve as the basis for the Base Supply under PGV’s Contract. This Petition is one of 11 petitions (Joint Petitions) being filed by participating shareholders of PGV (Joint Petitioners) pursuant to their individual water rights. The Joint Petitions include the following:

<b>Joint Petitioner</b>	<b>Application</b>	<b>License</b>	<b>Proposed Transfer Quantity (Up to Amount, AF)</b>
E. D. Willey and Son, Inc.	7641A	6389A	4,311.5
River Ranch Partnership	7641C	6389C	802.6
Brett Scheidel	7641B	6389B	1,160
	15606	11001	1,760
Nicoli G. Nicholas	7641D1	6389D1	638
	15856A	7064A	1,690
Maria John Nicholas Kelly Ranch, LLC	7641D2	6389D2	638
	15856B	7064B	1,466
Murphy Lake Farms	15856C	7064C	2,205*
	15858	6399	500*
William L. Spangler	16182	10848	270.4

This Petition is being filed to facilitate a temporary transfer (2021 Water Transfer) of up to

\* Proposed upper limit quantities identified for each water right, limited to a combined quantity of up to 2,404.7 AF under Licenses 6399 and 7064C.

a total of 1,160 acre-feet (AF) of surface water proposed to be made available from the Petitioner during May through September 2021. This proposed transfer quantity will be made available by groundwater substitution and by crop idling/shifting in order to provide an additional water supply for irrigation, municipal, industrial, and domestic purposes. Groundwater substitution involves the use of groundwater pumped to produce crops within PGV in exchange for a like amount of surface water that will remain instream for diversion at the proposed additional points of diversion. The quantity of surface water to be made available for transfer by crop idling/shifting involves only the consumptive use savings as a result of actions within PGV’s boundaries. The quantity made available under this Petition will be limited to actions consistent with the terms and conditions of this License. At this time, the quantity of surface water to be made available by groundwater substitution versus crop idling/shifting is unknown. The split between water being made available by each mechanism will be determined after executing a Purchase Agreement with SLDMWA. As discussed further below, the quantity proposed to be made available by the Petitioner will be reviewed and approved by the U.S. Bureau of Reclamation (Reclamation) and the Department of Water Resources (DWR).

Absent the proposed temporary transfer, PGV would divert the entire quantity of surface water proposed for transfer from the Sacramento River pursuant to its water right and its Sacramento River Settlement Contract with Reclamation. Because the proposed project involves the transfer of water under PGV’s Contract, these petitions are being filed jointly and should be treated as a single project. PGV has been authorized to act on behalf of the Joint Petitioners, each of which is filing similar petitions in order to facilitate the proposed transfer. Under the Joint Petitions, PGV is proposing a temporary transfer of up to 15,140 acre-feet to the Authority. Absent the proposed temporary transfer, PGV and the Joint Petitioners would divert the entire quantity proposed for transfer from surface water sources pursuant to their water rights and the Contract with Reclamation.

**POINT OF DIVERSION OR REDIVERSION**

***Present Point of Diversion:***

No change in the present point of diversion is proposed. Petitioner’s authorized point of diversion under License 6389B is located on the Sacramento in Sutter County, tributary to the Suisun Bay as follows:

<b><u>Description</u></b>	<b><u>Located Within†</u></b>			
	<b><u>¼, ¼</u></b>	<b><u>Sec</u></b>	<b><u>T</u></b>	<b><u>R</u></b>
North 900 feet and west 1,700 feet from the SE corner of Section 23, T11N, R3E.	SW, SE	23	11N	3E

† All references to Township and Range are to the MDB&M.

***Proposed Additional Points of Diversion:***

No change in the present point of diversion is proposed. Petitioner proposes to add the following points of diversion:

**CW “Bill” Jones Pumping Plant**

N 2,121,505 ft., E 6,255,368 ft., California Coordinate System Zone 3, NAD 83, being within the NE ¼ of SW ¼ of Projected Section 29, T1S, R4E, MDB&M. This proposed additional point of diversion is identified on maps filed with the Division of Water Rights (Division) under Application 5626.

**Banks Pumping Plant via the Clifton Court Forebay**

N 2,126,440 ft., E 6,256,425 ft., California Coordinate System Zone 3, NAD 83, being within the NW ¼ of SE ¼ of Projected Section 20, T1S, R4E, MDB&M. This proposed additional point of diversion is identified on maps filed with the Division under Application 5630.

**POINT OF REDIVERSION**

***Present Points of Rediversion:***

<u>Description</u>	<u>Located Within‡</u>			
	<u>¼, ¼</u>	<u>Sec</u>	<u>T</u>	<u>R</u>
South 49°11’ east 3,460 feet from the NW corner of Section 8, T11N, R4E.	SE, NW	8	11N	4E

***Proposed Additional Point of Rediversion:***

Petitioner proposes to add the following point of rediversion, which will assist in the temporary retention of transfer water for later use by the participating entities within SLDMWA during periods that coincide with demands or other operational constraints:

**San Luis Reservoir**

N 1,845,103 ft., E 6,393,569 ft., California Coordinate System Zone 3, NAD 83, being within the SW ¼ of SE ¼ of Projected Section 15, T10S, R8E, MDB&M. This proposed additional point of rediversion is identified on maps filed with the Division under Application 5630.

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‡ All references to Township and Range are to the MDB&M.

## **PLACE OF USE**

### ***Present:***

The present place of use is 610 acres net, within a gross area of 683.80 acres, within Sections 5, 6, 7, and 8, T11N, R4E, MDB&M, as shown on map filed with the State Water Rights Board.

### ***Proposed:***

No change in the present place of use is proposed. The Petitioner proposes to add a portion of the service area of the CVP as the proposed additional place of use in order to facilitate the temporary water transfer to the SLDMWA. This portion of the service area of the CVP is shown on Map 214-208 – 12581 on file with the Division under Application 5626.

## **GENERAL INFORMATION**

Surface water will be made available for transfer from PGV by groundwater substitution and by crop idling/shifting, consistent with the current *Draft Technical Information for Preparing Water Transfer Proposals*, dated December 2019 (Draft Technical Information) published by the Department of Water Resources (DWR) and Reclamation. The Draft Technical Information has been developed to address the concerns of DWR and Reclamation relative to the potential impacts that water transfers may have on other legal users, instream beneficial uses, and the overall economy and environment. PGV will submit a proposal to DWR and Reclamation for a water transfer to participating entities within the SLDMWA during 2021, which includes detailed information relative to historical groundwater pumping, groundwater well characteristics, groundwater monitoring and reporting elements, historical cropping data, and associated maps. DWR and Reclamation will conduct an extensive review of these documents in order to ensure that the quantity of water proposed to be made available by PGV meets the relevant criteria to demonstrate a reduction in surface water use will occur as a result of the proposed temporary transfer. Absent the proposed temporary transfer to SLDMWA, groundwater would not be pumped by the Petitioner for groundwater substitution and crops would not be idled/shifted to make surface water available for SLDMWA; thus, the Petitioner would have diverted surface water to meet its irrigation demands.

Only wells which have been approved by DWR and Reclamation will be used for the proposed temporary transfer. In accordance with Water Code Section 1745.10, the Petitioner does not believe the proposed transfer to SLDMWA by groundwater substitution will result in an overdraft of the underlying groundwater basin. In addition, the proposed 2021 Water Transfer is consistent with the Groundwater Management Plan covering the area within PGV, which was adopted in 2012 pursuant to Water Code Section 10750 *et. seq.* As a condition of participation in the proposed temporary transfer, PGV has developed groundwater monitoring, reporting, and mitigation plans to ensure the proposed transfer does not result in any unreasonable and adverse effects, such as impacts to other legal users of water, land subsidence,

groundwater-dependent vegetation, and groundwater quality. As described above, the requirements of the monitoring program and mitigation plan are outlined in the Draft Technical Information and will be implemented by the Petitioner accordingly. The monitoring program also includes recurring review of groundwater level monitoring data obtained prior to, during, and following periods when surface water is made available by the Petitioner for the proposed water transfer, in accordance with the Draft Technical Information. To account for anticipated streamflow depletion, DWR and Reclamation will apply a factor of 13% to the amount of groundwater pumped pursuant to the Petitioner's proposed groundwater substitution transfer in accordance with the Draft Technical Information. Evaluation and approval by DWR and Reclamation of the groundwater monitoring, reporting, and mitigation plans will be obtained for PGV's groundwater substitution program. Further, PGV is providing notification to the Reclamation District No. 1001 Groundwater Sustainability Agency, which is the groundwater sustainability agency formed pursuant to the Sustainable Groundwater Management Act that covers the area where groundwater substitution pumping is proposed to occur within PGV. Documentation of PGV's notifications to the Reclamation District No. 1001 Groundwater Sustainability Agency will be provided to DWR and Reclamation, in accordance with the Draft Technical Information.

As indicated above, PGV conducts water transfers in accordance with the Draft Technical Information and other relevant requirements. The monitoring requirements associated with PGV's proposed groundwater substitution water transfer will be incorporated to agreements with DWR and Reclamation. Following the proposed water transfer, PGV will prepare a monitoring report summarizing the results. In PGV's previous groundwater substitution transfers, some of which involved similar quantities compared to the quantity proposed in this Petition, the groundwater basin in and around PGV recovered from the effects of the transfer the following spring. We expect the hydrologic data to show a similar recovery pattern for the proposed 2021 Water Transfer.

Crop idling/shifting water transfers involve surface water made available for transfer by reducing the consumptive use of surface water applied for irrigation. As indicated above, PGV is preparing a water transfer proposal for submittal to DWR and Reclamation to provide the information required pursuant to the Draft Technical Information, which includes supporting documentation to determine the quantity of surface water to be made available by crop idling/shifting. Following submittal of a proposal for the 2021 Water Transfer, DWR and Reclamation will evaluate the fields proposed to be idled/shifted for the temporary transfer. Evaluation and approval by DWR and Reclamation of the lands to be idled/shifted and verification of the quantity of surface water made available will ensure the proposed transfer does not result in any unreasonable and adverse impacts to the environment or third parties. In accordance with the Draft Technical Information and the *Final Long-Term Water Transfers Environmental Impact Statement/Environmental Impact Report* (Final EIS/EIR) prepared by SLDMWA and Reclamation, dated September 2019, PGV's crop idling/shifting will incorporate relevant mitigation measures that minimize impacts on threatened species, including the Giant Garter Snake.



As a result of the proposed temporary transfer, the flow in the Sacramento River downstream of the Petitioner's present points of diversion will increase by up to 1,160 AF over what would have occurred absent the proposed transfer. These increases will occur during the period that surface water is made available by the Petitioner or if possible, during the following months thereafter through releases by Reclamation for conveyance to SLDMWA. If excess capacity is available in Shasta Reservoir, the Delta is in balanced conditions, and regulatory requirements are being met, Reclamation may temporarily hold the quantity of surface water made available by the Petitioner, until export capacity at the SWP's Banks Pumping Plant or the CVP's Jones Pumping Plant is available, which is typically during July, August, or September. This "backing up" of transfer water would decrease releases from Shasta Reservoir early in the irrigation season, such as during May and June, and increase releases later in the season. Reclamation would only consider operations to facilitate and accommodate "backing up" of transfer water if those operations avoid temperature impacts, and possibly aid with overall temperature management, consistent with the Final EIS/R. In fact, this temporary retention of water in Shasta Reservoir, as a result of surface water made available by the Petitioner, may provide a benefit for fisheries during the early portion of the irrigation season. Shasta Reservoir would continue to be operated in accordance with regulatory requirements, such as flow and temperature requirements established by various agencies including the U.S. Fish and Wildlife Service, National Oceanic and Atmospheric Administration's National Marine Fisheries Service, Federal Energy Regulatory Commission, and State Water Resources Control Board, for the protection of downstream resources. During the period when it is possible for the increased flows in the Sacramento River to reach the proposed additional points of diversion for the proposed transfer, these flows will be a small percentage of the total flow and will be water that would be diverted by the Petitioner absent this proposed transfer. The Petitioner's reduced diversions will provide additional flows during the proposed transfer period, up to a maximum of approximately 9.6 cfs. Therefore, there will be no injury to other legal water users, water quality, or return flows; in fact, these increased flows may provide benefits for fisheries and wildlife and may result in a positive effect to the water users between the present points of diversion and the proposed additional points of diversion.

See files of the State Water Resources Control Board for more information regarding other legal water users, which may include the Delta water users, the Central Valley Project, and the SWP. Discussions with the Department of Fish and Wildlife (DFW) staff regarding the Petition occurred on February 10 and 26, and March 1, 2021 in order to discuss the proposed water transfer, including the overall process/review of the Petition and associated documentation by DFW and other agencies. Coordination with DFW staff is continuing in order to obtain any comments; and DFW staff have been provided a copy of this Petition for review. The Central Valley Regional Water Quality Control Board (CVRWQCB) has also been contacted and were provided information regarding the proposed temporary water transfer; CVRWQCB staff are currently reviewing the Petition. Copies of this Petition have been provided to Bridget Gibbons (916-767-3993) of DFW and Michelle Snapp (916-464-4824) of the CVRWQCB for review and comment.

## 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 No. 1

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](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

2/25/2021

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:

Michelle Snapp (916-464-4824) of the Central Valley Regional Water Quality Control Board was contacted in order to discuss the proposed temporary water transfer; and no comments were provided at this time. A copy of this petition has been provided to Ms. Snapp concurrently with the submittal of this petition to the Division of Water Rights.

Insert the attachment number here, if applicable:

1

**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

3/17/2021

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

Person Contacted: Not Applicable.

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:

Not Applicable.

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
Not Applicable.				

If necessary, provide additional information below:

Not Applicable.

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:

Not Applicable.

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:

Not Applicable.

Insert the attachment number here, if applicable:

**Photographs** See Attachment No. 1.

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** See Attachment No. 1.

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  at .

*Angela Bozzene*  
 \_\_\_\_\_  
 Water Right Holder or Authorized Agent Signature  
 MBK Engineers, Agent

\_\_\_\_\_  
 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.)

**Attachment No. 1**  
**to Environmental Information for**  
**Petitions for Change Involving Water Transfers**  
**Filed by Joint Petitioners within Pleasant Grove-Verona MWC**

DESCRIPTION OF PROPOSED CHANGES

The Pleasant Grove-Verona Mutual Water Company (PGV) is proposing a temporary water transfer to San Luis & Delta-Mendota Water Authority (SLDMWA) in 2021. To facilitate this transfer, the Joint Petitioners are petitioning to temporarily add two points of diversion, a point of rediversion, a place of use, and purposes of use to the water rights summarized below in order to transfer up to 15,140 AF for use by participating entities within SLDMWA by groundwater substitution and by crop idling/shifting. The State Water Project's (SWP) Banks Pumping Plant and the Central Valley Project's (CVP) CW "Bill" Jones Pumping Plant are proposed to be added as points of diversion; San Luis Reservoir is proposed to be added as a point of rediversion; and a portion of the service area of the CVP is proposed to be added as a place of use. The purposes of use proposed to be added are municipal, industrial, and domestic, in addition to the existing purpose of use for irrigation. These proposed additions would authorize the transfer of water to SLDMWA in order to provide an additional water supply during the current drier hydrologic conditions. There are no changes to the Petitioner's existing points of diversion, place of use, or purpose of use.

The Petitioner is a shareholder of PGV which holds Contract No. 14-06-200-5520A-R-1 (Contract) with the U.S. Bureau of Reclamation (Reclamation). The water rights held by the Joint Petitioners and the other shareholders of PGV serve as the basis for the Base Supply under PGV's Contract. This Petition is one of 11 petitions (Joint Petitions) being filed by participating shareholders of PGV (Joint Petitioners) pursuant to their individual water rights. The Joint Petitions include the following:

PGV Joint Petitions for Temporary Water Transfer  
Attachment No. 1 to Environmental Information Form

<b>Joint Petitioner</b>	<b>Application</b>	<b>License</b>	<b>Proposed Transfer Quantity (Up to Amount, AF)</b>
E. D. Willey and Son, Inc.	7641A	6389A	4,311.5
River Ranch Partnership	7641C	6389C	802.6
Brett Scheidel	7641B	6389B	1,160
	15606	11001	1,760
Nicoli G. Nicholas	7641D1	6389D1	638
	15856A	7064A	1,690
Maria John Nicholas Kelly Ranch, LLC	7641D2	6389D2	638
	15856B	7064B	1,466
Murphy Lake Farms	15856C	7064C	2,205*
	15858	6399	500*
William L. Spangler	16182	10848	270.4

Because the proposed project involves the transfer of water under PGV's Contract these petitions are being filed jointly and should be treated as a single project. PGV has been authorized to act on behalf of the Joint Petitioners, each of which is filing similar petitions in order to facilitate the proposed transfer. Thus, this consolidated environmental information form accompanies each petition for the water rights listed above. The quantities shown in the table above are up to amounts for each Petitioner. PGV will coordinate with the Joint Petitioners to assure the maximum quantity to be transferred under the Joint Petitions will not exceed 15,140 AF.

The quantity of surface water proposed to be made available by groundwater substitution involves the use of groundwater pumped upon overlying lands in exchange for a like amount of surface water that will remain instream for diversion at the proposed additional points of diversion. The quantity of surface water proposed to be made available for transfer by crop idling/shifting involves only the consumptive use savings as a result of actions within PGV's boundaries. These proposed quantities would be made available by the Petitioner during May through September 2021. The quantity made available under this Petition will be limited to actions consistent with the terms and conditions of this license. At this time, the quantity of surface water to be made available by groundwater substitution versus crop idling/shifting is unknown. The split between water being made available by each mechanism will be determined after executing a Purchase Agreement with SLDMWA. Absent the proposed temporary transfer, surface water would be diverted to meet the irrigation demands of the Joint Petitioners. The

\* Proposed upper limit quantities identified for each water right, limited to a combined quantity of up to 2,404.7 AF under Licenses 6399 and 7064C.

PGV Joint Petitions for Temporary Water Transfer  
Attachment No. 1 to Environmental Information Form

proposed temporary transfer does not involve any construction or other physical changes to the Petitioners's facilities.

Petitions for temporary transfer of water pursuant to Water Code Section 1725 are exempt from the California Environmental Quality Act (CEQA). The U.S. Bureau of Reclamation (Reclamation) and SLDMWA have prepared a *Final Long-Term Water Transfers Environmental Impact Statement/Environmental Impact Report* (Final EIS/EIR), dated September 2019, pursuant to the requirements under the National Environmental Policy Act (NEPA) and CEQA. A copy of the Final EIS/EIR, dated September 2019, is available at: < [https://www.usbr.gov/mp/nepa/nepa\\_project\\_details.php?Project\\_ID=18361](https://www.usbr.gov/mp/nepa/nepa_project_details.php?Project_ID=18361) > Based on the requirements associated with the Final EIS/EIR, and in accordance with the Draft Technical Information for Preparing Water Transfer Proposals, dated December 2019 published by the Department of Water Resources and Reclamation, the Petitioner will implement the relevant, applicable measures for the proposed 2021 Water Transfer.

#### PHOTOGRAPHS

The present points of diversion and the proposed additional points of diversion and rediversion include existing facilities that are well known and documented with the Division of Water Rights (Division). In addition, the present and proposed places of use are also well known and documented with the Division. Therefore, for these reasons, the Petitioner respectfully requests that said documentation be made a part of the record for the petition.

#### MAPS

The present points of diversion and place of use are shown on a map filed with the Division. The proposed additional point of diversion for the SWP's Banks Pumping Plant and the proposed additional point of rediversion for San Luis Reservoir are shown on maps filed with the Division for Application 5630. The proposed additional point of diversion for the CVP's Jones Pumping Plant is shown on maps filed with the Division for Application 5626. The proposed additional place of use is a portion of the CVP service area, as shown on Map 214-208 – 12581 on file with the Division under Application 5626. The Petitioner respectfully requests that said maps be made a part of the record for the petition.



Please indicate County where your project is located here:

Sutter

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 15606 Permit 9750 License 11001 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 Attachment No. 1
Proposed: See Attachment No. 1

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 Attachment No. 1
Proposed: See Attachment No. 1

Purpose of Use

Present: Irrigation
Proposed: Irrigation, Municipal, Industrial, Domestic

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: Not applicable
Downstream Location:

Table with 12 columns for months (Jan-Dec) and rows for cubic feet per second and 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.

San Luis & Delta-Mendota Water Authority
Attn: Frances Mizuno
P.O. Box 2157
Los Banos, CA 93635
(209) 832-6200

**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 .

Angela Bozzene  
Right Holder or Authorized Agent Signature  
MBK Engineers, Agent

\_\_\_\_\_  
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](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/](http://www.waterboards.ca.gov/waterrights/water_issues/programs/fees/)  
(3) Department of Fish and Wildlife fee of \$850 (Pub. Resources Code, § 10005)

**Attachment No. 1**  
**to Petition for Change Involving Water Transfers**  
**License 11001 (Application 15606)**  
**held by Brett Scheidel**

**PURPOSE OF PETITION**

The purpose of this Petition for Change Involving Water Transfers (Petition) is to: (1) add the State Water Project’s (SWP) Harvey O. Banks Pumping Plant and the Central Valley Project’s (CVP) CW “Bill” Jones Pumping Plant as points of diversion, (2) add San Luis Reservoir as a point of rediversion, (3) add a portion of the service area of the CVP as an additional place of use, and (4) add municipal, industrial, and domestic purposes of use under Brett Scheidel’s (Petitioner) License 11001 (Application 15606). The Petitioner is a shareholder of the Pleasant Grove-Verona Mutual Water Company (PGV). PGV holds Contract No. 14-06-200-5520A-R-1 (Contract) with the U.S. Bureau of Reclamation (Reclamation). The water rights held by the Petitioner and the other shareholders of PGV serve as the basis for the Base Supply under PGV’s Contract. This Petition is one of 11 petitions (Joint Petitions) being filed by participating shareholders of PGV (Joint Petitioners) pursuant to their individual water rights. The Joint Petitions include the following:

<b>Joint Petitioner</b>	<b>Application</b>	<b>License</b>	<b>Proposed Transfer Quantity (Up to Amount, AF)</b>
E. D. Willey and Son, Inc.	7641A	6389A	4,311.5
River Ranch Partnership	7641C	6389C	802.6
Brett Scheidel	7641B	6389B	1,160
	15606	11001	1,760
Nicoli G. Nicholas	7641D1	6389D1	638
	15856A	7064A	1,690
Maria John Nicholas Kelly Ranch, LLC	7641D2	6389D2	638
	15856B	7064B	1,466
Murphy Lake Farms	15856C	7064C	2,205*
	15858	6399	500*
William L. Spangler	16182	10848	270.4

This Petition is being filed to facilitate a temporary transfer (2021 Water Transfer) of up to

\* Proposed upper limit quantities identified for each water right, limited to a combined quantity of up to 2,404.7 AF under Licenses 6399 and 7064C.

a total of 1,760 acre-feet (AF) of surface water proposed to be made available from the Petitioner during May through September 2021. This proposed transfer quantity will be made available by groundwater substitution and by crop idling/shifting in order to provide an additional water supply for irrigation, municipal, industrial, and domestic purposes. Groundwater substitution involves the use of groundwater pumped to produce crops within PGV in exchange for a like amount of surface water that will remain instream for diversion at the proposed additional points of diversion. The quantity of surface water to be made available for transfer by crop idling/shifting involves only the consumptive use savings as a result of actions within PGV's boundaries. The quantity made available under this Petition will be limited to actions consistent with the terms and conditions of this License. At this time, the quantity of surface water to be made available by groundwater substitution versus crop idling/shifting is unknown. The split between water being made available by each mechanism will be determined after executing a Purchase Agreement with SLDMWA. As discussed further below, the quantity proposed to be made available by the Petitioner will be reviewed and approved by the U.S. Bureau of Reclamation (Reclamation) and the Department of Water Resources (DWR).

Absent the proposed temporary transfer, PGV would divert the entire quantity of surface water proposed for transfer from the Sacramento River pursuant to its water right and its Sacramento River Settlement Contract with Reclamation. Because the proposed project involves the transfer of water under PGV's Contract, these petitions are being filed jointly and should be treated as a single project. PGV has been authorized to act on behalf of the Joint Petitioners, each of which is filing similar petitions in order to facilitate the proposed transfer. Under the Joint Petitions, PGV is proposing a temporary transfer of up to 15,140 acre-feet to the Authority. Absent the proposed temporary transfer, PGV and the Joint Petitioners would divert the entire quantity proposed for transfer from surface water sources pursuant to their water rights and the Contract with Reclamation.

