
State Water Resources Control Board

Lower Fresno River Preliminary Desktop Investigation: Summary Report

1. Introduction

The Lower Fresno River Preliminary Desktop Investigation (Investigation) is an information-gathering effort by the State Water Resources Control Board (SWRCB) to collect and collate publicly-available water right and land information for the mainstem of the Fresno River from Hidden Dam to the confluence with the San Joaquin River (Lower Fresno River). This information is intended to provide useful information to stakeholders negotiating a settlement as an alternative to a statutory adjudication of the watershed. The Investigation is not a determination of water rights or a determination of any underlying facts. Water rights information is being released in the form of several summary Excel tables and maps. This summary report details the SWRCB's data sources and criteria applied in the Investigation, defines fields in the tables, and describes how interested parties may provide feedback on the water rights information.

The initial results of the Investigation are organized into two main tables, each with accompanying maps. The first table encompasses water rights and water right claims to the Lower Fresno River filed with the SWRCB's Division of Water Rights (Existing Claims Table). The second table provides summary information on lands which appear to be riparian to the Lower Fresno River, particularly those without documented water right claims (No Claims Filed Table).

2. Sources & Methods

The initial results of the Investigation consist of publicly available data compiled in tables to provide useful information about each water right or potential claim. Information was primarily sourced from the SWRCB's public Division of Water Rights [Electronic Water Right Information Management System \(eWRIMS\) database](#), including information on licensed rights to divert and use water, Statements of Water Diversion and Use, and annual water use reports. The Investigation accounts for historical public documents housed in the Division of Water Rights record files, previous water right determinations made in [Board Order WR 99-001](#), and local court documents provided to the SWRCB. For land ownership and parcel information, the Investigation uses Geographic Information System (GIS) datasets available from [Madera County](#) and [Merced County](#), the [DigiMap LandVision](#) real estate mapping platform, and the Bureau of Land Management (BLM) [General Land Office \(GLO\) Records Automation](#) site. Groundwater well

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information is sourced from the SWRCB's public Groundwater Ambient Monitoring and Assessment Program (GAMA) [GeoTracker Groundwater Information System](#) database.

The Investigation compiles information about current water right claims and unexercised riparian rights along the Lower Fresno River, subject to the following limitations:

1. Information available in eWRIMS and paper water right records for existing water right claims were included in the Investigation but were not reviewed for accuracy.
2. Water rights that are currently inactive (typically by request of the water user) were not included in the Existing Claims Table.
3. Unless supported by a court decision, information about pre-1914 appropriative water right claims was based only on user-submitted information in Statements of Diversion and Use.
4. Staff did not investigate the possibility of appropriative water right claims that were not filed with the SWRCB or claimed through Statements of Diversion and Use.
5. Lands which may have associated riparian rights along the Lower Fresno River were depicted based on the boundaries of historic land patents and current county parcels. Chain of title searches and watershed boundary assessments were not performed. Title information and watershed boundaries could affect the areas of land that may have an associated riparian right.
6. Parcels less than one acre in size that did not appear to be irrigated by diversions from the Lower Fresno River are not included in the No Claims Filed Table.
7. The availability of water to serve water right claims to the Lower Fresno River was not assessed.
8. User-reported conjunctive use of groundwater and surface water and the locations of known groundwater wells in the watershed were noted in the Investigation, but well properties and any potential effects of pumping on surface water were not evaluated.

The following criteria were applied solely for the purpose of the Investigation and are not determinant of SWRCB water right policy:

1. Unless otherwise determined by Board Order WR 99-001, properties identified as having a potential claim to an associated riparian water right (Potential Riparian Lands) are limited to land within the boundaries of (a) a historic land patent and (b) a current county-designated parcel that both appear to directly abut the current Lower Fresno River channel. Historic document searches to verify continuous chain-of-title for riparian rights associated with these properties were not performed. Lands not meeting both criteria (apparent riparian patent and parcel) were not identified as Potential Riparian Lands.

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2. Self-reported information submitted to the SWRCB (e.g. annual Reports of Licensee or Supplemental Statements of Water Diversion and Use) is included in the water rights information and has not been independently verified.

The Existing Claims and No Claims Filed Tables contain tabular information, such as owner name and parcel number, as well as numeric data derived from maps (e.g. place of use area, in acres) or annual water use reports (e.g. diversion volumes). Detailed information on the meaning and source of each field in the databases is provided below.

