

STATE OF CALIFORNIA  
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY  
STATE WATER RESOURCES CONTROL BOARD

**DIVISION OF WATER RIGHTS**

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**In the Matter of License 13527A and Permit 20770B  
(Applications 30049A and 30049B)**

**Hidden Valley Lake Community Services District**

**ORDER DENYING TEMPORARY URGENCY CHANGE**

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SOURCE: Putah Creek Underflow

COUNTY: Lake

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**BY THE DEPUTY DIRECTOR FOR WATER RIGHTS:**

**1.0 SUBSTANCE OF TEMPORARY URGENCY CHANGE PETITION**

On April 1, 2014, Hidden Valley Lake Community Services District (District) filed Temporary Urgency Change Petitions (TUCP) with the State Water Resources Control Board (State Water Board), Division of Water Rights (Division) requesting approval of a change pursuant to California Water Code section 1435. This Order will refer to the petitions collectively as a single project.

The District has requested temporary relief from a supplemental discharge term within its water right License 13527A (Application 30049A) and Permit 20770B (Application 30049B), which requires pumping of groundwater from the District's municipal water supply wells to augment low water flow in Putah Creek from July 15 through October 15 each year. The supplemental discharge rates are the difference between actual discharge, as measured at the site of the former U.S. Geological Survey (USGS) Guenoc streamflow gage site and the following median daily discharges: July – 4.7 cubic feet per second (cfs); August – 1.7 cfs; September – 0.9 cfs; and October – 0.6 cfs. The District is not required to provide supplemental water at a rate greater than 2 cfs.

**2.0 BACKGROUND**

The District diverts water from the underflow of Putah Creek under Water Right License 13527A and Permit 20770B. License 13527A authorizes year round diversion of up to 651 acre-feet (af) per year at a maximum rate of 1.5 cubic feet per second (cfs) for municipal use within Units 1-3 and 6-11 of Hidden Valley Lake Subdivision. The water is diverted from the underflow of Putah Creek at Grange Road Wells 4, 2, and 3 located at Points of Diversion (POD) 1, 2, and 3.

Permit 20770B authorizes year-round diversion of up to 1,649 af per year at a maximum rate of 4.4 cfs for municipal use and fish and wildlife preservation. The place of use under Permit 20770B includes the same place of use identified above for License 13527A for municipal use in addition to a sewage treatment plant. Fish and wildlife preservation use is within Putah Creek in the vicinity of the former USGS Guenoc streamflow gage site. Construction work and complete application of the water to the authorized use was to be completed by December 31, 2011, the date on which the permit expired. The total quantity of water diverted under the permit and license combined is not to exceed 2,300 af per year.

On January 3, 2013, the District filed a petition for extension of time for Permit 20770B and petitions for change for both the permit and license. The District has requested a 50-year time extension for the permit to complete full beneficial use of the total amount authorized under the water right. The petition requests authorization to (a) expand the place of use; (b) eliminate a term in the license and permit that requires groundwater monitoring reporting; and (c) eliminate the term in both the license and permit that requires supplemental discharge to augment low water flow in Putah Creek from July 15 through October 31 of each year. The January 2013 extension of time and change petitions are being evaluated separately from the District's April 2014 TUCPs and are not included in this Order.

### **3.0 RECENT ACTIONS**

On May 27, 2014, the State Water Board mailed a *Notice of Unavailability of Water and Immediate Curtailment for Those Diverting Water in the Sacramento and San Joaquin River Watersheds with a Post-1914 Appropriative Right* to the District for Permit 20770B and License 13527A. The Notice states that the right holder needs to immediately stop diverting water under its post-1914 water rights.

### **4.0 CONCLUSIONS**

The Division must either approve or deny a temporary urgency change. Since diversion of water under the District's permit and license has been curtailed, the Division is not able to approve the changes requested under the TUCPs.

### **ORDER**

**NOW, THEREFORE, IT IS ORDERED THAT** the petitions filed by the District for temporary urgency changes in License 13527A and Permit 20770B are denied.

This Order does not change any of the existing terms and conditions of License 13527A or Permit 20770B.

STATE WATER RESOURCES CONTROL BOARD

ORIGINAL SIGNED BY:

*Barbara Evoy, Deputy Director  
Division of Water Rights*

Dated: JUL 25 2014