**POINT OF DIVERSION OR REDIVERSION**

***Present Point of Diversion:***

No change in the present point of diversion is proposed. Petitioner's authorized point of diversion under License 11001 is located on the Natomas Cross Canal in Sutter County, tributary to the Sacramento River as follows:

<b><u>Description</u></b>	<b>Located Within†</b>			
	<b><u>¼, ¼</u></b>	<b><u>Sec</u></b>	<b><u>T</u></b>	<b><u>R</u></b>
South 49° 11' East 3,460 feet from the NW corner of Section 8, T11N, R4E.	SE, NW	8	11N	4E

† All references to Township and Range are to the MDB&M.

***Proposed Additional Points of Diversion:***

No change in the present point of diversion is proposed. Petitioner proposes to add the following points of diversion:

**CW “Bill” Jones Pumping Plant**

N 2,121,505 ft., E 6,255,368 ft., California Coordinate System Zone 3, NAD 83, being within the NE ¼ of SW ¼ of Projected Section 29, T1S, R4E, MDB&M. This proposed additional point of diversion is identified on maps filed with the Division of Water Rights (Division) under Application 5626.

**Banks Pumping Plant via the Clifton Court Forebay**

N 2,126,440 ft., E 6,256,425 ft., California Coordinate System Zone 3, NAD 83, being within the NW ¼ of SE ¼ of Projected Section 20, T1S, R4E, MDB&M. This proposed additional point of diversion is identified on maps filed with the Division under Application 5630.

**POINT OF REDIVERSION**

***Present Points of Rediversion:***

Petitioner has no Point(s) of Rediversion under License 11001.

***Proposed Additional Point of Rediversion:***

Petitioner proposes to add the following point of rediversion, which will assist in the temporary retention of transfer water for later use by the participating entities within SLDMWA during periods that coincide with demands or other operational constraints:

**San Luis Reservoir**

N 1,845,103 ft., E 6,393,569 ft., California Coordinate System Zone 3, NAD 83, being within the SW ¼ of SE ¼ of Projected Section 15, T10S, R8E, MDB&M. This proposed additional point of rediversion is identified on maps filed with the Division under Application 5630.

**PLACE OF USE**

***Present:***

The present place of use is 580 acres net, within a gross area of 635.7 acres, being within Sections 31 and 32, T12N, R4E, MDB&M, and Section 6, T11N, R4E, MDB&M, as shown on a

map filed with the State Water Resources Control Board.

***Proposed:***

No change in the present place of use is proposed. The Petitioner proposes to add a portion of the service area of the CVP as the proposed additional place of use in order to facilitate the temporary water transfer to the SLDMWA. This portion of the service area of the CVP is shown on Map 214-208 – 12581 on file with the Division under Application 5626.

**GENERAL INFORMATION**

Surface water will be made available for transfer from PGV by groundwater substitution and by crop idling/shifting, consistent with the current *Draft Technical Information for Preparing Water Transfer Proposals*, dated December 2019 (Draft Technical Information) published by the Department of Water Resources (DWR) and Reclamation. The Draft Technical Information has been developed to address the concerns of DWR and Reclamation relative to the potential impacts that water transfers may have on other legal users, instream beneficial uses, and the overall economy and environment. PGV will submit a proposal to DWR and Reclamation for a water transfer to participating entities within the SLDMWA during 2021, which includes detailed information relative to historical groundwater pumping, groundwater well characteristics, groundwater monitoring and reporting elements, historical cropping data, and associated maps. DWR and Reclamation will conduct an extensive review of these documents in order to ensure that the quantity of water proposed to be made available by PGV meets the relevant criteria to demonstrate a reduction in surface water use will occur as a result of the proposed temporary transfer. Absent the proposed temporary transfer to SLDMWA, groundwater would not be pumped by the Petitioner for groundwater substitution and crops would not be idled/shifted to make surface water available for SLDMWA; thus, the Petitioner would have diverted surface water to meet its irrigation demands.

Only wells which have been approved by DWR and Reclamation will be used for the proposed temporary transfer. In accordance with Water Code Section 1745.10, the Petitioner does not believe the proposed transfer to SLDMWA by groundwater substitution will result in an overdraft of the underlying groundwater basin. In addition, the proposed 2021 Water Transfer is consistent with the Groundwater Management Plan covering the area within PGV, which was adopted in 2012 pursuant to Water Code Section 10750 *et. seq.* As a condition of participation in the proposed temporary transfer, PGV has developed groundwater monitoring, reporting, and mitigation plans to ensure the proposed transfer does not result in any unreasonable and adverse effects, such as impacts to other legal users of water, land subsidence, groundwater-dependent vegetation, and groundwater quality. As described above, the requirements of the monitoring program and mitigation plan are outlined in the Draft Technical Information and will be implemented by the Petitioner accordingly. The monitoring program also includes recurring review of groundwater level monitoring data obtained prior to, during, and following periods when surface water is made available by the Petitioner for the proposed water transfer, in accordance with the Draft Technical

Information. To account for anticipated streamflow depletion, DWR and Reclamation will apply a factor of 13% to the amount of groundwater pumped pursuant to the Petitioner's proposed groundwater substitution transfer in accordance with the Draft Technical Information. Evaluation and approval by DWR and Reclamation of the groundwater monitoring, reporting, and mitigation plans will be obtained for PGV's groundwater substitution program. Further, PGV is providing notification to the Reclamation District No. 1001 Groundwater Sustainability Agency, which is the groundwater sustainability agency formed pursuant to the Sustainable Groundwater Management Act that covers the area where groundwater substitution pumping is proposed to occur within PGV. Documentation of PGV's notifications to the Reclamation District No. 1001 Groundwater Sustainability Agency will be provided to DWR and Reclamation, in accordance with the Draft Technical Information.

As indicated above, PGV conducts water transfers in accordance with the Draft Technical Information and other relevant requirements. The monitoring requirements associated with PGV's proposed groundwater substitution water transfer will be incorporated to agreements with DWR and Reclamation. Following the proposed water transfer, PGV will prepare a monitoring report summarizing the results. In PGV's previous groundwater substitution transfers, some of which involved similar quantities compared to the quantity proposed in this Petition, the groundwater basin in and around PGV recovered from the effects of the transfer the following spring. We expect the hydrologic data to show a similar recovery pattern for the proposed 2021 Water Transfer.

Crop idling/shifting water transfers involve surface water made available for transfer by reducing the consumptive use of surface water applied for irrigation. As indicated above, PGV is preparing a water transfer proposal for submittal to DWR and Reclamation to provide the information required pursuant to the Draft Technical Information, which includes supporting documentation to determine the quantity of surface water to be made available by crop idling/shifting. Following submittal of a proposal for the 2021 Water Transfer, DWR and Reclamation will evaluate the fields proposed to be idled/shifted for the temporary transfer. Evaluation and approval by DWR and Reclamation of the lands to be idled/shifted and verification of the quantity of surface water made available will ensure the proposed transfer does not result in any unreasonable and adverse impacts to the environment or third parties. In accordance with the Draft Technical Information and the *Final Long-Term Water Transfers Environmental Impact Statement/Environmental Impact Report* (Final EIS/EIR) prepared by SLDMWA and Reclamation, dated September 2019, PGV's crop idling/shifting will incorporate relevant mitigation measures that minimize impacts on threatened species, including the Giant Garter Snake.

As a result of the proposed temporary transfer, the flow in the Sacramento River downstream of the Petitioner's present points of diversion will increase by up to 1,760 AF over what would have occurred absent the proposed transfer. These increases will occur during the period that surface water is made available by the Petitioner or if possible, during the following months thereafter through releases by Reclamation for conveyance to SLDMWA. If excess capacity is available in Shasta Reservoir, the Delta is in balanced conditions, and regulatory requirements are being met, Reclamation may temporarily hold the

quantity of surface water made available by the Petitioner, until export capacity at the SWP's Banks Pumping Plant or the CVP's Jones Pumping Plant is available, which is typically during July, August, or September. This "backing up" of transfer water would decrease releases from Shasta Reservoir early in the irrigation season, such as during May and June, and increase releases later in the season. Reclamation would only consider operations to facilitate and accommodate "backing up" of transfer water if those operations avoid temperature impacts, and possibly aid with overall temperature management, consistent with the Final EIS/R. In fact, this temporary retention of water in Shasta Reservoir, as a result of surface water made available by the Petitioner, may provide a benefit for fisheries during the early portion of the irrigation season. Shasta Reservoir would continue to be operated in accordance with regulatory requirements, such as flow and temperature requirements established by various agencies including the U.S. Fish and Wildlife Service, National Oceanic and Atmospheric Administration's National Marine Fisheries Service, Federal Energy Regulatory Commission, and State Water Resources Control Board, for the protection of downstream resources. During the period when it is possible for the increased flows in the Sacramento River to reach the proposed additional points of diversion for the proposed transfer, these flows will be a small percentage of the total flow and will be water that would be diverted by the Petitioner absent this proposed transfer. The Petitioner's reduced diversions will provide additional flows during the proposed transfer period, up to a maximum of approximately 14.54 cfs. Therefore, there will be no injury to other legal water users, water quality, or return flows; in fact, these increased flows may provide benefits for fisheries and wildlife and may result in a positive effect to the water users between the present points of diversion and the proposed additional points of diversion.

See files of the State Water Resources Control Board for more information regarding other legal water users, which may include the Delta water users, the Central Valley Project, and the SWP. Discussions with the Department of Fish and Wildlife (DFW) staff regarding the Petition occurred on February 10 and 26, and March 1, 2021 in order to discuss the proposed water transfer, including the overall process/review of the Petition and associated documentation by DFW and other agencies. Coordination with DFW staff is continuing in order to obtain any comments; and DFW staff have been provided a copy of this Petition for review. The Central Valley Regional Water Quality Control Board (CVRWQCB) has also been contacted and were provided information regarding the proposed temporary water transfer; CVRWQCB staff are currently reviewing the Petition. Copies of this Petition have been provided to Bridget Gibbons (916-767-3993) of DFW and Michelle Snapp (916-464-4824) of the CVRWQCB for review and comment.



## 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 No. 1

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](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

2/25/2021

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:

Michelle Snapp (916-464-4824) of the Central Valley Regional Water Quality Control Board was contacted in order to discuss the proposed temporary water transfer; and no comments were provided at this time. A copy of this petition has been provided to Ms. Snapp concurrently with the submittal of this petition to the Division of Water Rights.

Insert the attachment number here, if applicable:

1

**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

3/17/2021

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

Person Contacted: Not Applicable.

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:

Not Applicable.

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
Not Applicable.				

If necessary, provide additional information below:

Not Applicable.

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:

Not Applicable.

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:

Not Applicable.

Insert the attachment number here, if applicable:

**Photographs** See Attachment No. 1.

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** See Attachment No. 1.

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  at .

Angela Bozzene  
Water Right Holder or Authorized Agent Signature  
MBK Engineers, Agent

\_\_\_\_\_  
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.)

**Attachment No. 1**  
**to Environmental Information for**  
**Petitions for Change Involving Water Transfers**  
**Filed by Joint Petitioners within Pleasant Grove-Verona MWC**

DESCRIPTION OF PROPOSED CHANGES

The Pleasant Grove-Verona Mutual Water Company (PGV) is proposing a temporary water transfer to San Luis & Delta-Mendota Water Authority (SLDMWA) in 2021. To facilitate this transfer, the Joint Petitioners are petitioning to temporarily add two points of diversion, a point of rediversion, a place of use, and purposes of use to the water rights summarized below in order to transfer up to 15,140 AF for use by participating entities within SLDMWA by groundwater substitution and by crop idling/shifting. The State Water Project's (SWP) Banks Pumping Plant and the Central Valley Project's (CVP) CW "Bill" Jones Pumping Plant are proposed to be added as points of diversion; San Luis Reservoir is proposed to be added as a point of rediversion; and a portion of the service area of the CVP is proposed to be added as a place of use. The purposes of use proposed to be added are municipal, industrial, and domestic, in addition to the existing purpose of use for irrigation. These proposed additions would authorize the transfer of water to SLDMWA in order to provide an additional water supply during the current drier hydrologic conditions. There are no changes to the Petitioner's existing points of diversion, place of use, or purpose of use.

The Petitioner is a shareholder of PGV which holds Contract No. 14-06-200-5520A-R-1 (Contract) with the U.S. Bureau of Reclamation (Reclamation). The water rights held by the Joint Petitioners and the other shareholders of PGV serve as the basis for the Base Supply under PGV's Contract. This Petition is one of 11 petitions (Joint Petitions) being filed by participating shareholders of PGV (Joint Petitioners) pursuant to their individual water rights. The Joint Petitions include the following:

PGV Joint Petitions for Temporary Water Transfer  
Attachment No. 1 to Environmental Information Form

<b>Joint Petitioner</b>	<b>Application</b>	<b>License</b>	<b>Proposed Transfer Quantity (Up to Amount, AF)</b>
E. D. Willey and Son, Inc.	7641A	6389A	4,311.5
River Ranch Partnership	7641C	6389C	802.6
Brett Scheidel	7641B	6389B	1,160
	15606	11001	1,760
Nicoli G. Nicholas	7641D1	6389D1	638
	15856A	7064A	1,690
Maria John Nicholas Kelly Ranch, LLC	7641D2	6389D2	638
	15856B	7064B	1,466
Murphy Lake Farms	15856C	7064C	2,205*
	15858	6399	500*
William L. Spangler	16182	10848	270.4

Because the proposed project involves the transfer of water under PGV’s Contract these petitions are being filed jointly and should be treated as a single project. PGV has been authorized to act on behalf of the Joint Petitioners, each of which is filing similar petitions in order to facilitate the proposed transfer. Thus, this consolidated environmental information form accompanies each petition for the water rights listed above. The quantities shown in the table above are up to amounts for each Petitioner. PGV will coordinate with the Joint Petitioners to assure the maximum quantity to be transferred under the Joint Petitions will not exceed 15,140 AF.

The quantity of surface water proposed to be made available by groundwater substitution involves the use of groundwater pumped upon overlying lands in exchange for a like amount of surface water that will remain instream for diversion at the proposed additional points of diversion. The quantity of surface water proposed to be made available for transfer by crop idling/shifting involves only the consumptive use savings as a result of actions within PGV’s boundaries. These proposed quantities would be made available by the Petitioner during May through September 2021. The quantity made available under this Petition will be limited to actions consistent with the terms and conditions of this license. At this time, the quantity of surface water to be made available by groundwater substitution versus crop idling/shifting is unknown. The split between water being made available by each mechanism will be determined after executing a Purchase Agreement with SLDMWA. Absent the proposed temporary transfer, surface water would be diverted to meet the irrigation demands of the Joint Petitioners. The

\* Proposed upper limit quantities identified for each water right, limited to a combined quantity of up to 2,404.7 AF under Licenses 6399 and 7064C.

PGV Joint Petitions for Temporary Water Transfer  
Attachment No. 1 to Environmental Information Form

proposed temporary transfer does not involve any construction or other physical changes to the Petitioners's facilities.

Petitions for temporary transfer of water pursuant to Water Code Section 1725 are exempt from the California Environmental Quality Act (CEQA). The U.S. Bureau of Reclamation (Reclamation) and SLDMWA have prepared a *Final Long-Term Water Transfers Environmental Impact Statement/Environmental Impact Report* (Final EIS/EIR), dated September 2019, pursuant to the requirements under the National Environmental Policy Act (NEPA) and CEQA. A copy of the Final EIS/EIR, dated September 2019, is available at: < [https://www.usbr.gov/mp/nepa/nepa\\_project\\_details.php?Project\\_ID=18361](https://www.usbr.gov/mp/nepa/nepa_project_details.php?Project_ID=18361) > Based on the requirements associated with the Final EIS/EIR, and in accordance with the Draft Technical Information for Preparing Water Transfer Proposals, dated December 2019 published by the Department of Water Resources and Reclamation, the Petitioner will implement the relevant, applicable measures for the proposed 2021 Water Transfer.

#### PHOTOGRAPHS

The present points of diversion and the proposed additional points of diversion and rediversion include existing facilities that are well known and documented with the Division of Water Rights (Division). In addition, the present and proposed places of use are also well known and documented with the Division. Therefore, for these reasons, the Petitioner respectfully requests that said documentation be made a part of the record for the petition.

#### MAPS

The present points of diversion and place of use are shown on a map filed with the Division. The proposed additional point of diversion for the SWP's Banks Pumping Plant and the proposed additional point of rediversion for San Luis Reservoir are shown on maps filed with the Division for Application 5630. The proposed additional point of diversion for the CVP's Jones Pumping Plant is shown on maps filed with the Division for Application 5626. The proposed additional place of use is a portion of the CVP service area, as shown on Map 214-208 – 12581 on file with the Division under Application 5626. The Petitioner respectfully requests that said maps be made a part of the record for the petition.

Please indicate County where your project is located here:

Sutter

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 7641D1 Permit 4215 License 6389D1 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 Attachment No. 1
Proposed: See Attachment No. 1

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 Attachment No. 1
Proposed: See Attachment No. 1

Purpose of Use

Present: Irrigation
Proposed: Irrigation, Municipal, Industrial, Domestic

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: Not Applicable.
Downstream Location:

Table with 12 columns for months (Jan-Dec) and rows for cubic feet per second and 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.

San Luis & Delta-Mendota Water Authority
Attn: Frances Mizuno
P.O. Box 2157
Los Banos, CA 93635
(209) 832-6200



**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 .

Angela Bozzene  
Right Holder or Authorized Agent Signature  
MBK Engineers, Agent

\_\_\_\_\_  
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](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/](http://www.waterboards.ca.gov/waterrights/water_issues/programs/fees/)  
(3) Department of Fish and Wildlife fee of \$850 (Pub. Resources Code, § 10005)

**Attachment No. 1  
to Petition for Change Involving Water Transfers  
License 6389D1 (Application 7641D1)  
held by Nicoli G. Nicholas**

**GENERAL**

The purpose of this Petition for Change Involving Water Transfers (Petition) is to: (1) add the State Water Project’s (SWP) Harvey O. Banks Pumping Plant and the Central Valley Project’s (CVP) CW “Bill” Jones Pumping Plant as points of diversion, (2) add San Luis Reservoir as a point of rediversion, (3) add a portion of the service area of the CVP as an additional place of use, and (4) add municipal, industrial, and domestic purposes of use under Nicoli G. Nicholas’ (Petitioner) License 6389D1 (Application 7641D1). The Petitioner is a shareholder of the Pleasant Grove-Verona Mutual Water Company (PGV). PGV holds Contract No. 14-06-200-5520A-R-1 (Contract) with the U.S. Bureau of Reclamation (Reclamation). The water rights held by the Petitioner and the other shareholders of PGV serve as the basis for the Base Supply under PGV’s Contract. This Petition is one of 11 petitions (Joint Petitions) being filed by participating shareholders of PGV (Joint Petitioners) pursuant to their individual water rights. The Joint Petitions include the following:

Joint Petitioner	Application	License	Proposed Transfer Quantity (Up to Amount, AF)
E. D. Willey and Son, Inc.	7641A	6389A	4,311.5
River Ranch Partnership	7641C	6389C	802.6
Brett Scheidel	7641B	6389B	1,160
	15606	11001	1,760
Nicoli G. Nicholas	7641D1	6389D1	638
	15856A	7064A	1,690
Maria John Nicholas Kelly Ranch, LLC	7641D2	6389D2	638
	15856B	7064B	1,466
Murphy Lake Farms	15856C	7064C	2,205*
	15858	6399	500*
William L. Spangler	16182	10848	270.4

This Petition is being filed to facilitate a temporary transfer (2021 Water Transfer) of up to a total of 638 acre-feet (AF) of surface water proposed to be made available from the Petitioner during May through September 2021. This proposed transfer quantity will be made available by groundwater substitution and by crop idling/shifting in order to provide an

\* Proposed upper limit quantities identified for each water right, limited to a combined quantity of up to 2,404.7 AF under Licenses 6399 and 7064C.

additional water supply for irrigation, municipal, industrial, and domestic purposes. Groundwater substitution involves the use of groundwater pumped to produce crops within PGV in exchange for a like amount of surface water that will remain instream for diversion at the proposed additional points of diversion. The quantity of surface water to be made available for transfer by crop idling/shifting involves only the consumptive use savings as a result of actions within PGV's boundaries. The quantity made available under this Petition will be limited to actions consistent with the terms and conditions of this license. At this time, the quantity of surface water to be made available by groundwater substitution versus crop idling/shifting is unknown. The split between water being made available by each mechanism will be determined after executing a Purchase Agreement with SLDMWA. As discussed further below, the quantity proposed to be made available by the Petitioner will be reviewed and approved by the U.S. Bureau of Reclamation (Reclamation) and the Department of Water Resources (DWR).

Absent the proposed temporary transfer, PGV would divert the entire quantity of surface water proposed for transfer from the Sacramento River pursuant to its water right and its Sacramento River Settlement Contract with Reclamation. Because the proposed project involves the transfer of water under PGV's Contract, these petitions are being filed jointly and should be treated as a single project. PGV has been authorized to act on behalf of the Joint Petitioners, each of which is filing similar petitions in order to facilitate the proposed transfer. Under the Joint Petitions, PGV is proposing a temporary transfer of up to 15,140 AF to SLDMWA. Absent the proposed temporary transfer, PGV and the Joint Petitioners would divert the entire quantity proposed for transfer from surface water sources pursuant to their water rights and the Contract with Reclamation.

**POINT OF DIVERSION OR REDIVERSION**

**POINT OF DIVERSION**

***Present Points of Diversion:***

Petitioner's authorized point of diversion under License 6389D1 is located on the Sacramento River in Sutter County, tributary to the Suisun Bay as follows:

<u>Description</u>	<u>Located Within†</u>			
	<u>¼, ¼</u>	<u>Proj.</u> <u>Sec</u>	<u>T</u>	<u>R</u>
California Coordinate System of 1927, Zone 2, North 406,000 feet and East 2,113,000 feet	SW, SE	23	11N	3E

† All references to Township and Range are to the MDB&M.

***Proposed Additional Points of Diversion:***

No change in the present points of diversion is proposed. The Petitioner proposes to add the following points of diversion:

**Banks Pumping Plant via the Clifton Court Forebay**

N 2,126,440 ft., E 6,256,425 ft., California Coordinate System Zone 3, NAD 83, being within the NW ¼ of SE ¼ of Projected Section 20, T1S, R4E, MDB&M. This proposed additional point of diversion is identified on maps filed with the Division of Water Rights (Division) under Application 5630.

**CW “Bill” Jones Pumping Plant**

N 2,121,505 ft., E 6,255,368 ft., California Coordinate System Zone 3, NAD 83, being within the NE ¼ of SW ¼ of Projected Section 29, T1S, R4E, MDB&M. This proposed additional point of diversion is identified on maps filed with the Division under Application 5626.

**POINT OF REDIVERSION**

***Present Points of Rediversion:***

<u>Description</u>	<u>Located Within†</u>			
	<u>¼, ¼</u>	<u>Proj. Sec</u>	<u>T</u>	<u>R</u>
California Coordinate System of 1927, Zone 2, North 409,450 feet and East 2,114,125 feet	NW, NW	24	11N	3E
California Coordinate System of 1927, Zone 2, North 410,450 feet and East 2,114,125 feet	NE, NE	23	11N	3E
California Coordinate System of 1927, Zone 2, North 410,900 feet and East 2,113,807 feet	SE, SE	14	11N	3E
California Coordinate System of 1927, Zone 2, North 411,920 feet and East 2,113,325 feet	NE, SE	14	11N	3E
California Coordinate System of 1927, Zone 2, North 414,250 feet and East 2,114,200 feet	SE, NE	14	11N	3E

***Proposed Additional Point of Rediversion:***

The Petitioner proposes to add the following point of rediversion, which will assist in the temporary retention of transfer water for later use by the participating entities within SLDMWA during periods that coincide with demands or other operational constraints:

**San Luis Reservoir**

N 1,845,103 ft., E 6,393,569 ft., California Coordinate System Zone 3, NAD 83, being within the SW ¼ of SE ¼ of Projected Section 15, T10S, R8E, MDB&M. This proposed additional point of rediversion is identified on maps filed with the Division under Application 5630.