3. Database Field Definitions

The following sections detail the data fields presented in the Investigation tables. The two tables share many common data fields, with the Existing Claims Table containing more available information than the No Claims Filed Table. Both tables contain a 'README' tab describing the information and defining acronyms used. The Existing Claims Table contains two tabs of water right data; the 'Key Info' tab contains basic water right data, while the 'All Info' tab presents additional information. The Existing Claims Table also contains a 'Reported Diversions' tab listing annual (calendar year) diversions reported to the SWRCB for each claim, in acre-feet annually (afa), and a 'Groundwater Wells' tab listing all known groundwater wells within the Madera Irrigation District (MID) service area and Hidden Dam's Licensed Place of Use.

3.1 General Information

These data fields contain basic information about a water right or claim type, current status, priority date, and owner.

| Field Name | Definition | Data Source(s) and Tool(s) |
|------------|--|---------------------------------------|
| WR ID | Water Right ID: <ul style="list-style-type: none"> • Appropriative (post-1914) rights begin with 'A' • Riparian or Pre-1914 claims (Statements of Diversion and Use) begin with 'S.' | - eWRIMS database |
| WR Type | Water right or claim type (not a determination of water right): <ul style="list-style-type: none"> • Appropriative (Post-1914): A post-1914 appropriative water right pursuant to a permit or license from the SWRCB. A State Filing is a specific type of appropriative right (Water Code §§ 10500-10506). • Riparian: A claimed right associated with property abutting the Fresno River. | - eWRIMS database - Annual Reports |

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| | <ul style="list-style-type: none"> • Pre-1914: A claimed appropriation of water made prior to 1914 and not permitted by the SWRCB (some Statements claim both Riparian and Pre-1914 water rights). | |
| WR Status | <p>The status of a water right or water right claim:</p> <ul style="list-style-type: none"> • Licensed: The SWRCB has issued a license for the water right. • Claimed: The water right is claimed by the owner (i.e. Riparian or Pre-1914) and requires further verification. • Decreed: The water right was verified and quantified through court decision(s). • Board-Ordered: The water right was verified and quantified by SWRCB Order(s). • Pending: The application to appropriate water is pending a decision by the SWRCB. In the case of a State Filing, the water right has not been assigned to any entity. | <ul style="list-style-type: none"> - eWRIMS database - <i>Union Colonization Co. et al. v. MID</i> (1916) - SWRCB Order WR 99-001 |
| Priority Date (Claimed) | <p>The claimed or verified priority date of a water right, depending on its WR Type:</p> <ul style="list-style-type: none"> • Appropriative (post-1914): Determined via the SWRCB permitting and licensing process. • Riparian: Self-reported via annual reports as the year diversions began; Riparian water rights have a correlative share of the available natural flow. • Pre-1914: Self-reported via annual reports; the priority date requires further verification. If a right is decreed, this date may be specified by a court order. | <ul style="list-style-type: none"> - eWRIMS database - Annual Reports |
| WR or Parcel Owner Name | Name of the water right or claim holder (Existing Claims Table) or property owner (No Claims Filed Table). | <ul style="list-style-type: none"> - eWRIMS database - Madera Co. GIS - Merced Co. GIS |
| Agent Name | Name of the authorized water right agent. 'AKA' denotes owners who were listed under another name in Madera Irrigation District's Petition for Statutory Adjudication of the Fresno River. | <ul style="list-style-type: none"> - eWRIMS database |

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3.2 Place of Use (POU)

These data fields contain information about the area served by water rights or claims, the majority of which are used for irrigation. While licensed water rights have a POU specified by the SWRCB, POUs for Riparian and Pre-1914 water right claims are submitted to the SWRCB by claimants. For Riparian water right claims, data are provided for both the claimed POU and Potential Riparian Lands.

| Field Name | Definition | Data Source(s) and Tool(s) |
|---------------------------|---|---|
| Beneficial Use(s) | For the Existing Claims Table, beneficial use of the water right, as defined by Water Code §§ 660-669 (see abbreviations in 'README' tabs): <ul style="list-style-type: none"> • Appropriative (post-1914): Determined via the SWRCB licensing process. • Riparian and Pre-1914: Self-reported via Statements of Diversion and Use. | - eWRIMS database |
| Land Use | For the No Claims Filed Table, the apparent land use of the parcel, as observed in aerial images. | - Google Earth |
| Claimed POU APN(s) | The Assessor's Parcel Number(s) (APN) covered by the claimed or licensed POU for each water right or water right claim. Not all areas within all APNs may be part of the POU. | - Madera Co. GIS - Merced Co. GIS - LandVision |
| Claimed POU Acres | The total area, in acres, of the claimed or licensed POU associated with each water right or claim. | - eWRIMS database - SWRCB Order WR 99-001 - ArcGIS - Google Earth |
| Potential Riparian APN(s) | For Riparian claims, the APN(s) associated with parcels covered by Potential Riparian Lands owned by the same party. Not all areas within these APNs are Potential Riparian Lands. | - Madera Co. GIS - Merced Co. GIS - LandVision - SWRCB Order WR 99-001 |
| Potential Riparian Acres | For Riparian claims, the total area, in acres, of the Potential Riparian Lands owned by the same party based on SWRCB investigations. | - Madera Co. GIS - Merced Co. GIS - LandVision - SWRCB Order WR 99-001 |
| Parcel Acres | The total land area of all parcels listed under Claimed POU APN(s) and/or Potential Riparian APN(s). The total area corresponds to the parcel area and may be a different value than the Claimed POU or Potential Riparian Acres. | - Madera Co. GIS - Merced Co. GIS - LandVision |