**PLACE OF USE**

***Present:***

The present place of use is 119.3 acres net within a gross area of 776 acres within projected Sections 13, 14, 23, and 24, T11N, R3E, MDB&M, as shown on a map dated March 11, 1988 on file with the SWRCB and identified by County Assessor's office as APN 34-140-006 and 34-190-007.

***Proposed:***

No change in the present place of use is proposed. The Petitioner proposes to add a portion of the service area of the CVP as the proposed additional place of use in order to facilitate the temporary water transfer to the SLDMWA. This portion of the service area of the CVP is shown on Map 214-208 – 12581 on file with the Division under Application 5626.

**GENERAL INFORMATION**

Surface water will be made available for transfer from PGV by groundwater substitution and by crop idling/shifting, consistent with the current *Draft Technical Information for Preparing Water Transfer Proposals*, dated December 2019 (Draft Technical Information) published by the Department of Water Resources (DWR) and Reclamation. The Draft Technical Information has been developed to address the concerns of DWR and Reclamation relative to the potential impacts that water transfers may have on other legal users, instream beneficial uses, and the overall economy and environment. PGV will submit a proposal to DWR and Reclamation for a water transfer to participating entities within the SLDMWA during 2021, which includes detailed information relative to historical groundwater pumping, groundwater well characteristics, groundwater monitoring and reporting elements, historical cropping data, and associated maps. DWR and Reclamation will conduct an extensive review of these documents in order to ensure that the quantity of water proposed to be made available by

PGV meets the relevant criteria to demonstrate a reduction in surface water use will occur as a result of the proposed temporary transfer. Absent the proposed temporary transfer to SLDMWA, groundwater would not be pumped by the Petitioner for groundwater substitution and crops would not be idled/shifted to make surface water available for SLDMWA; thus, the Petitioner would have diverted surface water to meet its irrigation demands.

Only wells which have been approved by DWR and Reclamation will be used for the proposed temporary transfer. In accordance with Water Code Section 1745.10, the Petitioner does not believe the proposed transfer to SLDMWA by groundwater substitution will result in an overdraft of the underlying groundwater basin. In addition, the proposed 2021 Water Transfer is consistent with the Groundwater Management Plan covering the area within PGV, which was adopted in 2012 pursuant to Water Code Section 10750 *et. seq.* As a condition of participation in the proposed temporary transfer, PGV has developed groundwater monitoring, reporting, and mitigation plans to ensure the proposed transfer does not result in any unreasonable and adverse effects, such as impacts to other legal users of water, land subsidence, groundwater-dependent vegetation, and groundwater quality. As described above, the requirements of the monitoring program and mitigation plan are outlined in the Draft Technical Information and will be implemented by the Petitioner accordingly. The monitoring program also includes recurring review of groundwater level monitoring data obtained prior to, during, and following periods when surface water is made available by the Petitioner for the proposed water transfer, in accordance with the Draft Technical Information. To account for anticipated streamflow depletion, DWR and Reclamation will apply a factor of 13% to the amount of groundwater pumped pursuant to the Petitioner's proposed groundwater substitution transfer in accordance with the Draft Technical Information. Evaluation and approval by DWR and Reclamation of the groundwater monitoring, reporting, and mitigation plans will be obtained for PGV's groundwater substitution program. Further, PGV is providing notification to the Reclamation District No. 1001 Groundwater Sustainability Agency, which is the groundwater sustainability agency formed pursuant to the Sustainable Groundwater Management Act that covers the area where groundwater substitution pumping is proposed to occur within PGV. Documentation of PGV's notifications to the Reclamation District No. 1001 Groundwater Sustainability Agency will be provided to DWR and Reclamation, in accordance with the Draft Technical Information.

As indicated above, PGV conducts water transfers in accordance with the Draft Technical Information and other relevant requirements. The monitoring requirements associated with PGV's proposed groundwater substitution water transfer will be incorporated to agreements with DWR and Reclamation. Following the proposed water transfer, PGV will prepare a monitoring report summarizing the results. In PGV's previous groundwater substitution transfers, some of which involved similar quantities compared to the quantity proposed in this Petition, the groundwater basin in and around PGV recovered from the effects of the transfer the following spring. We expect the hydrologic data to show a similar recovery pattern for the proposed 2021 Water Transfer.

Crop idling/shifting water transfers involve surface water made available for transfer by reducing the consumptive use of surface water applied for irrigation. As indicated above, PGV is

preparing a water transfer proposal for submittal to DWR and Reclamation to provide the information required pursuant to the Draft Technical Information, which includes supporting documentation to determine the quantity of surface water to be made available by crop idling/shifting. Following submittal of a proposal for the 2021 Water Transfer, DWR and Reclamation will evaluate the fields proposed to be idled/shifted for the temporary transfer. Evaluation and approval by DWR and Reclamation of the lands to be idled/shifted and verification of the quantity of surface water made available will ensure the proposed transfer does not result in any unreasonable and adverse impacts to the environment or third parties. In accordance with the Draft Technical Information and the *Final Long-Term Water Transfers Environmental Impact Statement/Environmental Impact Report* (Final EIS/EIR) prepared by SLDMWA and Reclamation, dated September 2019, PGV's crop idling/shifting will incorporate relevant mitigation measures that minimize impacts on threatened species, including the Giant Garter Snake.

As a result of the proposed temporary transfer, the flow in the Sacramento River downstream of the Petitioner's present points of diversion will increase by up to 638 AF over what would have occurred absent the proposed transfer. These increases will occur during the period that surface water is made available by the Petitioner or if possible, during the following months thereafter through releases by Reclamation for conveyance to SLDMWA. If excess capacity is available in Shasta Reservoir, the Delta is in balanced conditions, and regulatory requirements are being met, Reclamation may temporarily hold the quantity of surface water made available by the Petitioner, until export capacity at the SWP's Banks Pumping Plant or the CVP's Jones Pumping Plant is available, which is typically during July, August, or September. This "backing up" of transfer water would decrease releases from Shasta Reservoir early in the irrigation season, such as during May and June, and increase releases later in the season. Reclamation would only consider operations to facilitate and accommodate "backing up" of transfer water if those operations avoid temperature impacts, and possibly aid with overall temperature management, consistent with the Final EIS/R. In fact, this temporary retention of water in Shasta Reservoir, as a result of surface water made available by the Petitioner, may provide a benefit for fisheries during the early portion of the irrigation season. Shasta Reservoir would continue to be operated in accordance with regulatory requirements, such as flow and temperature requirements established by various agencies including the U.S. Fish and Wildlife Service, National Oceanic and Atmospheric Administration's National Marine Fisheries Service, Federal Energy Regulatory Commission, and State Water Resources Control Board, for the protection of downstream resources. During the period when it is possible for the increased flows in the Sacramento River to reach the proposed additional points of diversion for the proposed transfer, these flows will be a small percentage of the total flow and will be water that would be diverted by the Petitioner absent this proposed transfer. The Petitioner's reduced diversions will provide additional flows during the proposed transfer period, up to a maximum of approximately 2.1 cfs. Therefore, there will be no injury to other legal water users, water quality, or return flows; in fact, these increased flows may provide benefits for fisheries and wildlife and may result in a positive effect to the water users between the present points of diversion and the proposed additional points of diversion.

See files of the State Water Resources Control Board for more information regarding other legal water users, which may include the Delta water users, the Central Valley Project, and the SWP. Discussions with the Department of Fish and Wildlife (DFW) staff regarding the Petition occurred on February 10 and 26, and March 1, 2021 in order to discuss the proposed water transfer, including the overall process/review of the Petition and associated documentation by DFW and other agencies. Coordination with DFW staff is continuing in order to obtain any comments; and DFW staff have been provided a copy of this Petition for review. The Central Valley Regional Water Quality Control Board (CVRWQCB) has also been contacted and were provided information regarding the proposed temporary water transfer; CVRWQCB staff are currently reviewing the Petition. Copies of this Petition have been provided to Bridget Gibbons (916-767-3993) of DFW and Michelle Snapp (916-464-4824) of the CVRWQCB for review and comment.



## 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 No. 1

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](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

2/25/2021

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:

Michelle Snapp (916-464-4824) of the Central Valley Regional Water Quality Control Board was contacted in order to discuss the proposed temporary water transfer; and no comments were provided at this time. A copy of this petition has been provided to Ms. Snapp concurrently with the submittal of this petition to the Division of Water Rights.

Insert the attachment number here, if applicable:

1

**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

3/17/2021

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

Person Contacted: Not Applicable. 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:

Not Applicable.

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
Not Applicable.				

If necessary, provide additional information below:

Not Applicable.

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:

Not Applicable.

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:

Not Applicable.

Insert the attachment number here, if applicable:

**Photographs** See Attachment No. 1.

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** See Attachment No. 1.

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  at  .

*Angela Bozzene*  
 \_\_\_\_\_  
 Water Right Holder or Authorized Agent Signature  
 MBK Engineers, Agent

\_\_\_\_\_  
 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.)

**Attachment No. 1**  
**to Environmental Information for**  
**Petitions for Change Involving Water Transfers**  
**Filed by Joint Petitioners within Pleasant Grove-Verona MWC**

DESCRIPTION OF PROPOSED CHANGES

The Pleasant Grove-Verona Mutual Water Company (PGV) is proposing a temporary water transfer to San Luis & Delta-Mendota Water Authority (SLDMWA) in 2021. To facilitate this transfer, the Joint Petitioners are petitioning to temporarily add two points of diversion, a point of rediversion, a place of use, and purposes of use to the water rights summarized below in order to transfer up to 15,140 AF for use by participating entities within SLDMWA by groundwater substitution and by crop idling/shifting. The State Water Project's (SWP) Banks Pumping Plant and the Central Valley Project's (CVP) CW "Bill" Jones Pumping Plant are proposed to be added as points of diversion; San Luis Reservoir is proposed to be added as a point of rediversion; and a portion of the service area of the CVP is proposed to be added as a place of use. The purposes of use proposed to be added are municipal, industrial, and domestic, in addition to the existing purpose of use for irrigation. These proposed additions would authorize the transfer of water to SLDMWA in order to provide an additional water supply during the current drier hydrologic conditions. There are no changes to the Petitioner's existing points of diversion, place of use, or purpose of use.

The Petitioner is a shareholder of PGV which holds Contract No. 14-06-200-5520A-R-1 (Contract) with the U.S. Bureau of Reclamation (Reclamation). The water rights held by the Joint Petitioners and the other shareholders of PGV serve as the basis for the Base Supply under PGV's Contract. This Petition is one of 11 petitions (Joint Petitions) being filed by participating shareholders of PGV (Joint Petitioners) pursuant to their individual water rights. The Joint Petitions include the following:

PGV Joint Petitions for Temporary Water Transfer  
Attachment No. 1 to Environmental Information Form

<b>Joint Petitioner</b>	<b>Application</b>	<b>License</b>	<b>Proposed Transfer Quantity (Up to Amount, AF)</b>
E. D. Willey and Son, Inc.	7641A	6389A	4,311.5
River Ranch Partnership	7641C	6389C	802.6
Brett Scheidel	7641B	6389B	1,160
	15606	11001	1,760
Nicoli G. Nicholas	7641D1	6389D1	638
	15856A	7064A	1,690
Maria John Nicholas Kelly Ranch, LLC	7641D2	6389D2	638
	15856B	7064B	1,466
Murphy Lake Farms	15856C	7064C	2,205*
	15858	6399	500*
William L. Spangler	16182	10848	270.4

Because the proposed project involves the transfer of water under PGV’s Contract these petitions are being filed jointly and should be treated as a single project. PGV has been authorized to act on behalf of the Joint Petitioners, each of which is filing similar petitions in order to facilitate the proposed transfer. Thus, this consolidated environmental information form accompanies each petition for the water rights listed above. The quantities shown in the table above are up to amounts for each Petitioner. PGV will coordinate with the Joint Petitioners to assure the maximum quantity to be transferred under the Joint Petitions will not exceed 15,140 AF.

The quantity of surface water proposed to be made available by groundwater substitution involves the use of groundwater pumped upon overlying lands in exchange for a like amount of surface water that will remain instream for diversion at the proposed additional points of diversion. The quantity of surface water proposed to be made available for transfer by crop idling/shifting involves only the consumptive use savings as a result of actions within PGV’s boundaries. These proposed quantities would be made available by the Petitioner during May through September 2021. The quantity made available under this Petition will be limited to actions consistent with the terms and conditions of this license. At this time, the quantity of surface water to be made available by groundwater substitution versus crop idling/shifting is unknown. The split between water being made available by each mechanism will be determined after executing a Purchase Agreement with SLDMWA. Absent the proposed temporary transfer, surface water would be diverted to meet the irrigation demands of the Joint Petitioners. The

\* Proposed upper limit quantities identified for each water right, limited to a combined quantity of up to 2,404.7 AF under Licenses 6399 and 7064C.

PGV Joint Petitions for Temporary Water Transfer  
Attachment No. 1 to Environmental Information Form

proposed temporary transfer does not involve any construction or other physical changes to the Petitioners's facilities.

Petitions for temporary transfer of water pursuant to Water Code Section 1725 are exempt from the California Environmental Quality Act (CEQA). The U.S. Bureau of Reclamation (Reclamation) and SLDMWA have prepared a *Final Long-Term Water Transfers Environmental Impact Statement/Environmental Impact Report* (Final EIS/EIR), dated September 2019, pursuant to the requirements under the National Environmental Policy Act (NEPA) and CEQA. A copy of the Final EIS/EIR, dated September 2019, is available at: < [https://www.usbr.gov/mp/nepa/nepa\\_project\\_details.php?Project\\_ID=18361](https://www.usbr.gov/mp/nepa/nepa_project_details.php?Project_ID=18361) > Based on the requirements associated with the Final EIS/EIR, and in accordance with the Draft Technical Information for Preparing Water Transfer Proposals, dated December 2019 published by the Department of Water Resources and Reclamation, the Petitioner will implement the relevant, applicable measures for the proposed 2021 Water Transfer.

#### PHOTOGRAPHS

The present points of diversion and the proposed additional points of diversion and rediversion include existing facilities that are well known and documented with the Division of Water Rights (Division). In addition, the present and proposed places of use are also well known and documented with the Division. Therefore, for these reasons, the Petitioner respectfully requests that said documentation be made a part of the record for the petition.

#### MAPS

The present points of diversion and place of use are shown on a map filed with the Division. The proposed additional point of diversion for the SWP's Banks Pumping Plant and the proposed additional point of rediversion for San Luis Reservoir are shown on maps filed with the Division for Application 5630. The proposed additional point of diversion for the CVP's Jones Pumping Plant is shown on maps filed with the Division for Application 5626. The proposed additional place of use is a portion of the CVP service area, as shown on Map 214-208 – 12581 on file with the Division under Application 5626. The Petitioner respectfully requests that said maps be made a part of the record for the petition.

Please indicate County where your project is located here:

Sutter

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 15856A Permit 9963 License 7064A 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 Attachment No. 1
Proposed: See Attachment No. 1

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 Attachment No. 1
Proposed: See Attachment No. 1

Purpose of Use

Present: Irrigation
Proposed: Irrigation, Municipal, Industrial, Domestic

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: Not Applicable.
Downstream Location:

Table with 12 columns for months (Jan-Dec) and rows for cubic feet per second and 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.

San Luis & Delta-Mendota Water Authority
Attn: Frances Mizuno
P.O. Box 2157
Los Banos, CA 93635
(209) 832-6200



**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 .

Angela Bozzene  
Right Holder or Authorized Agent Signature  
MBK Engineers, Agent

\_\_\_\_\_  
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](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/](http://www.waterboards.ca.gov/waterrights/water_issues/programs/fees/)  
(3) Department of Fish and Wildlife fee of \$850 (Pub. Resources Code, § 10005)

**Attachment No. 1  
to Petition for Change Involving Water Transfers  
License 7064A (Application 15856A)  
held by Nicoli G. Nicholas**

**GENERAL**

The purpose of this Petition for Change Involving Water Transfers (Petition) is to: (1) add the State Water Project’s (SWP) Harvey O. Banks Pumping Plant and the Central Valley Project’s (CVP) CW “Bill” Jones Pumping Plant as points of diversion, (2) add San Luis Reservoir as a point of rediversion, (3) add a portion of the service area of the CVP as an additional place of use, and (4) add municipal, industrial, and domestic purposes of use under Nicoli G. Nicholas’ (Petitioner) License 7064A (Application 15856A). The Petitioner is a shareholder of the Pleasant Grove-Verona Mutual Water Company (PGV). PGV holds Contract No. 14-06-200-5520A-R-1 (Contract) with the U.S. Bureau of Reclamation (Reclamation). The water rights held by the Petitioner and the other shareholders of PGV serve as the basis for the Base Supply under PGV’s Contract. This Petition is one of 11 petitions (Joint Petitions) being filed by participating shareholders of PGV (Joint Petitioners) pursuant to their individual water rights. The Joint Petitions include the following:

<b>Joint Petitioner</b>	<b>Application</b>	<b>License</b>	<b>Proposed Transfer Quantity (Up to Amount, AF)</b>
E. D. Willey and Son, Inc.	7641A	6389A	4,311.5
River Ranch Partnership	7641C	6389C	802.6
Brett Scheidel	7641B	6389B	1,160
	15606	11001	1,760
Nicoli G. Nicholas	7641D1	6389D1	638
	15856A	7064A	1,690
Maria John Nicholas Kelly Ranch, LLC	7641D2	6389D2	638
	15856B	7064B	1,466
Murphy Lake Farms	15856C	7064C	2,205*
	15858	6399	500*
William L. Spangler	16182	10848	270.4

This Petition is being filed to facilitate a temporary transfer (2021 Water Transfer) of up to a total of 1,690 acre-feet (AF) of surface water proposed to be made available from the Petitioner during May through September 2021. This proposed transfer quantity will be made available by groundwater substitution and by crop idling/shifting in order to provide an

\* Proposed upper limit quantities identified for each water right, limited to a combined quantity of up to 2,404.7 AF under Licenses 6399 and 7064C.

additional water supply for irrigation, municipal, industrial, and domestic purposes. Groundwater substitution involves the use of groundwater pumped to produce crops within PGV in exchange for a like amount of surface water that will remain instream for diversion at the proposed additional points of diversion. The quantity of surface water to be made available for transfer by crop idling/shifting involves only the consumptive use savings as a result of actions within PGV's boundaries. The quantity made available under this Petition will be limited to actions consistent with the terms and conditions of this license. At this time, the quantity of surface water to be made available by groundwater substitution versus crop idling/shifting is unknown. The split between water being made available by each mechanism will be determined after executing a Purchase Agreement with SLDMWA. As discussed further below, the quantity proposed to be made available by the Petitioner will be reviewed and approved by the U.S. Bureau of Reclamation (Reclamation) and the Department of Water Resources (DWR).

Absent the proposed temporary transfer, PGV would divert the entire quantity of surface water proposed for transfer from the Sacramento River pursuant to its water right and its Sacramento River Settlement Contract with Reclamation. Because the proposed project involves the transfer of water under PGV's Contract, these petitions are being filed jointly and should be treated as a single project. PGV has been authorized to act on behalf of the Joint Petitioners, each of which is filing similar petitions in order to facilitate the proposed transfer. Under the Joint Petitions, PGV is proposing a temporary transfer of up to 15,140 AF to SLDMWA. Absent the proposed temporary transfer, PGV and the Joint Petitioners would divert the entire quantity proposed for transfer from surface water sources pursuant to their water rights and the Contract with Reclamation.

**POINT OF DIVERSION OR REDIVERSION**

**POINT OF DIVERSION**

***Present Points of Diversion:***

Petitioner's authorized points of diversion under License 7064A are located on the Natomas Cross Canal in Sutter County, tributary to the Sacramento River as follows:

<b><u>Description</u></b>	<b>Located Within†</b>			
	<b><u>¼, ¼</u></b>	<b><u>Proj. Sec</u></b>	<b><u>T</u></b>	<b><u>R</u></b>
California Coordinate System of 1927, Zone 2, North 406,000 feet and East 2,113,000 feet	SW, SE	23	11N	3E
California Coordinate System of 1927, Zone 2, North 409,550 feet and East 2,114,809 feet	NE, NW	24	11N	3E

† All references to Township and Range are to the MDB&M.

***Proposed Additional Points of Diversion:***

No change in the present points of diversion is proposed. The Petitioner proposes to add the following points of diversion:

**Banks Pumping Plant via the Clifton Court Forebay**

N 2,126,440 ft., E 6,256,425 ft., California Coordinate System Zone 3, NAD 83, being within the NW ¼ of SE ¼ of Projected Section 20, T1S, R4E, MDB&M. This proposed additional point of diversion is identified on maps filed with the Division of Water Rights (Division) under Application 5630.

**CW “Bill” Jones Pumping Plant**

N 2,121,505 ft., E 6,255,368 ft., California Coordinate System Zone 3, NAD 83, being within the NE ¼ of SW ¼ of Projected Section 29, T1S, R4E, MDB&M. This proposed additional point of diversion is identified on maps filed with the Division under Application 5626.

**POINT OF REDIVERSION**

***Present Points of Rediversion:***

<u>Description</u>	<u>Located Within†</u>			
	<u>¼, ¼</u>	<u>Proj. Sec</u>	<u>T</u>	<u>R</u>
California Coordinate System of 1927, Zone 2, North 409,550 feet and East 2,125,114 feet	NE, NE	23	11N	3E
California Coordinate System of 1927, Zone 2, North 410,900 feet and East 2,113,807 feet	SE, SE	14	11N	3E
California Coordinate System of 1927, Zone 2, North 414,920 feet and East 2,113,325 feet	NE, SE	14	11N	3E
California Coordinate System of 1927, Zone 2, North 414,250 feet and East 2,114,200 feet	SE, NE	14	11N	3E

***Proposed Additional Point of Rediversion:***

No change in the present points of rediversion is proposed. The Petitioner proposes to add the following point of rediversion, which will assist in the temporary retention of transfer water for later use by the participating entities within SLDMWA during periods that coincide with demands or other operational constraints:

**San Luis Reservoir**

N 1,845,103 ft., E 6,393,569 ft., California Coordinate System Zone 3, NAD 83, being within the SW ¼ of SE ¼ of Projected Section 15, T10S, R8E, MDB&M. This proposed additional point of redirection is identified on maps filed with the Division under Application 5630.

**PLACE OF USE**

***Present:***

The present place of use is 180 acres within projected section 13, T11N, R3E, MDB&M; 400 acres within projected section 14, T11N, R3E, MDB&M; 173.5 acres within projected section 23, T11N, R3E, MDB&M; 22 acres within projected section 24, T11N, R3E, MDB&M; 776 acres total as shown on a map dated March 11, 1988 on file with the SWRCB and identified by County Assessor's office as APN 34-140-006 and 34-190-007.

***Proposed:***

No change in the present place of use is proposed. The Petitioner proposes to add a portion of the service area of the CVP as the proposed additional place of use in order to facilitate the temporary water transfer to the SLDMWA. This portion of the service area of the CVP is shown on Map 214-208 – 12581 on file with the Division under Application 5626.

**GENERAL INFORMATION**

Surface water will be made available for transfer from PGV by groundwater substitution and by crop idling/shifting, consistent with the current *Draft Technical Information for Preparing Water Transfer Proposals*, dated December 2019 (Draft Technical Information) published by the Department of Water Resources (DWR) and Reclamation. The Draft Technical Information has been developed to address the concerns of DWR and Reclamation relative to the potential impacts that water transfers may have on other legal users, instream beneficial uses, and the overall economy and environment. PGV will submit a proposal to DWR and Reclamation for a water transfer to participating entities within the SLDMWA during 2021, which includes detailed information relative to historical groundwater pumping, groundwater well characteristics, groundwater monitoring and reporting elements, historical cropping data, and associated maps. DWR and Reclamation will conduct an extensive review of these documents in order to ensure that the quantity of water proposed to be made available by PGV meets the relevant criteria to demonstrate a reduction in surface water use will occur as a result of the proposed temporary transfer. Absent the proposed temporary transfer to SLDMWA, groundwater would not be pumped by the Petitioner for groundwater substitution and crops would not be idled/shifted to make surface water available for SLDMWA; thus, the Petitioner would have diverted surface water to meet its irrigation demands.

Only wells which have been approved by DWR and Reclamation will be used for the proposed temporary transfer. In accordance with Water Code Section 1745.10, the Petitioner does not believe the proposed transfer to SLDMWA by groundwater substitution will result in an overdraft of the underlying groundwater basin. In addition, the proposed 2021 Water Transfer is consistent with the Groundwater Management Plan covering the area within PGV, which was adopted in 2012 pursuant to Water Code Section 10750 *et. seq.* As a condition of participation in the proposed temporary transfer, PGV has developed groundwater monitoring, reporting, and mitigation plans to ensure the proposed transfer does not result in any unreasonable and adverse effects, such as impacts to other legal users of water, land subsidence, groundwater-dependent vegetation, and groundwater quality. As described above, the requirements of the monitoring program and mitigation plan are outlined in the Draft Technical Information and will be implemented by the Petitioner accordingly. The monitoring program also includes recurring review of groundwater level monitoring data obtained prior to, during, and following periods when surface water is made available by the Petitioner for the proposed water transfer, in accordance with the Draft Technical Information. To account for anticipated streamflow depletion, DWR and Reclamation will apply a factor of 13% to the amount of groundwater pumped pursuant to the Petitioner's proposed groundwater substitution transfer in accordance with the Draft Technical Information. Evaluation and approval by DWR and Reclamation of the groundwater monitoring, reporting, and mitigation plans will be obtained for PGV's groundwater substitution program. Further, PGV is providing notification to the Reclamation District No. 1001 Groundwater Sustainability Agency, which is the groundwater sustainability agency formed pursuant to the Sustainable Groundwater Management Act that covers the area where groundwater substitution pumping is proposed to occur within PGV. Documentation of PGV's notifications to the Reclamation District No. 1001 Groundwater Sustainability Agency will be provided to DWR and Reclamation, in accordance with the Draft Technical Information.

As indicated above, PGV conducts water transfers in accordance with the Draft Technical Information and other relevant requirements. The monitoring requirements associated with PGV's proposed groundwater substitution water transfer will be incorporated to agreements with DWR and Reclamation. Following the proposed water transfer, PGV will prepare a monitoring report summarizing the results. In PGV's previous groundwater substitution transfers, some of which involved similar quantities compared to the quantity proposed in this Petition, the groundwater basin in and around PGV recovered from the effects of the transfer the following spring. We expect the hydrologic data to show a similar recovery pattern for the proposed 2021 Water Transfer.

Crop idling/shifting water transfers involve surface water made available for transfer by reducing the consumptive use of surface water applied for irrigation. As indicated above, PGV is preparing a water transfer proposal for submittal to DWR and Reclamation to provide the information required pursuant to the Draft Technical Information, which includes supporting documentation to determine the quantity of surface water to be made available by crop idling/shifting. Following submittal of a proposal for the 2021 Water Transfer, DWR and Reclamation will evaluate the fields proposed to be idled/shifted for the temporary transfer.

Evaluation and approval by DWR and Reclamation of the lands to be idled/shifted and verification of the quantity of surface water made available will ensure the proposed transfer does not result in any unreasonable and adverse impacts to the environment or third parties. In accordance with the Draft Technical Information and the *Final Long-Term Water Transfers Environmental Impact Statement/Environmental Impact Report* (Final EIS/EIR) prepared by SLDMWA and Reclamation, dated September 2019, PGV's crop idling/shifting will incorporate relevant mitigation measures that minimize impacts on threatened species, including the Giant Garter Snake.

As a result of the proposed temporary transfer, the flow in the Sacramento River downstream of the Petitioner's present points of diversion will increase by up to 1,690 AF over what would have occurred absent the proposed transfer. These increases will occur during the period that surface water is made available by the Petitioner or if possible, during the following months thereafter through releases by Reclamation for conveyance to SLDMWA. If excess capacity is available in Shasta Reservoir, the Delta is in balanced conditions, and regulatory requirements are being met, Reclamation may temporarily hold the quantity of surface water made available by the Petitioner, until export capacity at the SWP's Banks Pumping Plant or the CVP's Jones Pumping Plant is available, which is typically during July, August, or September. This "backing up" of transfer water would decrease releases from Shasta Reservoir early in the irrigation season, such as during May and June, and increase releases later in the season. Reclamation would only consider operations to facilitate and accommodate "backing up" of transfer water if those operations avoid temperature impacts, and possibly aid with overall temperature management, consistent with the Final EIS/R. In fact, this temporary retention of water in Shasta Reservoir, as a result of surface water made available by the Petitioner, may provide a benefit for fisheries during the early portion of the irrigation season. Shasta Reservoir would continue to be operated in accordance with regulatory requirements, such as flow and temperature requirements established by various agencies including the U.S. Fish and Wildlife Service, National Oceanic and Atmospheric Administration's National Marine Fisheries Service, Federal Energy Regulatory Commission, and State Water Resources Control Board, for the protection of downstream resources. During the period when it is possible for the increased flows in the Sacramento River to reach the proposed additional points of diversion for the proposed transfer, these flows will be a small percentage of the total flow and will be water that would be diverted by the Petitioner absent this proposed transfer. The Petitioner's reduced diversions will provide additional flows during the proposed transfer period, up to a maximum of approximately 11.77 cfs. Therefore, there will be no injury to other legal water users, water quality, or return flows; in fact, these increased flows may provide benefits for fisheries and wildlife and may result in a positive effect to the water users between the present points of diversion and the proposed additional points of diversion.

See files of the State Water Resources Control Board for more information regarding other legal water users, which may include the Delta water users, the Central Valley Project, and the SWP. Discussions with the Department of Fish and Wildlife (DFW) staff regarding the Petition occurred on February 10 and 26, and March 1, 2021 in order to discuss the proposed water transfer, including the overall process/review of the Petition and associated documentation

by DFW and other agencies. Coordination with DFW staff is continuing in order to obtain any comments; and DFW staff have been provided a copy of this Petition for review. The Central Valley Regional Water Quality Control Board (CVRWQCB) has also been contacted and were provided information regarding the proposed temporary water transfer; CVRWQCB staff are currently reviewing the Petition. Copies of this Petition have been provided to Bridget Gibbons (916-767-3993) of DFW and Michelle Snapp (916-464-4824) of the CVRWQCB for review and comment.



## 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 No. 1

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](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

2/25/2021

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:

Michelle Snapp (916-464-4824) of the Central Valley Regional Water Quality Control Board was contacted in order to discuss the proposed temporary water transfer; and no comments were provided at this time. A copy of this petition has been provided to Ms. Snapp concurrently with the submittal of this petition to the Division of Water Rights.

Insert the attachment number here, if applicable:

1

**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

3/17/2021

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:

Not Applicable.

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
Not Applicable.				

If necessary, provide additional information below:

Not Applicable.

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:

Not Applicable.

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:

Not Applicable.

Insert the attachment number here, if applicable:

**Photographs** See Attachment No. 1.

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** See Attachment No. 1.

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  at .

Angela Bozzene  
Water Right Holder or Authorized Agent Signature  
MBK Engineers, Agent

\_\_\_\_\_  
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.)

**Attachment No. 1**  
**to Environmental Information for**  
**Petitions for Change Involving Water Transfers**  
**Filed by Joint Petitioners within Pleasant Grove-Verona MWC**

DESCRIPTION OF PROPOSED CHANGES

The Pleasant Grove-Verona Mutual Water Company (PGV) is proposing a temporary water transfer to San Luis & Delta-Mendota Water Authority (SLDMWA) in 2021. To facilitate this transfer, the Joint Petitioners are petitioning to temporarily add two points of diversion, a point of rediversion, a place of use, and purposes of use to the water rights summarized below in order to transfer up to 15,140 AF for use by participating entities within SLDMWA by groundwater substitution and by crop idling/shifting. The State Water Project's (SWP) Banks Pumping Plant and the Central Valley Project's (CVP) CW "Bill" Jones Pumping Plant are proposed to be added as points of diversion; San Luis Reservoir is proposed to be added as a point of rediversion; and a portion of the service area of the CVP is proposed to be added as a place of use. The purposes of use proposed to be added are municipal, industrial, and domestic, in addition to the existing purpose of use for irrigation. These proposed additions would authorize the transfer of water to SLDMWA in order to provide an additional water supply during the current drier hydrologic conditions. There are no changes to the Petitioner's existing points of diversion, place of use, or purpose of use.

The Petitioner is a shareholder of PGV which holds Contract No. 14-06-200-5520A-R-1 (Contract) with the U.S. Bureau of Reclamation (Reclamation). The water rights held by the Joint Petitioners and the other shareholders of PGV serve as the basis for the Base Supply under PGV's Contract. This Petition is one of 11 petitions (Joint Petitions) being filed by participating shareholders of PGV (Joint Petitioners) pursuant to their individual water rights. The Joint Petitions include the following:

PGV Joint Petitions for Temporary Water Transfer  
Attachment No. 1 to Environmental Information Form

<b>Joint Petitioner</b>	<b>Application</b>	<b>License</b>	<b>Proposed Transfer Quantity (Up to Amount, AF)</b>
E. D. Willey and Son, Inc.	7641A	6389A	4,311.5
River Ranch Partnership	7641C	6389C	802.6
Brett Scheidel	7641B	6389B	1,160
	15606	11001	1,760
Nicoli G. Nicholas	7641D1	6389D1	638
	15856A	7064A	1,690
Maria John Nicholas Kelly Ranch, LLC	7641D2	6389D2	638
	15856B	7064B	1,466
Murphy Lake Farms	15856C	7064C	2,205*
	15858	6399	500*
William L. Spangler	16182	10848	270.4

Because the proposed project involves the transfer of water under PGV’s Contract these petitions are being filed jointly and should be treated as a single project. PGV has been authorized to act on behalf of the Joint Petitioners, each of which is filing similar petitions in order to facilitate the proposed transfer. Thus, this consolidated environmental information form accompanies each petition for the water rights listed above. The quantities shown in the table above are up to amounts for each Petitioner. PGV will coordinate with the Joint Petitioners to assure the maximum quantity to be transferred under the Joint Petitions will not exceed 15,140 AF.

The quantity of surface water proposed to be made available by groundwater substitution involves the use of groundwater pumped upon overlying lands in exchange for a like amount of surface water that will remain instream for diversion at the proposed additional points of diversion. The quantity of surface water proposed to be made available for transfer by crop idling/shifting involves only the consumptive use savings as a result of actions within PGV’s boundaries. These proposed quantities would be made available by the Petitioner during May through September 2021. The quantity made available under this Petition will be limited to actions consistent with the terms and conditions of this license. At this time, the quantity of surface water to be made available by groundwater substitution versus crop idling/shifting is unknown. The split between water being made available by each mechanism will be determined after executing a Purchase Agreement with SLDMWA. Absent the proposed temporary transfer, surface water would be diverted to meet the irrigation demands of the Joint Petitioners. The

\* Proposed upper limit quantities identified for each water right, limited to a combined quantity of up to 2,404.7 AF under Licenses 6399 and 7064C.

PGV Joint Petitions for Temporary Water Transfer  
Attachment No. 1 to Environmental Information Form

proposed temporary transfer does not involve any construction or other physical changes to the Petitioners's facilities.

Petitions for temporary transfer of water pursuant to Water Code Section 1725 are exempt from the California Environmental Quality Act (CEQA). The U.S. Bureau of Reclamation (Reclamation) and SLDMWA have prepared a *Final Long-Term Water Transfers Environmental Impact Statement/Environmental Impact Report* (Final EIS/EIR), dated September 2019, pursuant to the requirements under the National Environmental Policy Act (NEPA) and CEQA. A copy of the Final EIS/EIR, dated September 2019, is available at: < [https://www.usbr.gov/mp/nepa/nepa\\_project\\_details.php?Project\\_ID=18361](https://www.usbr.gov/mp/nepa/nepa_project_details.php?Project_ID=18361) > Based on the requirements associated with the Final EIS/EIR, and in accordance with the Draft Technical Information for Preparing Water Transfer Proposals, dated December 2019 published by the Department of Water Resources and Reclamation, the Petitioner will implement the relevant, applicable measures for the proposed 2021 Water Transfer.

#### PHOTOGRAPHS

The present points of diversion and the proposed additional points of diversion and rediversion include existing facilities that are well known and documented with the Division of Water Rights (Division). In addition, the present and proposed places of use are also well known and documented with the Division. Therefore, for these reasons, the Petitioner respectfully requests that said documentation be made a part of the record for the petition.

#### MAPS

The present points of diversion and place of use are shown on a map filed with the Division. The proposed additional point of diversion for the SWP's Banks Pumping Plant and the proposed additional point of rediversion for San Luis Reservoir are shown on maps filed with the Division for Application 5630. The proposed additional point of diversion for the CVP's Jones Pumping Plant is shown on maps filed with the Division for Application 5626. The proposed additional place of use is a portion of the CVP service area, as shown on Map 214-208 – 12581 on file with the Division under Application 5626. The Petitioner respectfully requests that said maps be made a part of the record for the petition.

Please indicate County where your project is located here:

Sutter

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 7641D2 Permit 4215 License 6389D2 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 Attachment No. 1
Proposed: See Attachment No. 1

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 Attachment No. 1
Proposed: See Attachment No. 1

Purpose of Use

Present: Irrigation
Proposed: Irrigation, Municipal, Industrial, Domestic

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: Not Applicable.
Downstream Location:

Table with 12 columns for months (Jan-Dec) and rows for cubic feet per second and 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.

San Luis & Delta-Mendota Water Authority
Attn: Frances Mizuno
P.O. Box 2157
Los Banos, CA 93635
(209) 832-6200



**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

Angela Bozzene  
Right Holder or Authorized Agent Signature  
MBK Engineers, Agent

\_\_\_\_\_  
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](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/](http://www.waterboards.ca.gov/waterrights/water_issues/programs/fees/)  
(3) Department of Fish and Wildlife fee of \$850 (Pub. Resources Code, § 10005)

**Attachment No. 1  
to Petition for Change Involving Water Transfers  
License 6389D2 (Application 7641D2)  
held by Maria John Nicholas Kelly Ranch, LLC**

**GENERAL**

The purpose of this Petition for Change Involving Water Transfers (Petition) is to: (1) add the State Water Project’s (SWP) Harvey O. Banks Pumping Plant and the Central Valley Project’s (CVP) CW “Bill” Jones Pumping Plant as points of diversion, (2) add San Luis Reservoir as a point of rediversion, (3) add a portion of the service area of the CVP as an additional place of use, and (4) add municipal, industrial, and domestic purposes of use under Maria John Nicholas Kelly Ranch, LLC’s (Petitioner) License 6389D2 (Application 7641D2). The Petitioner is a shareholder of the Pleasant Grove-Verona Mutual Water Company (PGV). PGV holds Contract No. 14-06-200-5520A-R-1 (Contract) with the U.S. Bureau of Reclamation (Reclamation). The water rights held by the Petitioner and the other shareholders of PGV serve as the basis for the Base Supply under PGV’s Contract. This Petition is one of 11 petitions (Joint Petitions) being filed by participating shareholders of PGV (Joint Petitioners) pursuant to their individual water rights. The Joint Petitions include the following:

Joint Petitioner	Application	License	Proposed Transfer Quantity (Up to Amount, AF)
E. D. Willey and Son, Inc.	7641A	6389A	4,311.5
River Ranch Partnership	7641C	6389C	802.6
Brett Scheidel	7641B	6389B	1,160
	15606	11001	1,760
Nicoli G. Nicholas	7641D1	6389D1	638
	15856A	7064A	1,690
Maria John Nicholas Kelly Ranch, LLC	7641D2	6389D2	638
	15856B	7064B	1,466
Murphy Lake Farms	15856C	7064C	2,205*
	15858	6399	500*
William L. Spangler	16182	10848	270.4

This Petition is being filed to facilitate a temporary transfer (2021 Water Transfer) of up to a total of 638 acre-feet (AF) of surface water proposed to be made available from the Petitioner during May through September 2021. This proposed transfer quantity will be made available by groundwater substitution and by crop idling/shifting in order to provide an

\* Proposed upper limit quantities identified for each water right, limited to a combined quantity of up to 2,404.7 AF under Licenses 6399 and 7064C.

additional water supply for irrigation, municipal, industrial, and domestic purposes. Groundwater substitution involves the use of groundwater pumped to produce crops within PGV in exchange for a like amount of surface water that will remain instream for diversion at the proposed additional points of diversion. The quantity of surface water to be made available for transfer by crop idling/shifting involves only the consumptive use savings as a result of actions within PGV's boundaries. The quantity made available under this Petition will be limited to actions consistent with the terms and conditions of this license. At this time, the quantity of surface water to be made available by groundwater substitution versus crop idling/shifting is unknown. The split between water being made available by each mechanism will be determined after executing a Purchase Agreement with SLDMWA. As discussed further below, the quantity proposed to be made available by the Petitioner will be reviewed and approved by the U.S. Bureau of Reclamation (Reclamation) and the Department of Water Resources (DWR).

Absent the proposed temporary transfer, PGV would divert the entire quantity of surface water proposed for transfer from the Sacramento River pursuant to its water right and its Sacramento River Settlement Contract with Reclamation. Because the proposed project involves the transfer of water under PGV's Contract, these petitions are being filed jointly and should be treated as a single project. PGV has been authorized to act on behalf of the Joint Petitioners, each of which is filing similar petitions in order to facilitate the proposed transfer. Under the Joint Petitions, PGV is proposing a temporary transfer of up to 15,140 AF to SLDMWA. Absent the proposed temporary transfer, PGV and the Joint Petitioners would divert the entire quantity proposed for transfer from surface water sources pursuant to their water rights and the Contract with Reclamation.

**POINT OF DIVERSION OR REDIVERSION**

**POINT OF DIVERSION**

***Present Point of Diversion:***

Petitioner's authorized point of diversion under License 6389D2 is located as follows:

<u>Description</u>	<u>Located Within†</u>			
	<u>¼, ¼</u>	<u>Proj.</u> <u>Sec</u>	<u>T</u>	<u>R</u>
By California Coordinate System of 1927, Zone 2, North 406,000 and East 2,113,000 being within the	SW, SE	23	11N	3E

† All references to Township and Range are to the MDB&M.

***Proposed Additional Points of Diversion:***

No change in the present points of diversion is proposed. Petitioner proposes to add the following points of diversion:

**Banks Pumping Plant via the Clifton Court Forebay**

N 2,126,440 ft., E 6,256,425 ft., California Coordinate System Zone 3, NAD 83, being within the NW ¼ of SE ¼ of Projected Section 20, T1S, R4E, MDB&M. This proposed additional point of diversion is identified on maps filed with the Division of Water Rights (Division) under Application 5630.

**CW “Bill” Jones Pumping Plant**

N 2,121,505 ft., E 6,255,368 ft., California Coordinate System Zone 3, NAD 83, being within the NE ¼ of SW ¼ of Projected Section 29, T1S, R4E, MDB&M. This proposed additional point of diversion is identified on maps filed with the Division under Application 5626.

**POINT OF REDIVERSION**

***Present Points of Rediversion:***

Petitioner’s authorized points of rediversion under License 6389D2 are listed below:

<u>Description</u>	<u>Located Within†</u>			
	<u>¼, ¼</u>	<u>Proj. Sec</u>	<u>T</u>	<u>R</u>
By California Coordinate System of 1927, Zone 2, North 409,550 feet and East 2,114,809 feet	NW, NW	24	11N	3E
California Coordinate System of 1927, Zone 2, North 415,279 feet and East 2,114,663 feet	NW, NW	13	11N	3E
California Coordinate System of 1927, Zone 2, North 423,790 feet and East 2,116,150 feet	NE, SW	1	11N	3E

***Proposed Additional Point of Rediversion:***

No change in the present points of rediversion is proposed. Petitioner proposes to add the following point of rediversion, which will assist in the temporary retention of transfer water for later use by the participating entities within SLDMWA during periods that coincide with demands or other operational constraints:

**San Luis Reservoir**

N 1,845,103 ft., E 6,393,569 ft., California Coordinate System Zone 3, NAD 83, being within the SW ¼ of SE ¼ of Projected Section 15, T10S, R8E, MDB&M. This proposed additional point of diversion is identified on maps filed with the Division under Application 5630.

**PLACE OF USE**

***Present:***

The present place of use for License 6389D2 is as follows:

119.3 acres net within a gross area of 826 acres within projected Section 2, 11, and 14, T11N, R3E, MDB&M, as shown on a map dated March 11, 1988 on file with the SWRCB and identified by County Assessor's office as APN 34-130-003, 34-130-004, 34-140-005, and 34-080-004.

***Proposed:***

No change in the present place of use is proposed. The Petitioner proposes to add a portion of the service area of the CVP as the proposed additional place of use in order to facilitate the temporary water transfer to the SLDMWA. This portion of the service area of the CVP is shown on Map 214-208 – 12581 on file with the Division under Application 5626.

**GENERAL INFORMATION**

Surface water will be made available for transfer from PGV by groundwater substitution and by crop idling/shifting, consistent with the current *Draft Technical Information for Preparing Water Transfer Proposals*, dated December 2019 (Draft Technical Information) published by the Department of Water Resources (DWR) and Reclamation. The Draft Technical Information has been developed to address the concerns of DWR and Reclamation relative to the potential impacts that water transfers may have on other legal users, instream beneficial uses, and the overall economy and environment. PGV will submit a proposal to DWR and Reclamation for a water transfer to participating entities within the SLDMWA during 2021, which includes detailed information relative to historical groundwater pumping, groundwater well characteristics, groundwater monitoring and reporting elements, historical cropping data, and associated maps. DWR and Reclamation will conduct an extensive review of these documents in order to ensure that the quantity of water proposed to be made available by PGV meets the relevant criteria to demonstrate a reduction in surface water use will occur as a result of the proposed temporary transfer. Absent the proposed temporary transfer to SLDMWA, groundwater would not be pumped by the Petitioner for groundwater substitution and crops would not be idled/shifted to make surface water available for SLDMWA; thus, the Petitioner would have diverted surface water to meet its irrigation demands.

Only wells which have been approved by DWR and Reclamation will be used for the proposed temporary transfer. In accordance with Water Code Section 1745.10, the Petitioner does not believe the proposed transfer to SLDMWA by groundwater substitution will result in an overdraft of the underlying groundwater basin. In addition, the proposed 2021 Water Transfer is consistent with the Groundwater Management Plan covering the area within PGV, which was adopted in 2012 pursuant to Water Code Section 10750 *et. seq.* As a condition of participation in the proposed temporary transfer, PGV has developed groundwater monitoring, reporting, and mitigation plans to ensure the proposed transfer does not result in any unreasonable and adverse effects, such as impacts to other legal users of water, land subsidence, groundwater-dependent vegetation, and groundwater quality. As described above, the requirements of the monitoring program and mitigation plan are outlined in the Draft Technical Information and will be implemented by the Petitioner accordingly. The monitoring program also includes recurring review of groundwater level monitoring data obtained prior to, during, and following periods when surface water is made available by the Petitioner for the proposed water transfer, in accordance with the Draft Technical Information. To account for anticipated streamflow depletion, DWR and Reclamation will apply a factor of 13% to the amount of groundwater pumped pursuant to the Petitioner's proposed groundwater substitution transfer in accordance with the Draft Technical Information. Evaluation and approval by DWR and Reclamation of the groundwater monitoring, reporting, and mitigation plans will be obtained for PGV's groundwater substitution program. Further, PGV is providing notification to the Reclamation District No. 1001 Groundwater Sustainability Agency, which is the groundwater sustainability agency formed pursuant to the Sustainable Groundwater Management Act that covers the area where groundwater substitution pumping is proposed to occur within PGV. Documentation of PGV's notifications to the Reclamation District No. 1001 Groundwater Sustainability Agency will be provided to DWR and Reclamation, in accordance with the Draft Technical Information.

As indicated above, PGV conducts water transfers in accordance with the Draft Technical Information and other relevant requirements. The monitoring requirements associated with PGV's proposed groundwater substitution water transfer will be incorporated to agreements with DWR and Reclamation. Following the proposed water transfer, PGV will prepare a monitoring report summarizing the results. In PGV's previous groundwater substitution transfers, some of which involved similar quantities compared to the quantity proposed in this Petition, the groundwater basin in and around PGV recovered from the effects of the transfer the following spring. We expect the hydrologic data to show a similar recovery pattern for the proposed 2021 Water Transfer.