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| Parcel County | County in which the Claimed POU or Potential Riparian Lands are located. | - Madera Co. GIS - Merced Co. GIS - LandVision |
| Sections(s) Township(s), Range(s), Meridian | The Public Land Survey System (PLSS) land description for the area covered by the Claimed POU or Potential Riparian Lands. | - LandVision |

3.3 Point of Diversion (POD)

For the Existing Claims Table, these data fields contain information about the location of water diversion to serve water rights and claims. Licensed rights have POD locations confirmed by the SWRCB, while Riparian and Pre-1914 POD locations are self-reported through Initial Statements of Diversion and Use.

| Field Name | Definition | Data Source(s) and Tool(s) |
|-----------------------------------|--|-------------------------------------|
| POD Type | Type of POD: direct diversion or diversion to storage. | - eWRIMS database |
| Diversion Capacity or Limit (cfs) | The maximum allowable instantaneous diversion: <ul style="list-style-type: none"> • Appropriative (post-1914): the instantaneous diversion rate limit set by the license, if applicable. • Riparian and Pre-1914: reported capacity of the diversion structure. | - eWRIMS database |
| Storage Capacity (af) | For water rights or claims with storage facilities, the maximum amount of water that can be stored. This value is self-reported by some claimants in Initial Statements of Diversion and Use | - eWRIMS database |
| Source Name | Name of water source where POD is located, based on the U.S. Geological Survey (USGS) National Hydrography Dataset (NHD). | - eWRIMS database |
| HUC 8 | 8-digit Hydrologic Unit Code (HUC) area containing the POD location. | - eWRIMS database |
| HUC 12 | 12-digit HUC area containing the POD location. | - eWRIMS database |
| Lat/Long | Latitude and Longitude of the POD, in decimal degrees (NAD83 projection). | - eWRIMS database |
| River Mile | The distance, in miles upstream along the Fresno River, between the confluence of Fresno River and San Joaquin River and the POD. | - eWRIMS database - Google Earth |

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3.4 Water Use

These data fields contain information about how a water right or claim is beneficially used. The No Claims Filed Table contains limited information for these fields.

| Field Name | Definition | Data Source(s) and Tool(s) |
|--|---|---|
| Season(s) of Use | <ul style="list-style-type: none"> Appropriative (post-1914): Legally permitted season of use, determined through the SWRCB licensing process. Riparian and Pre-1914: Any months in which diversions were historically reported in annual Statements. Further verification is required. | <ul style="list-style-type: none"> - eWRIMS database - Annual Reports |
| Reported Crop Type | Crop(s) being grown, taken from the most recent annual report where a crop was reported (applies only to rights or claims used for irrigation). | - Annual Reports |
| Reported Acres Served | Total area of crop(s) being grown, taken from the most recent annual report where a crop was reported (applies only to rights or claims used for irrigation). | - Annual Reports |
| Reported Livestock Type | Animals raised on the property, taken from the most recent annual report where livestock was reported (applies only to rights or claims used for stockwatering). | - Annual Reports |
| Reported # of Livestock | Number of livestock raised on the property, taken from the most recent annual report where livestock was reported (applies only to rights or claims used for stockwatering). | - Annual Reports |
| 2017 Groundwater Use (y/n) | Whether conjunctive use of groundwater and surface water was reported in the 2017 annual report (yes or no). | - Annual Reports |
| 2017 Groundwater Diversion Amount | If conjunctive use of groundwater and surface water was reported in the 2017 annual report, the amount of groundwater reported to have been used. | - Annual Reports |
| Well ID(s) on Site | ID(s) of groundwater wells located within the Claimed POU or Potential Riparian Lands. | - SWRCB GeoTracker GAMA database |
| Earliest Report Year with Diversion Measurement Device | The earliest year in which the user reported that a diversion measurement device had been installed to verify the diversion values reported (Water Code §§ 1840-1841.5). | - Annual Reports |