Crop idling/shifting water transfers involve surface water made available for transfer by reducing the consumptive use of surface water applied for irrigation. As indicated above, PGV is preparing a water transfer proposal for submittal to DWR and Reclamation to provide the information required pursuant to the Draft Technical Information, which includes supporting documentation to determine the quantity of surface water to be made available by crop idling/shifting. Following submittal of a proposal for the 2021 Water Transfer, DWR and Reclamation will evaluate the fields proposed to be idled/shifted for the temporary transfer.

Evaluation and approval by DWR and Reclamation of the lands to be idled/shifted and verification of the quantity of surface water made available will ensure the proposed transfer does not result in any unreasonable and adverse impacts to the environment or third parties. In accordance with the Draft Technical Information and the *Final Long-Term Water Transfers Environmental Impact Statement/Environmental Impact Report* (Final EIS/EIR) prepared by SLDMWA and Reclamation, dated September 2019, PGV's crop idling/shifting will incorporate relevant mitigation measures that minimize impacts on threatened species, including the Giant Garter Snake.

As a result of the proposed temporary transfer, the flow in the Sacramento River downstream of the Petitioner's present points of diversion will increase by up to 638 AF over what would have occurred absent the proposed transfer. These increases will occur during the period that surface water is made available by the Petitioner or if possible, during the following months thereafter through releases by Reclamation for conveyance to SLDMWA. If excess capacity is available in Shasta Reservoir, the Delta is in balanced conditions, and regulatory requirements are being met, Reclamation may temporarily hold the quantity of surface water made available by the Petitioner, until export capacity at the SWP's Banks Pumping Plant or the CVP's Jones Pumping Plant is available, which is typically during July, August, or September. This "backing up" of transfer water would decrease releases from Shasta Reservoir early in the irrigation season, such as during May and June, and increase releases later in the season. Reclamation would only consider operations to facilitate and accommodate "backing up" of transfer water if those operations avoid temperature impacts, and possibly aid with overall temperature management, consistent with the Final EIS/R. In fact, this temporary retention of water in Shasta Reservoir, as a result of surface water made available by the Petitioner, may provide a benefit for fisheries during the early portion of the irrigation season. Shasta Reservoir would continue to be operated in accordance with regulatory requirements, such as flow and temperature requirements established by various agencies including the U.S. Fish and Wildlife Service, National Oceanic and Atmospheric Administration's National Marine Fisheries Service, Federal Energy Regulatory Commission, and State Water Resources Control Board, for the protection of downstream resources. During the period when it is possible for the increased flows in the Sacramento River to reach the proposed additional points of diversion for the proposed transfer, these flows will be a small percentage of the total flow and will be water that would be diverted by the Petitioner absent this proposed transfer. The Petitioner's reduced diversions will provide additional flows during the proposed transfer period, up to a maximum of approximately 2.1 cfs. Therefore, there will be no injury to other legal water users, water quality, or return flows; in fact, these increased flows may provide benefits for fisheries and wildlife and may result in a positive effect to the water users between the present points of diversion and the proposed additional points of diversion.

See files of the State Water Resources Control Board for more information regarding other legal water users, which may include the Delta water users, the Central Valley Project, and the SWP. Discussions with the Department of Fish and Wildlife (DFW) staff regarding the Petition occurred on February 10 and 26, and March 1, 2021 in order to discuss the proposed water transfer, including the overall process/review of the Petition and associated documentation

by DFW and other agencies. Coordination with DFW staff is continuing in order to obtain any comments; and DFW staff have been provided a copy of this Petition for review. The Central Valley Regional Water Quality Control Board (CVRWQCB) has also been contacted and were provided information regarding the proposed temporary water transfer; CVRWQCB staff are currently reviewing the Petition. Copies of this Petition have been provided to Bridget Gibbons (916-767-3993) of DFW and Michelle Snapp (916-464-4824) of the CVRWQCB for review and comment.



## 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 No. 1

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](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

2/25/2021

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:

Michelle Snapp (916-464-4824) of the Central Valley Regional Water Quality Control Board was contacted in order to discuss the proposed temporary water transfer; and no comments were provided at this time. A copy of this petition has been provided to Ms. Snapp concurrently with the submittal of this petition to the Division of Water Rights.

Insert the attachment number here, if applicable:

1

**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

3/17/2021

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

Person Contacted: Not Applicable.

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:

Not Applicable.

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
Not Applicable.				

If necessary, provide additional information below:

Not Applicable.

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:

Not Applicable.

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:

Not Applicable.

Insert the attachment number here, if applicable:

**Photographs** See Attachment No. 1.

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** See Attachment No. 1.

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  at .

*Angela Bozzene*  
 \_\_\_\_\_  
 Water Right Holder or Authorized Agent Signature  
 MBK Engineers, Agent

\_\_\_\_\_  
 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.)

**Attachment No. 1**  
**to Environmental Information for**  
**Petitions for Change Involving Water Transfers**  
**Filed by Joint Petitioners within Pleasant Grove-Verona MWC**

DESCRIPTION OF PROPOSED CHANGES

The Pleasant Grove-Verona Mutual Water Company (PGV) is proposing a temporary water transfer to San Luis & Delta-Mendota Water Authority (SLDMWA) in 2021. To facilitate this transfer, the Joint Petitioners are petitioning to temporarily add two points of diversion, a point of rediversion, a place of use, and purposes of use to the water rights summarized below in order to transfer up to 15,140 AF for use by participating entities within SLDMWA by groundwater substitution and by crop idling/shifting. The State Water Project's (SWP) Banks Pumping Plant and the Central Valley Project's (CVP) CW "Bill" Jones Pumping Plant are proposed to be added as points of diversion; San Luis Reservoir is proposed to be added as a point of rediversion; and a portion of the service area of the CVP is proposed to be added as a place of use. The purposes of use proposed to be added are municipal, industrial, and domestic, in addition to the existing purpose of use for irrigation. These proposed additions would authorize the transfer of water to SLDMWA in order to provide an additional water supply during the current drier hydrologic conditions. There are no changes to the Petitioner's existing points of diversion, place of use, or purpose of use.

The Petitioner is a shareholder of PGV which holds Contract No. 14-06-200-5520A-R-1 (Contract) with the U.S. Bureau of Reclamation (Reclamation). The water rights held by the Joint Petitioners and the other shareholders of PGV serve as the basis for the Base Supply under PGV's Contract. This Petition is one of 11 petitions (Joint Petitions) being filed by participating shareholders of PGV (Joint Petitioners) pursuant to their individual water rights. The Joint Petitions include the following:

PGV Joint Petitions for Temporary Water Transfer  
Attachment No. 1 to Environmental Information Form

<b>Joint Petitioner</b>	<b>Application</b>	<b>License</b>	<b>Proposed Transfer Quantity (Up to Amount, AF)</b>
E. D. Willey and Son, Inc.	7641A	6389A	4,311.5
River Ranch Partnership	7641C	6389C	802.6
Brett Scheidel	7641B	6389B	1,160
	15606	11001	1,760
Nicoli G. Nicholas	7641D1	6389D1	638
	15856A	7064A	1,690
Maria John Nicholas Kelly Ranch, LLC	7641D2	6389D2	638
	15856B	7064B	1,466
Murphy Lake Farms	15856C	7064C	2,205*
	15858	6399	500*
William L. Spangler	16182	10848	270.4

Because the proposed project involves the transfer of water under PGV’s Contract these petitions are being filed jointly and should be treated as a single project. PGV has been authorized to act on behalf of the Joint Petitioners, each of which is filing similar petitions in order to facilitate the proposed transfer. Thus, this consolidated environmental information form accompanies each petition for the water rights listed above. The quantities shown in the table above are up to amounts for each Petitioner. PGV will coordinate with the Joint Petitioners to assure the maximum quantity to be transferred under the Joint Petitions will not exceed 15,140 AF.

The quantity of surface water proposed to be made available by groundwater substitution involves the use of groundwater pumped upon overlying lands in exchange for a like amount of surface water that will remain instream for diversion at the proposed additional points of diversion. The quantity of surface water proposed to be made available for transfer by crop idling/shifting involves only the consumptive use savings as a result of actions within PGV’s boundaries. These proposed quantities would be made available by the Petitioner during May through September 2021. The quantity made available under this Petition will be limited to actions consistent with the terms and conditions of this license. At this time, the quantity of surface water to be made available by groundwater substitution versus crop idling/shifting is unknown. The split between water being made available by each mechanism will be determined after executing a Purchase Agreement with SLDMWA. Absent the proposed temporary transfer, surface water would be diverted to meet the irrigation demands of the Joint Petitioners. The

\* Proposed upper limit quantities identified for each water right, limited to a combined quantity of up to 2,404.7 AF under Licenses 6399 and 7064C.

proposed temporary transfer does not involve any construction or other physical changes to the Petitioners's facilities.

Petitions for temporary transfer of water pursuant to Water Code Section 1725 are exempt from the California Environmental Quality Act (CEQA). The U.S. Bureau of Reclamation (Reclamation) and SLDMWA have prepared a *Final Long-Term Water Transfers Environmental Impact Statement/Environmental Impact Report* (Final EIS/EIR), dated September 2019, pursuant to the requirements under the National Environmental Policy Act (NEPA) and CEQA. A copy of the Final EIS/EIR, dated September 2019, is available at: < [https://www.usbr.gov/mp/nepa/nepa\\_project\\_details.php?Project\\_ID=18361](https://www.usbr.gov/mp/nepa/nepa_project_details.php?Project_ID=18361) > Based on the requirements associated with the Final EIS/EIR, and in accordance with the Draft Technical Information for Preparing Water Transfer Proposals, dated December 2019 published by the Department of Water Resources and Reclamation, the Petitioner will implement the relevant, applicable measures for the proposed 2021 Water Transfer.

#### PHOTOGRAPHS

The present points of diversion and the proposed additional points of diversion and rediversion include existing facilities that are well known and documented with the Division of Water Rights (Division). In addition, the present and proposed places of use are also well known and documented with the Division. Therefore, for these reasons, the Petitioner respectfully requests that said documentation be made a part of the record for the petition.

#### MAPS

The present points of diversion and place of use are shown on a map filed with the Division. The proposed additional point of diversion for the SWP's Banks Pumping Plant and the proposed additional point of rediversion for San Luis Reservoir are shown on maps filed with the Division for Application 5630. The proposed additional point of diversion for the CVP's Jones Pumping Plant is shown on maps filed with the Division for Application 5626. The proposed additional place of use is a portion of the CVP service area, as shown on Map 214-208 – 12581 on file with the Division under Application 5626. The Petitioner respectfully requests that said maps be made a part of the record for the petition.

Please indicate County where your project is located here:

Sutter

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 15856B Permit 9963 License 7064B 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 Attachment No. 1
Proposed: See Attachment No. 1

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 Attachment No. 1
Proposed: See Attachment No. 1

Purpose of Use

Present: Irrigation
Proposed: Irrigation, Municipal, Industrial, Domestic

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: Not Applicable.
Downstream Location:

Table with 12 columns for months (Jan-Dec) and rows for cubic feet per second and 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.

San Luis & Delta-Mendota Water Authority
Attn: Frances Mizuno
P.O. Box 2157
Los Banos, CA 93635
(209) 832-6200



**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 .

Angela Bozzene  
Right Holder or Authorized Agent Signature  
MBK Engineers, Agent

\_\_\_\_\_  
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](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/](http://www.waterboards.ca.gov/waterrights/water_issues/programs/fees/)  
(3) Department of Fish and Wildlife fee of \$850 (Pub. Resources Code, § 10005)

**Attachment No. 1  
to Petition for Change Involving Water Transfers  
License 7064B (Application 15856B)  
held by Maria John Nicholas Kelly Ranch, LLC**

**GENERAL**

The purpose of this Petition for Change Involving Water Transfers (Petition) is to: (1) add the State Water Project’s (SWP) Harvey O. Banks Pumping Plant and the Central Valley Project’s (CVP) CW “Bill” Jones Pumping Plant as points of diversion, (2) add San Luis Reservoir as a point of rediversion, (3) add a portion of the service area of the CVP as an additional place of use, and (4) add municipal, industrial, and domestic purposes of use under Maria John Nicholas Kelly Ranch, LLC’s (Petitioner) License 7064B (Application 15856B). The Petitioner is a shareholder of the Pleasant Grove-Verona Mutual Water Company (PGV). PGV holds Contract No. 14-06-200-5520A-R-1 (Contract) with the U.S. Bureau of Reclamation (Reclamation). The water rights held by the Petitioner and the other shareholders of PGV serve as the basis for the Base Supply under PGV’s Contract. This Petition is one of 11 petitions (Joint Petitions) being filed by participating shareholders of PGV (Joint Petitioners) pursuant to their individual water rights. The Joint Petitions include the following:

Joint Petitioner	Application	License	Proposed Transfer Quantity (Up to Amount, AF)
E. D. Willey and Son, Inc.	7641A	6389A	4,311.5
River Ranch Partnership	7641C	6389C	802.6
Brett Scheidel	7641B	6389B	1,160
	15606	11001	1,760
Nicoli G. Nicholas	7641D1	6389D1	638
	15856A	7064A	1,690
Maria John Nicholas Kelly Ranch, LLC	7641D2	6389D2	638
	15856B	7064B	1,466
Murphy Lake Farms	15856C	7064C	2,205*
	15858	6399	500*
William L. Spangler	16182	10848	270.4

This Petition is being filed to facilitate a temporary transfer (2021 Water Transfer) of up to a total of 1,466 acre-feet (AF) of surface water proposed to be made available from the Petitioner during May through September 2021. This proposed transfer quantity will be made available by groundwater substitution and by crop idling/shifting in order to provide an

\* Proposed upper limit quantities identified for each water right, limited to a combined quantity of up to 2,404.7 AF under Licenses 6399 and 7064C.

additional water supply for irrigation, municipal, industrial, and domestic purposes. Groundwater substitution involves the use of groundwater pumped to produce crops within PGV in exchange for a like amount of surface water that will remain instream for diversion at the proposed additional points of diversion. The quantity of surface water to be made available for transfer by crop idling/shifting involves only the consumptive use savings as a result of actions within PGV's boundaries. The quantity made available under this Petition will be limited to actions consistent with the terms and conditions of this license. At this time, the quantity of surface water to be made available by groundwater substitution versus crop idling/shifting is unknown. The split between water being made available by each mechanism will be determined after executing a Purchase Agreement with SLDMWA. As discussed further below, the quantity proposed to be made available by the Petitioner will be reviewed and approved by the U.S. Bureau of Reclamation (Reclamation) and the Department of Water Resources (DWR).

Absent the proposed temporary transfer, PGV would divert the entire quantity of surface water proposed for transfer from the Sacramento River pursuant to its water right and its Sacramento River Settlement Contract with Reclamation. Because the proposed project involves the transfer of water under PGV's Contract, these petitions are being filed jointly and should be treated as a single project. PGV has been authorized to act on behalf of the Joint Petitioners, each of which is filing similar petitions in order to facilitate the proposed transfer. Under the Joint Petitions, PGV is proposing a temporary transfer of up to 15,140 AF to SLDMWA. Absent the proposed temporary transfer, PGV and the Joint Petitioners would divert the entire quantity proposed for transfer from surface water sources pursuant to their water rights and the Contract with Reclamation.

## **POINT OF DIVERSION OR REDIVERSION**

### **POINT OF DIVERSION**

#### ***Present Points of Diversion:***

Petitioner's authorized points of diversion under License 7064B are located on the Natomas Cross Canal in Sutter County, tributary to the Sacramento River as follows:

<u>Description</u>	<u>Located Within†</u>			
	<u>¼, ¼</u>	<u>Proj. Sec</u>	<u>T</u>	<u>R</u>
North 900 feet and west 1,700 feet from the SE corner of projected Section 23, T11N, R3E. Also described as California Coordinate System of 1927, Zone 2, N 406,000 and E 2,113,000	SW, SE	23	11N	3E
South 18° 00' east 1,000 feet from the NW corner of projected Section 24, T11N, R3E. Also described as California Coordinate System of 1927, Zone 2, N 409,550 and E 2,114,809.	NW, NW	24	11N	3E

***Proposed Additional Points of Diversion:***

No change in the present points of diversion is proposed. Petitioner proposes to add the following points of diversion:

**Banks Pumping Plant via the Clifton Court Forebay**

N 2,126,440 ft., E 6,256,425 ft., California Coordinate System Zone 3, NAD 83, being within the NW ¼ of SE ¼ of Projected Section 20, T1S, R4E, MDB&M. This proposed additional point of diversion is identified on maps filed with the Division of Water Rights (Division) under Application 5630.

**CW “Bill” Jones Pumping Plant**

N 2,121,505 ft., E 6,255,368 ft., California Coordinate System Zone 3, NAD 83, being within the NE ¼ of SW ¼ of Projected Section 29, T1S, R4E, MDB&M. This proposed additional point of diversion is identified on maps filed with the Division under Application 5626.

**POINT OF REDIVERSION**

***Present Points of Rediversion:***

Petitioner’s authorized points of rediversion under License 7064B are listed below:

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† All references to Township and Range are to the MDB&M.

<u>Description</u>	<u>Located Within†</u>			
	<u>¼, ¼</u>	<u>Proj. Sec</u>	<u>T</u>	<u>R</u>
California Coordinate System of 1927, Zone 2, North 415,279 feet and East 2,114,663 feet.	NW, NW	13	11N	3E
California Coordinate System of 1927, Zone 2, North 423,790 feet and East 2,116,150 feet.	NE, SW	1	11N	3E

***Proposed Additional Point of Rediversion:***

No change in the present points of rediversion is proposed. Petitioner proposes to add the following point of rediversion, which will assist in the temporary retention of transfer water for later use by the participating entities within SLDMWA during periods that coincide with demands or other operational constraints:

**San Luis Reservoir**

N 1,845,103 ft., E 6,393,569 ft., California Coordinate System Zone 3, NAD 83, being within the SW ¼ of SE ¼ of Projected Section 15, T10S, R8E, MDB&M. This proposed additional point of rediversion is identified on maps filed with the Division under Application 5630.

**PLACE OF USE**

***Present:***

The present place of use for License 7064B is as follows:

152 acres within projected Section 2, T11N, R3E, MDB&M; 456 acres within projected Section 11, T11N, R3E, MDB&M; 218 acres within projected Section 14, T11N, R3E, MDB&M. 826 acres total as show on map dated March 1988 on file with the SWRCB and identified by County Assessor’s office as APN 34-130-003, 34-130-004, 34-140-005, and 34-080-004.

***Proposed:***

No change in the present place of use is proposed. The Petitioner proposes to add a portion of the service area of the CVP as the proposed additional place of use in order to facilitate the temporary water transfer to the SLDMWA. This portion of the service area of the CVP is shown on Map 214-208 – 12581 on file with the Division under Application 5626.

## **GENERAL INFORMATION**

Surface water will be made available for transfer from PGV by groundwater substitution and by crop idling/shifting, consistent with the current *Draft Technical Information for Preparing Water Transfer Proposals*, dated December 2019 (Draft Technical Information) published by the Department of Water Resources (DWR) and Reclamation. The Draft Technical Information has been developed to address the concerns of DWR and Reclamation relative to the potential impacts that water transfers may have on other legal users, instream beneficial uses, and the overall economy and environment. PGV will submit a proposal to DWR and Reclamation for a water transfer to participating entities within the SLDMWA during 2021, which includes detailed information relative to historical groundwater pumping, groundwater well characteristics, groundwater monitoring and reporting elements, historical cropping data, and associated maps. DWR and Reclamation will conduct an extensive review of these documents in order to ensure that the quantity of water proposed to be made available by PGV meets the relevant criteria to demonstrate a reduction in surface water use will occur as a result of the proposed temporary transfer. Absent the proposed temporary transfer to SLDMWA, groundwater would not be pumped by the Petitioner for groundwater substitution and crops would not be idled/shifted to make surface water available for SLDMWA; thus, the Petitioner would have diverted surface water to meet its irrigation demands.

Only wells which have been approved by DWR and Reclamation will be used for the proposed temporary transfer. In accordance with Water Code Section 1745.10, the Petitioner does not believe the proposed transfer to SLDMWA by groundwater substitution will result in an overdraft of the underlying groundwater basin. In addition, the proposed 2021 Water Transfer is consistent with the Groundwater Management Plan covering the area within PGV, which was adopted in 2012 pursuant to Water Code Section 10750 *et. seq.* As a condition of participation in the proposed temporary transfer, PGV has developed groundwater monitoring, reporting, and mitigation plans to ensure the proposed transfer does not result in any unreasonable and adverse effects, such as impacts to other legal users of water, land subsidence, groundwater-dependent vegetation, and groundwater quality. As described above, the requirements of the monitoring program and mitigation plan are outlined in the Draft Technical Information and will be implemented by the Petitioner accordingly. The monitoring program also includes recurring review of groundwater level monitoring data obtained prior to, during, and following periods when surface water is made available by the Petitioner for the proposed water transfer, in accordance with the Draft Technical Information. To account for anticipated streamflow depletion, DWR and Reclamation will apply a factor of 13% to the amount of groundwater pumped pursuant to the Petitioner's proposed groundwater substitution transfer in accordance with the Draft Technical Information. Evaluation and approval by DWR and Reclamation of the groundwater monitoring, reporting, and mitigation plans will be obtained for PGV's groundwater substitution program. Further, PGV is providing notification to the Reclamation District No. 1001 Groundwater Sustainability Agency, which is the groundwater sustainability agency formed pursuant to the Sustainable Groundwater Management Act that covers the area where groundwater substitution pumping is proposed to occur within PGV. Documentation of PGV's notifications to the Reclamation

District No. 1001 Groundwater Sustainability Agency will be provided to DWR and Reclamation, in accordance with the Draft Technical Information.

As indicated above, PGV conducts water transfers in accordance with the Draft Technical Information and other relevant requirements. The monitoring requirements associated with PGV's proposed groundwater substitution water transfer will be incorporated to agreements with DWR and Reclamation. Following the proposed water transfer, PGV will prepare a monitoring report summarizing the results. In PGV's previous groundwater substitution transfers, some of which involved similar quantities compared to the quantity proposed in this Petition, the groundwater basin in and around PGV recovered from the effects of the transfer the following spring. We expect the hydrologic data to show a similar recovery pattern for the proposed 2021 Water Transfer.

Crop idling/shifting water transfers involve surface water made available for transfer by reducing the consumptive use of surface water applied for irrigation. As indicated above, PGV is preparing a water transfer proposal for submittal to DWR and Reclamation to provide the information required pursuant to the Draft Technical Information, which includes supporting documentation to determine the quantity of surface water to be made available by crop idling/shifting. Following submittal of a proposal for the 2021 Water Transfer, DWR and Reclamation will evaluate the fields proposed to be idled/shifted for the temporary transfer. Evaluation and approval by DWR and Reclamation of the lands to be idled/shifted and verification of the quantity of surface water made available will ensure the proposed transfer does not result in any unreasonable and adverse impacts to the environment or third parties. In accordance with the Draft Technical Information and the *Final Long-Term Water Transfers Environmental Impact Statement/Environmental Impact Report* (Final EIS/EIR) prepared by SLDMWA and Reclamation, dated September 2019, PGV's crop idling/shifting will incorporate relevant mitigation measures that minimize impacts on threatened species, including the Giant Garter Snake.

As a result of the proposed temporary transfer, the flow in the Sacramento River downstream of the Petitioner's present points of diversion will increase by up to 1,466 AF over what would have occurred absent the proposed transfer. These increases will occur during the period that surface water is made available by the Petitioner or if possible, during the following months thereafter through releases by Reclamation for conveyance to SLDMWA. If excess capacity is available in Shasta Reservoir, the Delta is in balanced conditions, and regulatory requirements are being met, Reclamation may temporarily hold the quantity of surface water made available by the Petitioner, until export capacity at the SWP's Banks Pumping Plant or the CVP's Jones Pumping Plant is available, which is typically during July, August, or September. This "backing up" of transfer water would decrease releases from Shasta Reservoir early in the irrigation season, such as during May and June, and increase releases later in the season. Reclamation would only consider operations to facilitate and accommodate "backing up" of transfer water if those operations avoid temperature impacts, and possibly aid with overall temperature management, consistent with the Final EIS/R. In fact, this temporary retention of water in Shasta Reservoir, as a result of surface water made available by the Petitioner, may provide a benefit for fisheries during the

early portion of the irrigation season. Shasta Reservoir would continue to be operated in accordance with regulatory requirements, such as flow and temperature requirements established by various agencies including the U.S. Fish and Wildlife Service, National Oceanic and Atmospheric Administration's National Marine Fisheries Service, Federal Energy Regulatory Commission, and State Water Resources Control Board, for the protection of downstream resources. During the period when it is possible for the increased flows in the Sacramento River to reach the proposed additional points of diversion for the proposed transfer, these flows will be a small percentage of the total flow and will be water that would be diverted by the Petitioner absent this proposed transfer. The Petitioner's reduced diversions will provide additional flows during the proposed transfer period, up to a maximum of approximately 11.77 cfs. Therefore, there will be no injury to other legal water users, water quality, or return flows; in fact, these increased flows may provide benefits for fisheries and wildlife and may result in a positive effect to the water users between the present points of diversion and the proposed additional points of diversion.

See files of the State Water Resources Control Board for more information regarding other legal water users, which may include the Delta water users, the Central Valley Project, and the SWP. Discussions with the Department of Fish and Wildlife (DFW) staff regarding the Petition occurred on February 10 and 26, and March 1, 2021 in order to discuss the proposed water transfer, including the overall process/review of the Petition and associated documentation by DFW and other agencies. Coordination with DFW staff is continuing in order to obtain any comments; and DFW staff have been provided a copy of this Petition for review. The Central Valley Regional Water Quality Control Board (CVRWQCB) has also been contacted and were provided information regarding the proposed temporary water transfer; CVRWQCB staff are currently reviewing the Petition. Copies of this Petition have been provided to Bridget Gibbons (916-767-3993) of DFW and Michelle Snapp (916-464-4824) of the CVRWQCB for review and comment.



## 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 No. 1

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](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

2/25/2021

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:

Michelle Snapp (916-464-4824) of the Central Valley Regional Water Quality Control Board was contacted in order to discuss the proposed temporary water transfer; and no comments were provided at this time. A copy of this petition has been provided to Ms. Snapp concurrently with the submittal of this petition to the Division of Water Rights.

Insert the attachment number here, if applicable:

1

**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

3/17/2021

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

Person Contacted: Not Applicable.

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:

Not Applicable.

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
Not Applicable.				

If necessary, provide additional information below:

Not Applicable.

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:

Not Applicable.

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:

Not Applicable.

Insert the attachment number here, if applicable:

**Photographs** See Attachment No. 1.

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** See Attachment No. 1.

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  at .

*Angela Bozzene*  
 \_\_\_\_\_  
 Water Right Holder or Authorized Agent Signature  
 MBK Engineers, Agent

\_\_\_\_\_  
 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.)

**Attachment No. 1**  
**to Environmental Information for**  
**Petitions for Change Involving Water Transfers**  
**Filed by Joint Petitioners within Pleasant Grove-Verona MWC**

DESCRIPTION OF PROPOSED CHANGES

The Pleasant Grove-Verona Mutual Water Company (PGV) is proposing a temporary water transfer to San Luis & Delta-Mendota Water Authority (SLDMWA) in 2021. To facilitate this transfer, the Joint Petitioners are petitioning to temporarily add two points of diversion, a point of rediversion, a place of use, and purposes of use to the water rights summarized below in order to transfer up to 15,140 AF for use by participating entities within SLDMWA by groundwater substitution and by crop idling/shifting. The State Water Project's (SWP) Banks Pumping Plant and the Central Valley Project's (CVP) CW "Bill" Jones Pumping Plant are proposed to be added as points of diversion; San Luis Reservoir is proposed to be added as a point of rediversion; and a portion of the service area of the CVP is proposed to be added as a place of use. The purposes of use proposed to be added are municipal, industrial, and domestic, in addition to the existing purpose of use for irrigation. These proposed additions would authorize the transfer of water to SLDMWA in order to provide an additional water supply during the current drier hydrologic conditions. There are no changes to the Petitioner's existing points of diversion, place of use, or purpose of use.

The Petitioner is a shareholder of PGV which holds Contract No. 14-06-200-5520A-R-1 (Contract) with the U.S. Bureau of Reclamation (Reclamation). The water rights held by the Joint Petitioners and the other shareholders of PGV serve as the basis for the Base Supply under PGV's Contract. This Petition is one of 11 petitions (Joint Petitions) being filed by participating shareholders of PGV (Joint Petitioners) pursuant to their individual water rights. The Joint Petitions include the following:

PGV Joint Petitions for Temporary Water Transfer  
Attachment No. 1 to Environmental Information Form

<b>Joint Petitioner</b>	<b>Application</b>	<b>License</b>	<b>Proposed Transfer Quantity (Up to Amount, AF)</b>
E. D. Willey and Son, Inc.	7641A	6389A	4,311.5
River Ranch Partnership	7641C	6389C	802.6
Brett Scheidel	7641B	6389B	1,160
	15606	11001	1,760
Nicoli G. Nicholas	7641D1	6389D1	638
	15856A	7064A	1,690
Maria John Nicholas Kelly Ranch, LLC	7641D2	6389D2	638
	15856B	7064B	1,466
Murphy Lake Farms	15856C	7064C	2,205*
	15858	6399	500*
William L. Spangler	16182	10848	270.4

Because the proposed project involves the transfer of water under PGV’s Contract these petitions are being filed jointly and should be treated as a single project. PGV has been authorized to act on behalf of the Joint Petitioners, each of which is filing similar petitions in order to facilitate the proposed transfer. Thus, this consolidated environmental information form accompanies each petition for the water rights listed above. The quantities shown in the table above are up to amounts for each Petitioner. PGV will coordinate with the Joint Petitioners to assure the maximum quantity to be transferred under the Joint Petitions will not exceed 15,140 AF.

The quantity of surface water proposed to be made available by groundwater substitution involves the use of groundwater pumped upon overlying lands in exchange for a like amount of surface water that will remain instream for diversion at the proposed additional points of diversion. The quantity of surface water proposed to be made available for transfer by crop idling/shifting involves only the consumptive use savings as a result of actions within PGV’s boundaries. These proposed quantities would be made available by the Petitioner during May through September 2021. The quantity made available under this Petition will be limited to actions consistent with the terms and conditions of this license. At this time, the quantity of surface water to be made available by groundwater substitution versus crop idling/shifting is unknown. The split between water being made available by each mechanism will be determined after executing a Purchase Agreement with SLDMWA. Absent the proposed temporary transfer, surface water would be diverted to meet the irrigation demands of the Joint Petitioners. The

\* Proposed upper limit quantities identified for each water right, limited to a combined quantity of up to 2,404.7 AF under Licenses 6399 and 7064C.

PGV Joint Petitions for Temporary Water Transfer  
Attachment No. 1 to Environmental Information Form

proposed temporary transfer does not involve any construction or other physical changes to the Petitioners's facilities.

Petitions for temporary transfer of water pursuant to Water Code Section 1725 are exempt from the California Environmental Quality Act (CEQA). The U.S. Bureau of Reclamation (Reclamation) and SLDMWA have prepared a *Final Long-Term Water Transfers Environmental Impact Statement/Environmental Impact Report* (Final EIS/EIR), dated September 2019, pursuant to the requirements under the National Environmental Policy Act (NEPA) and CEQA. A copy of the Final EIS/EIR, dated September 2019, is available at: < [https://www.usbr.gov/mp/nepa/nepa\\_project\\_details.php?Project\\_ID=18361](https://www.usbr.gov/mp/nepa/nepa_project_details.php?Project_ID=18361) > Based on the requirements associated with the Final EIS/EIR, and in accordance with the Draft Technical Information for Preparing Water Transfer Proposals, dated December 2019 published by the Department of Water Resources and Reclamation, the Petitioner will implement the relevant, applicable measures for the proposed 2021 Water Transfer.

#### PHOTOGRAPHS

The present points of diversion and the proposed additional points of diversion and rediversion include existing facilities that are well known and documented with the Division of Water Rights (Division). In addition, the present and proposed places of use are also well known and documented with the Division. Therefore, for these reasons, the Petitioner respectfully requests that said documentation be made a part of the record for the petition.

#### MAPS

The present points of diversion and place of use are shown on a map filed with the Division. The proposed additional point of diversion for the SWP's Banks Pumping Plant and the proposed additional point of rediversion for San Luis Reservoir are shown on maps filed with the Division for Application 5630. The proposed additional point of diversion for the CVP's Jones Pumping Plant is shown on maps filed with the Division for Application 5626. The proposed additional place of use is a portion of the CVP service area, as shown on Map 214-208 – 12581 on file with the Division under Application 5626. The Petitioner respectfully requests that said maps be made a part of the record for the petition.

Please indicate County where your project is located here:

Sutter

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 15858 Permit 9964 License 6399 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 Attachment No. 1
Proposed: See Attachment No. 1

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 Attachment No. 1
Proposed: See Attachment No. 1

Purpose of Use

Present: Irrigation
Proposed: Irrigation, Municipal, Industrial, Domestic

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: Not Applicable
Downstream Location:

Table with 12 columns for months (Jan-Dec) and rows for cubic feet per second and 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.

San Luis & Delta-Mendota Water Authority
Attn: Frances Mizuno
P.O. Box 2157
Los Banos, CA 93635
(209) 832-6200



**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

*Kyle Knutson* MBK Engineers, Agent  
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](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/](http://www.waterboards.ca.gov/waterrights/water_issues/programs/fees/)  
(3) Department of Fish and Wildlife fee of \$850 (Pub. Resources Code, § 10005)

**Attachment No. 1  
to Petition for Change Involving Water Transfers  
License 6399 (Application 15858)  
held by Murphy Lake Farms**

**GENERAL**

The purpose of this Petition for Change Involving Water Transfers (Petition) is to: (1) add the State Water Project’s (SWP) Harvey O. Banks Pumping Plant and the Central Valley Project’s (CVP) CW “Bill” Jones Pumping Plant as points of diversion, (2) add San Luis Reservoir as a point of rediversion, (3) add a portion of the service area of the CVP as an additional place of use, and (4) add municipal, industrial, and domestic purposes of use under Murphy Lake Farms’ (Petitioner) License 6399 (Application 15858). The Petitioner is a shareholder of the Pleasant Grove-Verona Mutual Water Company (PGV). PGV holds Contract No. 14-06-200-5520A-R-1 (Contract) with the U.S. Bureau of Reclamation (Reclamation). The water rights held by the Petitioner and the other shareholders of PGV serve as the basis for the Base Supply under PGV’s Contract. This Petition is one of 11 petitions (Joint Petitions) being filed by participating shareholders of PGV (Joint Petitioners) pursuant to their individual water rights. The Joint Petitions include the following:

<b>Joint Petitioner</b>	<b>Application</b>	<b>License</b>	<b>Proposed Transfer Quantity (Up to Amount, AF)</b>
E. D. Willey and Son, Inc.	7641A	6389A	4,311.5
River Ranch Partnership	7641C	6389C	802.6
Brett Scheidel	7641B	6389B	1,160
	15606	11001	1,760
Nicoli G. Nicholas	7641D1	6389D1	638
	15856A	7064A	1,690
Maria John Nicholas Kelly Ranch, LLC	7641D2	6389D2	638
	15856B	7064B	1,466
Murphy Lake Farms	15856C	7064C	2,205*
	15858	6399	500*
William L. Spangler	16182	10848	270.4

This Petition is being filed to facilitate a temporary transfer (2021 Water Transfer) of up to a total of 500 acre-feet (AF) of surface water proposed to be made available from the Petitioner during May through September 2021. This proposed transfer quantity will be made available by groundwater substitution and by crop idling/shifting in order to provide an

\* Proposed upper limit quantities identified for each water right, limited to a combined quantity of up to 2,404.7 AF under Licenses 6399 and 7064C.

additional water supply for irrigation, municipal, industrial, and domestic purposes. Groundwater substitution involves the use of groundwater pumped to produce crops within PGV in exchange for a like amount of surface water that will remain instream for diversion at the proposed additional points of diversion. The quantity of surface water to be made available for transfer by crop idling/shifting involves only the consumptive use savings as a result of actions within PGV's boundaries. The quantity made available under this Petition will be limited to actions consistent with the terms and conditions of this license. At this time, the quantity of surface water to be made available by groundwater substitution versus crop idling/shifting is unknown. The split between water being made available by each mechanism will be determined after executing a Purchase Agreement with SLDMWA. As discussed further below, the quantity proposed to be made available by the Petitioner will be reviewed and approved by the U.S. Bureau of Reclamation (Reclamation) and the Department of Water Resources (DWR).

Absent the proposed temporary transfer, PGV would divert the entire quantity of surface water proposed for transfer from the Sacramento River pursuant to its water right and its Sacramento River Settlement Contract with Reclamation. Because the proposed project involves the transfer of water under PGV's Contract, these petitions are being filed jointly and should be treated as a single project. PGV has been authorized to act on behalf of the Joint Petitioners, each of which is filing similar petitions in order to facilitate the proposed transfer. Under the Joint Petitions, PGV is proposing a temporary transfer of up to 15,140 AF to SLDMWA. Absent the proposed temporary transfer, PGV and the Joint Petitioners would divert the entire quantity proposed for transfer from surface water sources pursuant to their water rights and the Contract with Reclamation.

**POINT OF DIVERSION OR REDIVERSION**

**POINT OF DIVERSION**

***Present Point of Diversion:***

No change in the present point of diversion is proposed. Petitioner's authorized point of diversion under License 6399 are located on the Natomas Cross Canal in Sutter County, tributary to the Sacramento River as follows:

<u>Description</u>	<u>Located Within†</u>			
	<u>¼, ¼</u>	<u>Sec</u>	<u>T</u>	<u>R</u>
South eighteen degrees east (S18°E) 1,000 feet from NW corner of Section 24, T11N, R3E.	NW, NW	24	11N	3E

***Proposed Additional Points of Diversion:***

† All references to Township and Range are to the MDB&M.

No change in the present points of diversion is proposed. Petitioner proposes to add the following points of diversion:

**Banks Pumping Plant via the Clifton Court Forebay**

N 2,126,440 ft., E 6,256,425 ft., California Coordinate System Zone 3, NAD 83, being within the NW ¼ of SE ¼ of Projected Section 20, T1S, R4E, MDB&M. This proposed additional point of diversion is identified on maps filed with the Division of Water Rights (Division) under Application 5630.

**CW “Bill” Jones Pumping Plant**

N 2,121,505 ft., E 6,255,368 ft., California Coordinate System Zone 3, NAD 83, being within the NE ¼ of SW ¼ of Projected Section 29, T1S, R4E, MDB&M. This proposed additional point of diversion is identified on maps filed with the Division under Application 5626.

**POINT OF REDIVERSION**

***Present Points of Rediversion:***

Petitioner has no authorized Point(s) of Rediversion under License 6399.

***Proposed Additional Point of Rediversion:***

PGV proposes to add the following point of rediversion, which will assist in the temporary retention of transfer water for later use by the participating entities within SLDMWA during periods that coincide with demands or other operational constraints:

**San Luis Reservoir**

N 1,845,103 ft., E 6,393,569 ft., California Coordinate System Zone 3, NAD 83, being within the SW ¼ of SE ¼ of Projected Section 15, T10S, R8E, MDB&M. This proposed additional point of rediversion is identified on maps filed with the Division under Application 5630.

**PLACE OF USE**

***Present:***

The present place of use is 27.5 acres within NW¼ of SW¼ of Section 12; 34 acres within NE¼ of SW ¼ ¼ of Section 12; 39.7 acres within SW¼ of SW¼ of Section 12; 40 acres within SE¼ of SW¼ of Section 12; 35.5 acres within NW¼ of NW¼ of Section 13; 40 acres within NE¼ of NW¼ of Section 13; all within T11N, R3E, MBD&M.

***Proposed:***

No change in the present place of use is proposed. The Petitioner proposes to add a portion of the service area of the CVP as the proposed additional place of use in order to facilitate the temporary water transfer to the SLDMWA. This portion of the service area of the CVP is shown on Map 214-208 – 12581 on file with the Division under Application 5626.

**GENERAL INFORMATION**

Surface water will be made available for transfer from PGV by groundwater substitution and by crop idling/shifting, consistent with the current *Draft Technical Information for Preparing Water Transfer Proposals*, dated December 2019 (Draft Technical Information) published by the Department of Water Resources (DWR) and Reclamation. The Draft Technical Information has been developed to address the concerns of DWR and Reclamation relative to the potential impacts that water transfers may have on other legal users, instream beneficial uses, and the overall economy and environment. PGV will submit a proposal to DWR and Reclamation for a water transfer to participating entities within the SLDMWA during 2021, which includes detailed information relative to historical groundwater pumping, groundwater well characteristics, groundwater monitoring and reporting elements, historical cropping data, and associated maps. DWR and Reclamation will conduct an extensive review of these documents in order to ensure that the quantity of water proposed to be made available by PGV meets the relevant criteria to demonstrate a reduction in surface water use will occur as a result of the proposed temporary transfer. Absent the proposed temporary transfer to SLDMWA, groundwater would not be pumped by the Petitioner for groundwater substitution and crops would not be idled/shifted to make surface water available for SLDMWA; thus, the Petitioner would have diverted surface water to meet its irrigation demands.

Only wells which have been approved by DWR and Reclamation will be used for the proposed temporary transfer. In accordance with Water Code Section 1745.10, the Petitioner does not believe the proposed transfer to SLDMWA by groundwater substitution will result in an overdraft of the underlying groundwater basin. In addition, the proposed 2021 Water Transfer is consistent with the Groundwater Management Plan covering the area within PGV, which was adopted in 2012 pursuant to Water Code Section 10750 *et. seq.* As a condition of participation in the proposed temporary transfer, PGV has developed groundwater monitoring, reporting, and mitigation plans to ensure the proposed transfer does not result in any unreasonable and adverse effects, such as impacts to other legal users of water, land subsidence, groundwater-dependent vegetation, and groundwater quality. As described above, the requirements of the monitoring program and mitigation plan are outlined in the Draft Technical Information and will be implemented by the Petitioner accordingly. The monitoring program also includes recurring review of groundwater level monitoring data obtained prior to, during, and following periods when surface water is made available by the Petitioner for the proposed water transfer, in accordance with the Draft Technical Information. To account for anticipated streamflow depletion, DWR and Reclamation will apply a factor of 13% to the amount of groundwater pumped pursuant to the Petitioner's

proposed groundwater substitution transfer in accordance with the Draft Technical Information. Evaluation and approval by DWR and Reclamation of the groundwater monitoring, reporting, and mitigation plans will be obtained for PGV's groundwater substitution program. Further, PGV is providing notification to the Reclamation District No. 1001 Groundwater Sustainability Agency, which is the groundwater sustainability agency formed pursuant to the Sustainable Groundwater Management Act that covers the area where groundwater substitution pumping is proposed to occur within PGV. Documentation of PGV's notifications to the Reclamation District No. 1001 Groundwater Sustainability Agency will be provided to DWR and Reclamation, in accordance with the Draft Technical Information.

As indicated above, PGV conducts water transfers in accordance with the Draft Technical Information and other relevant requirements. The monitoring requirements associated with PGV's proposed groundwater substitution water transfer will be incorporated to agreements with DWR and Reclamation. Following the proposed water transfer, PGV will prepare a monitoring report summarizing the results. In PGV's previous groundwater substitution transfers, some of which involved similar quantities compared to the quantity proposed in this Petition, the groundwater basin in and around PGV recovered from the effects of the transfer the following spring. We expect the hydrologic data to show a similar recovery pattern for the proposed 2021 Water Transfer.

Crop idling/shifting water transfers involve surface water made available for transfer by reducing the consumptive use of surface water applied for irrigation. As indicated above, PGV is preparing a water transfer proposal for submittal to DWR and Reclamation to provide the information required pursuant to the Draft Technical Information, which includes supporting documentation to determine the quantity of surface water to be made available by crop idling/shifting. Following submittal of a proposal for the 2021 Water Transfer, DWR and Reclamation will evaluate the fields proposed to be idled/shifted for the temporary transfer. Evaluation and approval by DWR and Reclamation of the lands to be idled/shifted and verification of the quantity of surface water made available will ensure the proposed transfer does not result in any unreasonable and adverse impacts to the environment or third parties. In accordance with the Draft Technical Information and the *Final Long-Term Water Transfers Environmental Impact Statement/Environmental Impact Report* (Final EIS/EIR) prepared by SLDMWA and Reclamation, dated September 2019, PGV's crop idling/shifting will incorporate relevant mitigation measures that minimize impacts on threatened species, including the Giant Garter Snake.

As a result of the proposed temporary transfer, the flow in the Sacramento River downstream of the Petitioner's present points of diversion will increase by up to 500 AF over what would have occurred absent the proposed transfer. These increases will occur during the period that surface water is made available by the Petitioner or if possible, during the following months thereafter through releases by Reclamation for conveyance to SLDMWA. If excess capacity is available in Shasta Reservoir, the Delta is in balanced conditions, and regulatory requirements are being met, Reclamation may temporarily hold the quantity of surface water made available by the Petitioner, until export capacity at the SWP's Banks Pumping Plant or the CVP's Jones Pumping Plant is available, which is typically during

July, August, or September. This “backing up” of transfer water would decrease releases from Shasta Reservoir early in the irrigation season, such as during May and June, and increase releases later in the season. Reclamation would only consider operations to facilitate and accommodate “backing up” of transfer water if those operations avoid temperature impacts, and possibly aid with overall temperature management, consistent with the Final EIS/R. In fact, this temporary retention of water in Shasta Reservoir, as a result of surface water made available by the Petitioner, may provide a benefit for fisheries during the early portion of the irrigation season. Shasta Reservoir would continue to be operated in accordance with regulatory requirements, such as flow and temperature requirements established by various agencies including the U.S. Fish and Wildlife Service, National Oceanic and Atmospheric Administration’s National Marine Fisheries Service, Federal Energy Regulatory Commission, and State Water Resources Control Board, for the protection of downstream resources. During the period when it is possible for the increased flows in the Sacramento River to reach the proposed additional points of diversion for the proposed transfer, these flows will be a small percentage of the total flow and will be water that would be diverted by the Petitioner absent this proposed transfer. The Petitioner’s reduced diversions will provide additional flows during the proposed transfer period, up to a maximum of approximately 2.26 cfs. Therefore, there will be no injury to other legal water users, water quality, or return flows; in fact, these increased flows may provide benefits for fisheries and wildlife and may result in a positive effect to the water users between the present points of diversion and the proposed additional points of diversion.

See files of the State Water Resources Control Board for more information regarding other legal water users, which may include the Delta water users, the Central Valley Project, and the SWP. Discussions with the Department of Fish and Wildlife (DFW) staff regarding the Petition occurred on February 10 and 26, and March 1, 2021 in order to discuss the proposed water transfer, including the overall process/review of the Petition and associated documentation by DFW and other agencies. Coordination with DFW staff is continuing in order to obtain any comments; and DFW staff have been provided a copy of this Petition for review. The Central Valley Regional Water Quality Control Board (CVRWQCB) has also been contacted and were provided information regarding the proposed temporary water transfer; CVRWQCB staff are currently reviewing the Petition. Copies of this Petition have been provided to Bridget Gibbons (916-767-3993) of DFW and Michelle Snapp (916-464-4824) of the CVRWQCB for review and comment.

## 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 No. 1

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](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

2/25/2021

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:

Michelle Snapp (916-464-4824) of the Central Valley Regional Water Quality Control Board was contacted in order to discuss the proposed temporary water transfer; and no comments were provided at this time. A copy of this petition has been provided to Ms. Snapp concurrently with the submittal of this petition to the Division of Water Rights.

Insert the attachment number here, if applicable:

1

**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

3/17/2021

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:

Not Applicable.

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
Not Applicable.				

If necessary, provide additional information below:

Not Applicable.

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:

Not Applicable.

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:

Not Applicable.

Insert the attachment number here, if applicable:

**Photographs** See Attachment No. 1.

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** See Attachment No. 1.

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  at .

*Kyle Knutson* MBK Engineers, Agent  
\_\_\_\_\_  
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.)