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| Water Supplier | Water supply contract(s) reported in annual reports, if applicable. MID is noted as the water supplier if the POU falls within MID's service area; if only portions of the POU are within the service area, the APN(s) are noted. | - Annual Reports - MID 2016 Service Area Map |
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3.5 Diversions

For the Existing Claims Table, these data fields contain statistics about annual (calendar year) diversions reported to the SWRCB in Reports of Licensee or Initial or Supplemental Statements of Water Diversion and Use. All volumes of water are in acre-feet annually (afa). The full available diversion record for each right or claim is provided in the 'Reported Annual Diversions' tab. Digital reports are generally available on eWRIMS for the last ten years; earlier diversions were taken from paper water right records.

| Field Name | Definition | Data Source(s) and Tool(s) |
|------------------------------|---|----------------------------|
| Diversion Record (yrs) | The total number of years for which diversion volumes have been reported under a given right or claim. | - Annual Reports |
| Start of Diversion Record | The year of the oldest diversion report on file. | - Annual Reports |
| End of Diversion Record | The year of the most recent diversion report on file. | - Annual Reports |
| Recent Diversion (afa & yr) | The total 'Amount Directly Diverted' or the total 'Amount Diverted or Collected to Storage,' as reported in the most recent annual report, and its respective year. | - Annual Reports |
| Highest Diversion (afa & yr) | The maximum total 'Amount Directly Diverted' or the total 'Amount Diverted or Collected to Storage,' across all reports on file and its respective year. | - Annual Reports |
| Lowest Diversion (afa & yr) | The minimum total 'Amount Directly Diverted' or the total 'Amount Diverted or Collected to Storage,' across all reports on file and its respective year. | - Annual Reports |
| Median Diversion (afa) | The median total 'Amount Directly Diverted' or the total 'Amount Diverted or Collected to Storage,' across all reports on file. | - Annual Reports |

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| Annual Diversion Limit (afa) | <p>The maximum allowable annual diversion:</p> <ul style="list-style-type: none"> • Appropriative (post-1914): Also known as Face Value. This amount is determined through the SWRCB licensing process. • Riparian: Limited to a correlative share of the natural flow of the river (diversion limit is 'Undetermined'). • Pre-1914: The total appropriation initiated prior to 1914, perfected, and maintained (unless the right was previously decreed, the diversion limit is currently 'Undetermined'). | - eWRIMS database |
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3.6 Comments

This data field contains additional comments by SWRCB staff conducting the Investigation which clarify the information presented about each water right or claim. In the Existing Claims Table, Comments are located in the 'All Info' tab.

4. Maps

SWRCB staff developed individual maps of water right claims along the Lower Fresno River for all entries in the Existing Claims Table by landowner. Two maps are presented for each claim. The 'Preliminary Investigation by the SWRCB' map shows the claimed POU, the riparian lands that may have associated riparian rights to the Lower Fresno River (Potential Riparian Lands), and the boundaries of relevant parcels. The 'SWRCB Investigation & Madera Irrigation District Findings' map compares the lands that SWRCB staff identified as Potential Riparian Lands to the maps of 'Riparian Lands' attached to the Madera Irrigation District's October 2018 Petition for Statutory Adjudication of Rights to the Fresno River. Staff also developed an overview map of all entries in the No Claims Filed Table, shown by land use.

5. Providing Feedback

The results of the Investigation are a compilation of publicly available data and are not a determination of water rights or any underlying facts. Parties to the ongoing negotiated settlement in the Fresno River Watershed or other members of the public are welcome to submit additional information to the SWRCB if they believe that the information in the Investigation tables or maps is incorrect. Changes to the Investigation information will be evaluated on a case-by-case basis. Depending on the time and resources required to perform further investigations or update the dataset, further data releases may or may not occur. It is unlikely that SWRCB staff will conduct extensive investigations for specific water right claims (e.g. title searches of riparian properties)

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prior to the initiation of a formal statutory adjudication (Water Code §§ 2550-2555). Anyone requesting a change to the databases must indicate which specific right(s) or claim(s) and respective data field(s) are requested to be changed and provide information to support the requested changes.

Data and documents related to the Fresno River Adjudication are available at:

https://www.waterboards.ca.gov/waterrights/water_issues/programs/hearings/fresno_riv_adjud/

For more information or to provide feedback on the Investigation data, please contact the Hearings Unit of the Division of Water Rights at (916) 319-0960 or WR_Hearing.Unit@WaterBoards.ca.gov.

This summary report was last updated December 4, 2019