**Attachment No. 1**  
**to Environmental Information for**  
**Petitions for Change Involving Water Transfers**  
**Filed by Joint Petitioners within Pleasant Grove-Verona MWC**

DESCRIPTION OF PROPOSED CHANGES

The Pleasant Grove-Verona Mutual Water Company (PGV) is proposing a temporary water transfer to San Luis & Delta-Mendota Water Authority (SLDMWA) in 2021. To facilitate this transfer, the Joint Petitioners are petitioning to temporarily add two points of diversion, a point of rediversion, a place of use, and purposes of use to the water rights summarized below in order to transfer up to 15,140 AF for use by participating entities within SLDMWA by groundwater substitution and by crop idling/shifting. The State Water Project's (SWP) Banks Pumping Plant and the Central Valley Project's (CVP) CW "Bill" Jones Pumping Plant are proposed to be added as points of diversion; San Luis Reservoir is proposed to be added as a point of rediversion; and a portion of the service area of the CVP is proposed to be added as a place of use. The purposes of use proposed to be added are municipal, industrial, and domestic, in addition to the existing purpose of use for irrigation. These proposed additions would authorize the transfer of water to SLDMWA in order to provide an additional water supply during the current drier hydrologic conditions. There are no changes to the Petitioner's existing points of diversion, place of use, or purpose of use.

The Petitioner is a shareholder of PGV which holds Contract No. 14-06-200-5520A-R-1 (Contract) with the U.S. Bureau of Reclamation (Reclamation). The water rights held by the Joint Petitioners and the other shareholders of PGV serve as the basis for the Base Supply under PGV's Contract. This Petition is one of 11 petitions (Joint Petitions) being filed by participating shareholders of PGV (Joint Petitioners) pursuant to their individual water rights. The Joint Petitions include the following:

PGV Joint Petitions for Temporary Water Transfer  
Attachment No. 1 to Environmental Information Form

<b>Joint Petitioner</b>	<b>Application</b>	<b>License</b>	<b>Proposed Transfer Quantity (Up to Amount, AF)</b>
E. D. Willey and Son, Inc.	7641A	6389A	4,311.5
River Ranch Partnership	7641C	6389C	802.6
Brett Scheidel	7641B	6389B	1,160
	15606	11001	1,760
Nicoli G. Nicholas	7641D1	6389D1	638
	15856A	7064A	1,690
Maria John Nicholas Kelly Ranch, LLC	7641D2	6389D2	638
	15856B	7064B	1,466
Murphy Lake Farms	15856C	7064C	2,205*
	15858	6399	500*
William L. Spangler	16182	10848	270.4

Because the proposed project involves the transfer of water under PGV’s Contract these petitions are being filed jointly and should be treated as a single project. PGV has been authorized to act on behalf of the Joint Petitioners, each of which is filing similar petitions in order to facilitate the proposed transfer. Thus, this consolidated environmental information form accompanies each petition for the water rights listed above. The quantities shown in the table above are up to amounts for each Petitioner. PGV will coordinate with the Joint Petitioners to assure the maximum quantity to be transferred under the Joint Petitions will not exceed 15,140 AF.

The quantity of surface water proposed to be made available by groundwater substitution involves the use of groundwater pumped upon overlying lands in exchange for a like amount of surface water that will remain instream for diversion at the proposed additional points of diversion. The quantity of surface water proposed to be made available for transfer by crop idling/shifting involves only the consumptive use savings as a result of actions within PGV’s boundaries. These proposed quantities would be made available by the Petitioner during May through September 2021. The quantity made available under this Petition will be limited to actions consistent with the terms and conditions of this license. At this time, the quantity of surface water to be made available by groundwater substitution versus crop idling/shifting is unknown. The split between water being made available by each mechanism will be determined after executing a Purchase Agreement with SLDMWA. Absent the proposed temporary transfer, surface water would be diverted to meet the irrigation demands of the Joint Petitioners. The

\* Proposed upper limit quantities identified for each water right, limited to a combined quantity of up to 2,404.7 AF under Licenses 6399 and 7064C.

PGV Joint Petitions for Temporary Water Transfer  
Attachment No. 1 to Environmental Information Form

proposed temporary transfer does not involve any construction or other physical changes to the Petitioners's facilities.

Petitions for temporary transfer of water pursuant to Water Code Section 1725 are exempt from the California Environmental Quality Act (CEQA). The U.S. Bureau of Reclamation (Reclamation) and SLDMWA have prepared a *Final Long-Term Water Transfers Environmental Impact Statement/Environmental Impact Report* (Final EIS/EIR), dated September 2019, pursuant to the requirements under the National Environmental Policy Act (NEPA) and CEQA. A copy of the Final EIS/EIR, dated September 2019, is available at: < [https://www.usbr.gov/mp/nepa/nepa\\_project\\_details.php?Project\\_ID=18361](https://www.usbr.gov/mp/nepa/nepa_project_details.php?Project_ID=18361) > Based on the requirements associated with the Final EIS/EIR, and in accordance with the Draft Technical Information for Preparing Water Transfer Proposals, dated December 2019 published by the Department of Water Resources and Reclamation, the Petitioner will implement the relevant, applicable measures for the proposed 2021 Water Transfer.

#### PHOTOGRAPHS

The present points of diversion and the proposed additional points of diversion and rediversion include existing facilities that are well known and documented with the Division of Water Rights (Division). In addition, the present and proposed places of use are also well known and documented with the Division. Therefore, for these reasons, the Petitioner respectfully requests that said documentation be made a part of the record for the petition.

#### MAPS

The present points of diversion and place of use are shown on a map filed with the Division. The proposed additional point of diversion for the SWP's Banks Pumping Plant and the proposed additional point of rediversion for San Luis Reservoir are shown on maps filed with the Division for Application 5630. The proposed additional point of diversion for the CVP's Jones Pumping Plant is shown on maps filed with the Division for Application 5626. The proposed additional place of use is a portion of the CVP service area, as shown on Map 214-208 – 12581 on file with the Division under Application 5626. The Petitioner respectfully requests that said maps be made a part of the record for the petition.

Please indicate County where your project is located here:

Sutter

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 15856C Permit 9963 License 7064C 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 Attachment No. 1
Proposed: See Attachment No. 1

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 Attachment No. 1
Proposed: See Attachment No. 1

Purpose of Use

Present: Irrigation
Proposed: Irrigation, Municipal, Domestic, Irrigation

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: Not Applicable
Downstream Location:

Table with 12 columns for months (Jan-Dec) and rows for cubic feet per second and 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.

San Luis & Delta-Mendota Water Authority
Attn: Frances Mizuno
P.O. Box 2157
Los Banos, CA 93635
(209) 832-6200

**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

Kyle Knutson MBK Engineers, Agent  
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](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/](http://www.waterboards.ca.gov/waterrights/water_issues/programs/fees/)  
(3) Department of Fish and Wildlife fee of \$850 (Pub. Resources Code, § 10005)



**Attachment No. 1  
to Petition for Change Involving Water Transfers  
License 7064C (Application 15856C)  
held by Murphy Lake Farms**

**GENERAL**

The purpose of this Petition for Change Involving Water Transfers (Petition) is to: (1) add the State Water Project’s (SWP) Harvey O. Banks Pumping Plant and the Central Valley Project’s (CVP) CW “Bill” Jones Pumping Plant as points of diversion, (2) add San Luis Reservoir as a point of rediversion, (3) add a portion of the service area of the CVP as an additional place of use, and (4) add municipal, industrial, and domestic purposes of use under Murphy Lake Farms’ (Petitioner) License 7064C (Application 15856C). The Petitioner is a shareholder of the Pleasant Grove-Verona Mutual Water Company (PGV). PGV holds Contract No. 14-06-200-5520A-R-1 (Contract) with the U.S. Bureau of Reclamation (Reclamation). The water rights held by the Petitioner and the other shareholders of PGV serve as the basis for the Base Supply under PGV’s Contract. This Petition is one of 11 petitions (Joint Petitions) being filed by participating shareholders of PGV (Joint Petitioners) pursuant to their individual water rights. The Joint Petitions include the following:

Joint Petitioner	Application	License	Proposed Transfer Quantity (Up to Amount, AF)
E. D. Willey and Son, Inc.	7641A	6389A	4,311.5
River Ranch Partnership	7641C	6389C	802.6
Brett Scheidel	7641B	6389B	1,160
	15606	11001	1,760
Nicoli G. Nicholas	7641D1	6389D1	638
	15856A	7064A	1,690
Maria John Nicholas Kelly Ranch, LLC	7641D2	6389D2	638
	15856B	7064B	1,466
Murphy Lake Farms	15856C	7064C	2,205*
	15858	6399	500*
William L. Spangler	16182	10848	270.4

This Petition is being filed to facilitate a temporary transfer (2021 Water Transfer) of up to a total of 2,205 acre-feet (AF) of surface water proposed to be made available from the Petitioner during May through September 2021. This proposed transfer quantity will be made available by groundwater substitution and by crop idling/shifting in order to provide an

\* Proposed upper limit quantities identified for each water right, limited to a combined quantity of up to 2,404.7 AF under Licenses 6399 and 7064C.

additional water supply for irrigation, municipal, industrial, and domestic purposes. Groundwater substitution involves the use of groundwater pumped to produce crops within PGV in exchange for a like amount of surface water that will remain instream for diversion at the proposed additional points of diversion. The quantity of surface water to be made available for transfer by crop idling/shifting involves only the consumptive use savings as a result of actions within PGV's boundaries. The quantity made available under this Petition will be limited to actions consistent with the terms and conditions of this license. At this time, the quantity of surface water to be made available by groundwater substitution versus crop idling/shifting is unknown. The split between water being made available by each mechanism will be determined after executing a Purchase Agreement with SLDMWA. As discussed further below, the quantity proposed to be made available by the Petitioner will be reviewed and approved by the U.S. Bureau of Reclamation (Reclamation) and the Department of Water Resources (DWR).

Absent the proposed temporary transfer, PGV would divert the entire quantity of surface water proposed for transfer from the Sacramento River pursuant to its water right and its Sacramento River Settlement Contract with Reclamation. Because the proposed project involves the transfer of water under PGV's Contract, these petitions are being filed jointly and should be treated as a single project. PGV has been authorized to act on behalf of the Joint Petitioners, each of which is filing similar petitions in order to facilitate the proposed transfer. Under the Joint Petitions, PGV is proposing a temporary transfer of up to 15,140 AF to SLDMWA. Absent the proposed temporary transfer, PGV and the Joint Petitioners would divert the entire quantity proposed for transfer from surface water sources pursuant to their water rights and the Contract with Reclamation.

**POINT OF DIVERSION OR REDIVERSION**

**POINT OF DIVERSION**

***Present Point of Diversion:***

No change in the present point of diversion is proposed. Petitioner's authorized point of diversion under License 7064C are located on the Natomas Cross Canal in Sutter County, tributary to the Sacramento River as follows:

<b><u>Description</u></b>	<b><u>Located Within†</u></b>			
	<b><u>¼, ¼</u></b>	<b><u>Proj. Sec</u></b>	<b><u>T</u></b>	<b><u>R</u></b>
(1) By CA Coordinate System of 1927, Zone 2, North 406,000 feet and East 2,113,000 feet,	SW, SE	23	11N	3E
(2) By CA Coordinate System of 1927, Zone 2, North 409,550 feet and East 2,114,809 feet,	NW, NW	24	11N	3E

† All references to Township and Range are to the MDB&M.

***Proposed Additional Points of Diversion:***

No change in the present points of diversion is proposed. Petitioner proposes to add the following points of diversion:

**Banks Pumping Plant via the Clifton Court Forebay**

N 2,126,440 ft., E 6,256,425 ft., California Coordinate System Zone 3, NAD 83, being within the NW ¼ of SE ¼ of Projected Section 20, T1S, R4E, MDB&M. This proposed additional point of diversion is identified on maps filed with the Division of Water Rights (Division) under Application 5630.

**CW “Bill” Jones Pumping Plant**

N 2,121,505 ft., E 6,255,368 ft., California Coordinate System Zone 3, NAD 83, being within the NE ¼ of SW ¼ of Projected Section 29, T1S, R4E, MDB&M. This proposed additional point of diversion is identified on maps filed with the Division under Application 5626.

**POINT OF REDIVERSION**

***Present Points of Rediversion:***

Petitioner’s authorized points of rediversion under License 7064C are listed below:

<u>Description</u>	<u>Located Within‡</u>			
	<u>¼, ¼</u>	<u>Sec</u>	<u>T</u>	<u>R</u>
(1) By CA Coordinate System of 1927, Zone 2, North 414,490 feet and East 2,114,450 feet,	NE, NE	14	11N	3E
(2) By CA Coordinate System of 1927, Zone 2, North 417,860 feet and East 2,112,725 feet,	NW, SE	12	11N	3E
(3) By CA Coordinate System of 1927, Zone 2, North 422,826 feet and East 2,115,731 feet,	NW, SW	1	11N	3E

***Proposed Additional Point of Rediversion:***

Petitioner proposes to add the following point of rediversion, which will assist in the temporary retention of transfer water for later use by the participating entities within SLDMWA during periods that coincide with demands or other operational constraints:

**San Luis Reservoir**

N 1,845,103 ft., E 6,393,569 ft., California Coordinate System Zone 3, NAD 83, being within the SW ¼ of SE ¼ of Projected Section 15, T10S, R8E, MDB&M. This proposed

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‡ All references to Township and Range are to the MDB&M.

additional point of redirection is identified on maps filed with the Division under Application 5630.

## **PLACE OF USE**

### ***Present:***

The present place of use is 118.5 acres within projected Section 1; 291.5 acres within projected Section 12; 267 acres within projected Section 13; all within T11N, R3E, MDB&M; 747 acres total as shown on map dated March 1988 on file with the SWRCB.

### ***Proposed:***

No change in the present place of use is proposed. The Petitioner proposes to add a portion of the service area of the CVP as the proposed additional place of use in order to facilitate the temporary water transfer to the SLDMWA. This portion of the service area of the CVP is shown on Map 214-208 – 12581 on file with the Division under Application 5626.

## **GENERAL INFORMATION**

Surface water will be made available for transfer from PGV by groundwater substitution and by crop idling/shifting, consistent with the current *Draft Technical Information for Preparing Water Transfer Proposals*, dated December 2019 (Draft Technical Information) published by the Department of Water Resources (DWR) and Reclamation. The Draft Technical Information has been developed to address the concerns of DWR and Reclamation relative to the potential impacts that water transfers may have on other legal users, instream beneficial uses, and the overall economy and environment. PGV will submit a proposal to DWR and Reclamation for a water transfer to participating entities within the SLDMWA during 2021, which includes detailed information relative to historical groundwater pumping, groundwater well characteristics, groundwater monitoring and reporting elements, historical cropping data, and associated maps. DWR and Reclamation will conduct an extensive review of these documents in order to ensure that the quantity of water proposed to be made available by PGV meets the relevant criteria to demonstrate a reduction in surface water use will occur as a result of the proposed temporary transfer. Absent the proposed temporary transfer to SLDMWA, groundwater would not be pumped by the Petitioner for groundwater substitution and crops would not be idled/shifted to make surface water available for SLDMWA; thus, the Petitioner would have diverted surface water to meet its irrigation demands.

Only wells which have been approved by DWR and Reclamation will be used for the proposed temporary transfer. In accordance with Water Code Section 1745.10, the Petitioner does not believe the proposed transfer to SLDMWA by groundwater substitution will result in an overdraft of the underlying groundwater basin. In addition, the proposed 2021 Water

Transfer is consistent with the Groundwater Management Plan covering the area within PGV, which was adopted in 2012 pursuant to Water Code Section 10750 *et. seq.* As a condition of participation in the proposed temporary transfer, PGV has developed groundwater monitoring, reporting, and mitigation plans to ensure the proposed transfer does not result in any unreasonable and adverse effects, such as impacts to other legal users of water, land subsidence, groundwater-dependent vegetation, and groundwater quality. As described above, the requirements of the monitoring program and mitigation plan are outlined in the Draft Technical Information and will be implemented by the Petitioner accordingly. The monitoring program also includes recurring review of groundwater level monitoring data obtained prior to, during, and following periods when surface water is made available by the Petitioner for the proposed water transfer, in accordance with the Draft Technical Information. To account for anticipated streamflow depletion, DWR and Reclamation will apply a factor of 13% to the amount of groundwater pumped pursuant to the Petitioner's proposed groundwater substitution transfer in accordance with the Draft Technical Information. Evaluation and approval by DWR and Reclamation of the groundwater monitoring, reporting, and mitigation plans will be obtained for PGV's groundwater substitution program. Further, PGV is providing notification to the Reclamation District No. 1001 Groundwater Sustainability Agency, which is the groundwater sustainability agency formed pursuant to the Sustainable Groundwater Management Act that covers the area where groundwater substitution pumping is proposed to occur within PGV. Documentation of PGV's notifications to the Reclamation District No. 1001 Groundwater Sustainability Agency will be provided to DWR and Reclamation, in accordance with the Draft Technical Information.

As indicated above, PGV conducts water transfers in accordance with the Draft Technical Information and other relevant requirements. The monitoring requirements associated with PGV's proposed groundwater substitution water transfer will be incorporated to agreements with DWR and Reclamation. Following the proposed water transfer, PGV will prepare a monitoring report summarizing the results. In PGV's previous groundwater substitution transfers, some of which involved similar quantities compared to the quantity proposed in this Petition, the groundwater basin in and around PGV recovered from the effects of the transfer the following spring. We expect the hydrologic data to show a similar recovery pattern for the proposed 2021 Water Transfer.

Crop idling/shifting water transfers involve surface water made available for transfer by reducing the consumptive use of surface water applied for irrigation. As indicated above, PGV is preparing a water transfer proposal for submittal to DWR and Reclamation to provide the information required pursuant to the Draft Technical Information, which includes supporting documentation to determine the quantity of surface water to be made available by crop idling/shifting. Following submittal of a proposal for the 2021 Water Transfer, DWR and Reclamation will evaluate the fields proposed to be idled/shifted for the temporary transfer. Evaluation and approval by DWR and Reclamation of the lands to be idled/shifted and verification of the quantity of surface water made available will ensure the proposed transfer does not result in any unreasonable and adverse impacts to the environment or third parties. In accordance with the Draft Technical Information and the *Final Long-Term Water Transfers Environmental Impact Statement/Environmental Impact Report* (Final EIS/EIR) prepared by

SLDMWA and Reclamation, dated September 2019, PGV's crop idling/shifting will incorporate relevant mitigation measures that minimize impacts on threatened species, including the Giant Garter Snake.

As a result of the proposed temporary transfer, the flow in the Sacramento River downstream of the Petitioner's present points of diversion will increase by up to 2,205 AF over what would have occurred absent the proposed transfer. These increases will occur during the period that surface water is made available by the Petitioner or if possible, during the following months thereafter through releases by Reclamation for conveyance to SLDMWA. If excess capacity is available in Shasta Reservoir, the Delta is in balanced conditions, and regulatory requirements are being met, Reclamation may temporarily hold the quantity of surface water made available by the Petitioner, until export capacity at the SWP's Banks Pumping Plant or the CVP's Jones Pumping Plant is available, which is typically during July, August, or September. This "backing up" of transfer water would decrease releases from Shasta Reservoir early in the irrigation season, such as during May and June, and increase releases later in the season. Reclamation would only consider operations to facilitate and accommodate "backing up" of transfer water if those operations avoid temperature impacts, and possibly aid with overall temperature management, consistent with the Final EIS/R. In fact, this temporary retention of water in Shasta Reservoir, as a result of surface water made available by the Petitioner, may provide a benefit for fisheries during the early portion of the irrigation season. Shasta Reservoir would continue to be operated in accordance with regulatory requirements, such as flow and temperature requirements established by various agencies including the U.S. Fish and Wildlife Service, National Oceanic and Atmospheric Administration's National Marine Fisheries Service, Federal Energy Regulatory Commission, and State Water Resources Control Board, for the protection of downstream resources. During the period when it is possible for the increased flows in the Sacramento River to reach the proposed additional points of diversion for the proposed transfer, these flows will be a small percentage of the total flow and will be water that would be diverted by the Petitioner absent this proposed transfer. The Petitioner's reduced diversions will provide additional flows during the proposed transfer period, up to a maximum of approximately 11.77 cfs. Therefore, there will be no injury to other legal water users, water quality, or return flows; in fact, these increased flows may provide benefits for fisheries and wildlife and may result in a positive effect to the water users between the present points of diversion and the proposed additional points of diversion.

See files of the State Water Resources Control Board for more information regarding other legal water users, which may include the Delta water users, the Central Valley Project, and the SWP. Discussions with the Department of Fish and Wildlife (DFW) staff regarding the Petition occurred on February 10 and 26, and March 1, 2021 in order to discuss the proposed water transfer, including the overall process/review of the Petition and associated documentation by DFW and other agencies. Coordination with DFW staff is continuing in order to obtain any comments; and DFW staff have been provided a copy of this Petition for review. The Central Valley Regional Water Quality Control Board (CVRWQCB) has also been contacted and were provided information regarding the proposed temporary water transfer; CVRWQCB staff are currently reviewing the Petition. Copies of this Petition have been provided to Bridget Gibbons

Murphy Lake Farms License 7064C  
Attachment No. 1 to Petition for Change Involving Water Transfers

(916-767-3993) of DFW and Michelle Snapp (916-464-4824) of the CVRWQCB for review and comment.

## 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 No. 1

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](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

2/25/2021

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:

Michelle Snapp (916-464-4824) of the Central Valley Regional Water Quality Control Board was contacted in order to discuss the proposed temporary water transfer; and no comments were provided at this time. A copy of this petition has been provided to Ms. Snapp concurrently with the submittal of this petition to the Division of Water Rights.

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

3/17/2021

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:

Not Applicable.

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
Not Applicable.				

If necessary, provide additional information below:

Not Applicable.

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:

Not Applicable.

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:

Not Applicable.

Insert the attachment number here, if applicable:

**Photographs** See Attachment No. 1.

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** See Attachment No. 1.

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  at .

*Kyle Knutson* MBK Engineers, Agent  
\_\_\_\_\_  
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.)

**Attachment No. 1**  
**to Environmental Information for**  
**Petitions for Change Involving Water Transfers**  
**Filed by Joint Petitioners within Pleasant Grove-Verona MWC**

DESCRIPTION OF PROPOSED CHANGES

The Pleasant Grove-Verona Mutual Water Company (PGV) is proposing a temporary water transfer to San Luis & Delta-Mendota Water Authority (SLDMWA) in 2021. To facilitate this transfer, the Joint Petitioners are petitioning to temporarily add two points of diversion, a point of rediversion, a place of use, and purposes of use to the water rights summarized below in order to transfer up to 15,140 AF for use by participating entities within SLDMWA by groundwater substitution and by crop idling/shifting. The State Water Project's (SWP) Banks Pumping Plant and the Central Valley Project's (CVP) CW "Bill" Jones Pumping Plant are proposed to be added as points of diversion; San Luis Reservoir is proposed to be added as a point of rediversion; and a portion of the service area of the CVP is proposed to be added as a place of use. The purposes of use proposed to be added are municipal, industrial, and domestic, in addition to the existing purpose of use for irrigation. These proposed additions would authorize the transfer of water to SLDMWA in order to provide an additional water supply during the current drier hydrologic conditions. There are no changes to the Petitioner's existing points of diversion, place of use, or purpose of use.

The Petitioner is a shareholder of PGV which holds Contract No. 14-06-200-5520A-R-1 (Contract) with the U.S. Bureau of Reclamation (Reclamation). The water rights held by the Joint Petitioners and the other shareholders of PGV serve as the basis for the Base Supply under PGV's Contract. This Petition is one of 11 petitions (Joint Petitions) being filed by participating shareholders of PGV (Joint Petitioners) pursuant to their individual water rights. The Joint Petitions include the following:

PGV Joint Petitions for Temporary Water Transfer  
Attachment No. 1 to Environmental Information Form

<b>Joint Petitioner</b>	<b>Application</b>	<b>License</b>	<b>Proposed Transfer Quantity (Up to Amount, AF)</b>
E. D. Willey and Son, Inc.	7641A	6389A	4,311.5
River Ranch Partnership	7641C	6389C	802.6
Brett Scheidel	7641B	6389B	1,160
	15606	11001	1,760
Nicoli G. Nicholas	7641D1	6389D1	638
	15856A	7064A	1,690
Maria John Nicholas Kelly Ranch, LLC	7641D2	6389D2	638
	15856B	7064B	1,466
Murphy Lake Farms	15856C	7064C	2,205*
	15858	6399	500*
William L. Spangler	16182	10848	270.4

Because the proposed project involves the transfer of water under PGV’s Contract these petitions are being filed jointly and should be treated as a single project. PGV has been authorized to act on behalf of the Joint Petitioners, each of which is filing similar petitions in order to facilitate the proposed transfer. Thus, this consolidated environmental information form accompanies each petition for the water rights listed above. The quantities shown in the table above are up to amounts for each Petitioner. PGV will coordinate with the Joint Petitioners to assure the maximum quantity to be transferred under the Joint Petitions will not exceed 15,140 AF.

The quantity of surface water proposed to be made available by groundwater substitution involves the use of groundwater pumped upon overlying lands in exchange for a like amount of surface water that will remain instream for diversion at the proposed additional points of diversion. The quantity of surface water proposed to be made available for transfer by crop idling/shifting involves only the consumptive use savings as a result of actions within PGV’s boundaries. These proposed quantities would be made available by the Petitioner during May through September 2021. The quantity made available under this Petition will be limited to actions consistent with the terms and conditions of this license. At this time, the quantity of surface water to be made available by groundwater substitution versus crop idling/shifting is unknown. The split between water being made available by each mechanism will be determined after executing a Purchase Agreement with SLDMWA. Absent the proposed temporary transfer, surface water would be diverted to meet the irrigation demands of the Joint Petitioners. The

\* Proposed upper limit quantities identified for each water right, limited to a combined quantity of up to 2,404.7 AF under Licenses 6399 and 7064C.

PGV Joint Petitions for Temporary Water Transfer  
Attachment No. 1 to Environmental Information Form

proposed temporary transfer does not involve any construction or other physical changes to the Petitioners's facilities.

Petitions for temporary transfer of water pursuant to Water Code Section 1725 are exempt from the California Environmental Quality Act (CEQA). The U.S. Bureau of Reclamation (Reclamation) and SLDMWA have prepared a *Final Long-Term Water Transfers Environmental Impact Statement/Environmental Impact Report* (Final EIS/EIR), dated September 2019, pursuant to the requirements under the National Environmental Policy Act (NEPA) and CEQA. A copy of the Final EIS/EIR, dated September 2019, is available at: < [https://www.usbr.gov/mp/nepa/nepa\\_project\\_details.php?Project\\_ID=18361](https://www.usbr.gov/mp/nepa/nepa_project_details.php?Project_ID=18361) > Based on the requirements associated with the Final EIS/EIR, and in accordance with the Draft Technical Information for Preparing Water Transfer Proposals, dated December 2019 published by the Department of Water Resources and Reclamation, the Petitioner will implement the relevant, applicable measures for the proposed 2021 Water Transfer.

#### PHOTOGRAPHS

The present points of diversion and the proposed additional points of diversion and rediversion include existing facilities that are well known and documented with the Division of Water Rights (Division). In addition, the present and proposed places of use are also well known and documented with the Division. Therefore, for these reasons, the Petitioner respectfully requests that said documentation be made a part of the record for the petition.

#### MAPS

The present points of diversion and place of use are shown on a map filed with the Division. The proposed additional point of diversion for the SWP's Banks Pumping Plant and the proposed additional point of rediversion for San Luis Reservoir are shown on maps filed with the Division for Application 5630. The proposed additional point of diversion for the CVP's Jones Pumping Plant is shown on maps filed with the Division for Application 5626. The proposed additional place of use is a portion of the CVP service area, as shown on Map 214-208 – 12581 on file with the Division under Application 5626. The Petitioner respectfully requests that said maps be made a part of the record for the petition.

Please indicate County where your project is located here:

Sutter

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 16282 Permit 14504 License 10848 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 Attachment No. 1
Proposed: See Attachment No. 1

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 Attachment No. 1
Proposed: See Attachment No. 1

Purpose of Use

Present: Irrigation
Proposed: Irrigation, Domestic, Municipal, Industrial

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 cubic feet per second and 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.

San Luis & Delta-Mendota Water Authority
Attn: Frances Mizuno
P.O. Box 2157
Los Banos, CA 93635
(209) 832-6200

**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 whc 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 th at 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](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/](http://www.waterboards.ca.gov/waterrights/water_issues/programs/fees/)  
(3) Department of Fish and Wildlife fee of \$850 (Pub. Resources Code, § 10005)



**Attachment No. 1  
to Petition for Change Involving Water Transfers  
License 10848 (Application 16182)  
held by William L. Spangler**

**GENERAL**

The purpose of this Petition for Change Involving Water Transfers (Petition) is to: (1) add the State Water Project’s (SWP) Harvey O. Banks Pumping Plant and the Central Valley Project’s (CVP) CW “Bill” Jones Pumping Plant as points of diversion, (2) add San Luis Reservoir as a point of rediversion, (3) add a portion of the service area of the CVP as an additional place of use, and (4) add municipal, industrial, and domestic purposes of use under William L. Spangler’s (Petitioner) License 10848 (Application 16182). The Petitioner is a shareholder of the Pleasant Grove-Verona Mutual Water Company (PGV). PGV holds Contract No. 14-06-200-5520A-R-1 (Contract) with the U.S. Bureau of Reclamation (Reclamation). The water rights held by the Petitioner and the other shareholders of PGV serve as the basis for the Base Supply under PGV’s Contract. This Petition is one of 11 petitions (Joint Petitions) being filed by participating shareholders of PGV (Joint Petitioners) pursuant to their individual water rights. The Joint Petitions include the following:

<b>Joint Petitioner</b>	<b>Application</b>	<b>License</b>	<b>Proposed Transfer Quantity (Up to Amount, AF)</b>
E. D. Willey and Son, Inc.	7641A	6389A	4,311.5
River Ranch Partnership	7641C	6389C	802.6
Brett Scheidel	7641B	6389B	1,160
	15606	11001	1,760
Nicoli G. Nicholas	7641D1	6389D1	638
	15856A	7064A	1,690
Maria John Nicholas Kelly Ranch, LLC	7641D2	6389D2	638
	15856B	7064B	1,466
Murphy Lake Farms	15856C	7064C	2,205*
	15858	6399	500*
William L. Spangler	16182	10848	270.4

This Petition is being filed to facilitate a temporary transfer (2021 Water Transfer) of up to a total of 270.4 acre-feet (AF) of surface water proposed to be made available from the Petitioner during May through September 2021. This proposed transfer quantity will be made available by groundwater substitution and by crop idling/shifting in order to provide an

\* Proposed upper limit quantities identified for each water right, limited to a combined quantity of up to 2,404.7 AF under Licenses 6399 and 7064C.

additional water supply for irrigation, municipal, industrial, and domestic purposes. Groundwater substitution involves the use of groundwater pumped to produce crops within PGV in exchange for a like amount of surface water that will remain instream for diversion at the proposed additional points of diversion. The quantity of surface water to be made available for transfer by crop idling/shifting involves only the consumptive use savings as a result of actions within PGV's boundaries. The quantity made available under this Petition will be limited to actions consistent with the terms and conditions of this license. At this time, the quantity of surface water to be made available by groundwater substitution versus crop idling/shifting is unknown. The split between water being made available by each mechanism will be determined after executing a Purchase Agreement with SLDMWA. As discussed further below, the quantity proposed to be made available by the Petitioner will be reviewed and approved by the U.S. Bureau of Reclamation (Reclamation) and the Department of Water Resources (DWR).

Absent the proposed temporary transfer, PGV would divert the entire quantity of surface water proposed for transfer from the Sacramento River pursuant to its water right and its Sacramento River Settlement Contract with Reclamation. Because the proposed project involves the transfer of water under PGV's Contract, these petitions are being filed jointly and should be treated as a single project. PGV has been authorized to act on behalf of the Joint Petitioners, each of which is filing similar petitions in order to facilitate the proposed transfer. Under the Joint Petitions, PGV is proposing a temporary transfer of up to 15,140 AF to SLDMWA. Absent the proposed temporary transfer, PGV and the Joint Petitioners would divert the entire quantity proposed for transfer from surface water sources pursuant to their water rights and the Contract with Reclamation.

**POINT OF DIVERSION OR REDIVERSION**

**POINT OF DIVERSION**

***Present Point of Diversion:***

No change in the present point of diversion is proposed. Petitioner's authorized point of diversion under License 10848 are located as follows:

<b><u>Description</u></b>	<b>Located Within†</b>			
	<b><u>¼, ¼</u></b>	<b><u>Sec</u></b>	<b><u>T</u></b>	<b><u>R</u></b>
(1) South 18° 00' East 1,000 feet from the NW corner of Section 24, T11N, R3E	NW, NW	24	11N	3E
(1) South 27° 00' East 360 feet from the NW corner of Section 13, T11N, R3E	NW, NW	13	11N	3E

† All references to Township and Range are to the MDB&M.

***Proposed Additional Points of Diversion:***

No change in the present points of diversion is proposed. Petitioner proposes to add the following points of diversion:

**Banks Pumping Plant via the Clifton Court Forebay**

N 2,126,440 ft., E 6,256,425 ft., California Coordinate System Zone 3, NAD 83, being within the NW ¼ of SE ¼ of Projected Section 20, T1S, R4E, MDB&M. This proposed additional point of diversion is identified on maps filed with the Division of Water Rights (Division) under Application 5630.

**CW “Bill” Jones Pumping Plant**

N 2,121,505 ft., E 6,255,368 ft., California Coordinate System Zone 3, NAD 83, being within the NE ¼ of SW ¼ of Projected Section 29, T1S, R4E, MDB&M. This proposed additional point of diversion is identified on maps filed with the Division under Application 5626.

**POINT OF REDIVERSION**

***Present Points of Rediversion:***

No change in the present points of rediversion is proposed. Petitioner has no authorized points of rediversion under License 10848.

***Proposed Additional Point of Rediversion:***

Petitioner proposes to add the following point of rediversion, which will assist in the temporary retention of transfer water for later use by the participating entities within SLDMWA during periods that coincide with demands or other operational constraints:

**San Luis Reservoir**

N 1,845,103 ft., E 6,393,569 ft., California Coordinate System Zone 3, NAD 83, being within the SW ¼ of SE ¼ of Projected Section 15, T10S, R8E, MDB&M. This proposed additional point of rediversion is identified on maps filed with the Division under Application 5630.

**PLACE OF USE**

***Present:***

The present place of use is 301.56 acres within a gross area of 455 acres within the W½ of Section 2 and NW¼ of NW¼ of Section 11, T11N, R3E, MDB&M, as shown on map filed with the State Water Resources Control Board, Division of Water Rights.

***Proposed:***

No change in the present place of use is proposed. The Petitioner proposes to add a portion of the service area of the CVP as the proposed additional place of use in order to facilitate the temporary water transfer to the SLDMWA. This portion of the service area of the CVP is shown on Map 214-208 – 12581 on file with the Division under Application 5626.

**GENERAL INFORMATION**

Surface water will be made available for transfer from PGV by groundwater substitution and by crop idling/shifting, consistent with the current *Draft Technical Information for Preparing Water Transfer Proposals*, dated December 2019 (Draft Technical Information) published by the Department of Water Resources (DWR) and Reclamation. The Draft Technical Information has been developed to address the concerns of DWR and Reclamation relative to the potential impacts that water transfers may have on other legal users, instream beneficial uses, and the overall economy and environment. PGV will submit a proposal to DWR and Reclamation for a water transfer to participating entities within the SLDMWA during 2021, which includes detailed information relative to historical groundwater pumping, groundwater well characteristics, groundwater monitoring and reporting elements, historical cropping data, and associated maps. DWR and Reclamation will conduct an extensive review of these documents in order to ensure that the quantity of water proposed to be made available by PGV meets the relevant criteria to demonstrate a reduction in surface water use will occur as a result of the proposed temporary transfer. Absent the proposed temporary transfer to SLDMWA, groundwater would not be pumped by the Petitioner for groundwater substitution and crops would not be idled/shifted to make surface water available for SLDMWA; thus, the Petitioner would have diverted surface water to meet its irrigation demands.

Only wells which have been approved by DWR and Reclamation will be used for the proposed temporary transfer. In accordance with Water Code Section 1745.10, the Petitioner does not believe the proposed transfer to SLDMWA by groundwater substitution will result in an overdraft of the underlying groundwater basin. In addition, the proposed 2021 Water Transfer is consistent with the Groundwater Management Plan covering the area within PGV, which was adopted in 2012 pursuant to Water Code Section 10750 *et. seq.* As a condition of participation in the proposed temporary transfer, PGV has developed groundwater monitoring, reporting, and mitigation plans to ensure the proposed transfer does not result in any unreasonable and adverse effects, such as impacts to other legal users of water, land subsidence, groundwater-dependent vegetation, and groundwater quality. As described above, the requirements of the monitoring program and mitigation plan are outlined in the Draft Technical Information and will be implemented by the Petitioner accordingly. The monitoring program also includes recurring review of groundwater level monitoring data obtained prior to, during, and following periods when surface water is made available by the Petitioner for the proposed water transfer, in accordance with the Draft Technical Information. To account for anticipated streamflow depletion, DWR and Reclamation will apply a factor of 13% to the amount of groundwater pumped pursuant to the Petitioner's

proposed groundwater substitution transfer in accordance with the Draft Technical Information. Evaluation and approval by DWR and Reclamation of the groundwater monitoring, reporting, and mitigation plans will be obtained for PGV's groundwater substitution program. Further, PGV is providing notification to the Reclamation District No. 1001 Groundwater Sustainability Agency, which is the groundwater sustainability agency formed pursuant to the Sustainable Groundwater Management Act that covers the area where groundwater substitution pumping is proposed to occur within PGV. Documentation of PGV's notifications to the Reclamation District No. 1001 Groundwater Sustainability Agency will be provided to DWR and Reclamation, in accordance with the Draft Technical Information.

As indicated above, PGV conducts water transfers in accordance with the Draft Technical Information and other relevant requirements. The monitoring requirements associated with PGV's proposed groundwater substitution water transfer will be incorporated to agreements with DWR and Reclamation. Following the proposed water transfer, PGV will prepare a monitoring report summarizing the results. In PGV's previous groundwater substitution transfers, some of which involved similar quantities compared to the quantity proposed in this Petition, the groundwater basin in and around PGV recovered from the effects of the transfer the following spring. We expect the hydrologic data to show a similar recovery pattern for the proposed 2021 Water Transfer.

Crop idling/shifting water transfers involve surface water made available for transfer by reducing the consumptive use of surface water applied for irrigation. As indicated above, PGV is preparing a water transfer proposal for submittal to DWR and Reclamation to provide the information required pursuant to the Draft Technical Information, which includes supporting documentation to determine the quantity of surface water to be made available by crop idling/shifting. Following submittal of a proposal for the 2021 Water Transfer, DWR and Reclamation will evaluate the fields proposed to be idled/shifted for the temporary transfer. Evaluation and approval by DWR and Reclamation of the lands to be idled/shifted and verification of the quantity of surface water made available will ensure the proposed transfer does not result in any unreasonable and adverse impacts to the environment or third parties. In accordance with the Draft Technical Information and the *Final Long-Term Water Transfers Environmental Impact Statement/Environmental Impact Report* (Final EIS/EIR) prepared by SLDMWA and Reclamation, dated September 2019, PGV's crop idling/shifting will incorporate relevant mitigation measures that minimize impacts on threatened species, including the Giant Garter Snake.

As a result of the proposed temporary transfer, the flow in the Sacramento River downstream of the Petitioner's present points of diversion will increase by up to 270.4 AF over what would have occurred absent the proposed transfer. These increases will occur during the period that surface water is made available by the Petitioner or if possible, during the following months thereafter through releases by Reclamation for conveyance to SLDMWA. If excess capacity is available in Shasta Reservoir, the Delta is in balanced conditions, and regulatory requirements are being met, Reclamation may temporarily hold the quantity of surface water made available by the Petitioner, until export capacity at the SWP's Banks Pumping Plant or the CVP's Jones Pumping Plant is available, which is

typically during July, August, or September. This “backing up” of transfer water would decrease releases from Shasta Reservoir early in the irrigation season, such as during May and June, and increase releases later in the season. Reclamation would only consider operations to facilitate and accommodate “backing up” of transfer water if those operations avoid temperature impacts, and possibly aid with overall temperature management, consistent with the Final EIS/R. In fact, this temporary retention of water in Shasta Reservoir, as a result of surface water made available by the Petitioner, may provide a benefit for fisheries during the early portion of the irrigation season. Shasta Reservoir would continue to be operated in accordance with regulatory requirements, such as flow and temperature requirements established by various agencies including the U.S. Fish and Wildlife Service, National Oceanic and Atmospheric Administration’s National Marine Fisheries Service, Federal Energy Regulatory Commission, and State Water Resources Control Board, for the protection of downstream resources. During the period when it is possible for the increased flows in the Sacramento River to reach the proposed additional points of diversion for the proposed transfer, these flows will be a small percentage of the total flow and will be water that would be diverted by the Petitioner absent this proposed transfer. The Petitioner’s reduced diversions will provide additional flows during the proposed transfer period, up to a maximum of approximately 5.76 cfs. Therefore, there will be no injury to other legal water users, water quality, or return flows; in fact, these increased flows may provide benefits for fisheries and wildlife and may result in a positive effect to the water users between the present points of diversion and the proposed additional points of diversion.

See files of the State Water Resources Control Board for more information regarding other legal water users, which may include the Delta water users, the Central Valley Project, and the SWP. Discussions with the Department of Fish and Wildlife (DFW) staff regarding the Petition occurred on February 10 and 26, and March 1, 2021 in order to discuss the proposed water transfer, including the overall process/review of the Petition and associated documentation by DFW and other agencies. Coordination with DFW staff is continuing in order to obtain any comments; and DFW staff have been provided a copy of this Petition for review. The Central Valley Regional Water Quality Control Board (CVRWQCB) has also been contacted and were provided information regarding the proposed temporary water transfer; CVRWQCB staff are currently reviewing the Petition. Copies of this Petition have been provided to Bridget Gibbons (916-767-3993) of DFW and Michelle Snapp (916-464-4824) of the CVRWQCB for review and comment.

## 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 No. 1

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](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

2/25/2021

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:

Michelle Snapp (916-464-4824) of the Central Valley Regional Water Quality Control Board was contacted in order to discuss the proposed temporary water transfer; and no comments were provided at this time. A copy of this petition has been provided to Ms. Snapp concurrently with the submittal of this petition to the Division of Water Rights.

Insert the attachment number here, if applicable:

1

**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

3/17/2021

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:

Not Applicable.

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
Not Applicable.				

If necessary, provide additional information below:

Not Applicable.

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:

Not Applicable.

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:

Not Applicable.

Insert the attachment number here, if applicable:

**Photographs** See Attachment No. 1.

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** See Attachment No. 1.

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 3/10/2021 at Nicolanus, 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.)

**Attachment No. 1**  
**to Environmental Information for**  
**Petitions for Change Involving Water Transfers**  
**Filed by Joint Petitioners within Pleasant Grove-Verona MWC**

DESCRIPTION OF PROPOSED CHANGES

The Pleasant Grove-Verona Mutual Water Company (PGV) is proposing a temporary water transfer to San Luis & Delta-Mendota Water Authority (SLDMWA) in 2021. To facilitate this transfer, the Joint Petitioners are petitioning to temporarily add two points of diversion, a point of rediversion, a place of use, and purposes of use to the water rights summarized below in order to transfer up to 15,140 AF for use by participating entities within SLDMWA by groundwater substitution and by crop idling/shifting. The State Water Project's (SWP) Banks Pumping Plant and the Central Valley Project's (CVP) CW "Bill" Jones Pumping Plant are proposed to be added as points of diversion; San Luis Reservoir is proposed to be added as a point of rediversion; and a portion of the service area of the CVP is proposed to be added as a place of use. The purposes of use proposed to be added are municipal, industrial, and domestic, in addition to the existing purpose of use for irrigation. These proposed additions would authorize the transfer of water to SLDMWA in order to provide an additional water supply during the current drier hydrologic conditions. There are no changes to the Petitioner's existing points of diversion, place of use, or purpose of use.

The Petitioner is a shareholder of PGV which holds Contract No. 14-06-200-5520A-R-1 (Contract) with the U.S. Bureau of Reclamation (Reclamation). The water rights held by the Joint Petitioners and the other shareholders of PGV serve as the basis for the Base Supply under PGV's Contract. This Petition is one of 11 petitions (Joint Petitions) being filed by participating shareholders of PGV (Joint Petitioners) pursuant to their individual water rights. The Joint Petitions include the following:

PGV Joint Petitions for Temporary Water Transfer  
Attachment No. 1 to Environmental Information Form

<b>Joint Petitioner</b>	<b>Application</b>	<b>License</b>	<b>Proposed Transfer Quantity (Up to Amount, AF)</b>
E. D. Willey and Son, Inc.	7641A	6389A	4,311.5
River Ranch Partnership	7641C	6389C	802.6
Brett Scheidel	7641B	6389B	1,160
	15606	11001	1,760
Nicoli G. Nicholas	7641D1	6389D1	638
	15856A	7064A	1,690
Maria John Nicholas Kelly Ranch, LLC	7641D2	6389D2	638
	15856B	7064B	1,466
Murphy Lake Farms	15856C	7064C	2,205*
	15858	6399	500*
William L. Spangler	16182	10848	270.4

Because the proposed project involves the transfer of water under PGV’s Contract these petitions are being filed jointly and should be treated as a single project. PGV has been authorized to act on behalf of the Joint Petitioners, each of which is filing similar petitions in order to facilitate the proposed transfer. Thus, this consolidated environmental information form accompanies each petition for the water rights listed above. The quantities shown in the table above are up to amounts for each Petitioner. PGV will coordinate with the Joint Petitioners to assure the maximum quantity to be transferred under the Joint Petitions will not exceed 15,140 AF.

The quantity of surface water proposed to be made available by groundwater substitution involves the use of groundwater pumped upon overlying lands in exchange for a like amount of surface water that will remain instream for diversion at the proposed additional points of diversion. The quantity of surface water proposed to be made available for transfer by crop idling/shifting involves only the consumptive use savings as a result of actions within PGV’s boundaries. These proposed quantities would be made available by the Petitioner during May through September 2021. The quantity made available under this Petition will be limited to actions consistent with the terms and conditions of this license. At this time, the quantity of surface water to be made available by groundwater substitution versus crop idling/shifting is unknown. The split between water being made available by each mechanism will be determined after executing a Purchase Agreement with SLDMWA. Absent the proposed temporary transfer, surface water would be diverted to meet the irrigation demands of the Joint Petitioners. The

\* Proposed upper limit quantities identified for each water right, limited to a combined quantity of up to 2,404.7 AF under Licenses 6399 and 7064C.

PGV Joint Petitions for Temporary Water Transfer  
Attachment No. 1 to Environmental Information Form

proposed temporary transfer does not involve any construction or other physical changes to the Petitioners's facilities.

Petitions for temporary transfer of water pursuant to Water Code Section 1725 are exempt from the California Environmental Quality Act (CEQA). The U.S. Bureau of Reclamation (Reclamation) and SLDMWA have prepared a *Final Long-Term Water Transfers Environmental Impact Statement/Environmental Impact Report* (Final EIS/EIR), dated September 2019, pursuant to the requirements under the National Environmental Policy Act (NEPA) and CEQA. A copy of the Final EIS/EIR, dated September 2019, is available at: < [https://www.usbr.gov/mp/nepa/nepa\\_project\\_details.php?Project\\_ID=18361](https://www.usbr.gov/mp/nepa/nepa_project_details.php?Project_ID=18361) > Based on the requirements associated with the Final EIS/EIR, and in accordance with the Draft Technical Information for Preparing Water Transfer Proposals, dated December 2019 published by the Department of Water Resources and Reclamation, the Petitioner will implement the relevant, applicable measures for the proposed 2021 Water Transfer.

#### PHOTOGRAPHS

The present points of diversion and the proposed additional points of diversion and rediversion include existing facilities that are well known and documented with the Division of Water Rights (Division). In addition, the present and proposed places of use are also well known and documented with the Division. Therefore, for these reasons, the Petitioner respectfully requests that said documentation be made a part of the record for the petition.

#### MAPS

The present points of diversion and place of use are shown on a map filed with the Division. The proposed additional point of diversion for the SWP's Banks Pumping Plant and the proposed additional point of rediversion for San Luis Reservoir are shown on maps filed with the Division for Application 5630. The proposed additional point of diversion for the CVP's Jones Pumping Plant is shown on maps filed with the Division for Application 5626. The proposed additional place of use is a portion of the CVP service area, as shown on Map 214-208 – 12581 on file with the Division under Application 5626. The Petitioner respectfully requests that said maps be made a part of the record for the petition.