

State Water Resources Control Board

**NOTICE OF PETITION FOR TEMPORARY CHANGE
INVOLVING THE TRANSFER OF UP TO 2,105 ACRE-FEET OF WATER
FROM FORESTHILL PUBLIC UTILITY DISTRICT
TO WESTLANDS WATER DISTRICT AND CENTRAL VALLEY PROJECT AND
STATE WATER PROJECT CONTRACTOR AGENCIES
UNDER WATER RIGHT PERMIT 15375 (APPLICATION 21945)**

On June 29, 2026, Foresthill Public Utility District (FPUD or petitioner), filed a petition for temporary change with the State Water Resources Control Board (State Water Board) to transfer up to 2,105 acre-feet (af) of water, less applicable conveyance losses, pursuant to Water Code section 1725 et seq., under water right Permit 15375 (Application 21945). Temporary changes approved pursuant to Water Code section 1725 may be effective for up to one year.

DESCRIPTION OF THE TRANSFER

FPUD proposes to transfer water by release of previously stored water from Sugar Pine Reservoir from September 14 through October 22, 2026, to Westlands Water District (Westlands) and other Central Valley Project (CVP) and State Water Project (SWP) Contractor Agencies. The transfer would involve up to 2,105 af of water currently stored in Sugar Pine Reservoir under Permit 15375.

PROPOSED CHANGES

FPUD requests the following temporary changes to their water right Permit 12827:

1. Add the CVP's Bill Jones Pumping Plant intake facility as a point of diversion;
2. Add the SWP's Harvey O. Banks Pumping Plant as a point of diversion;
3. Add the San Luis Reservoir as a point of diversion; and
4. Add the service areas of Westlands and the CVP and SWP as additional places of use.

The petition submittal for the temporary changes listed above is available on the FPUD website at: <https://www.foresthillpud.com/petition-for-change-involving-water-transfer-under-permit-no-15375>

ENVIRONMENTAL CONSIDERATIONS

Temporary changes petitioned pursuant to Water Code section 1725 are exempt from the requirements of the California Environmental Quality Act. However, the State Water Board must consider potential impacts to other legal users of the water and to fish, wildlife, or other instream beneficial uses.

STATUTORY PROVISIONS

Pursuant to Water Code sections 1725, et seq., the State Water Board is authorized to issue temporary change orders, allowing the transfer or exchange of water or water rights after completing an evaluation and finding that the proposed temporary changes:

1. Involves only water that would otherwise have been consumptively used or stored by permittee or licensee;
2. Would not injure any legal user of the water; and
3. Would not unreasonably affect fish, wildlife, or other instream beneficial uses.

Water Code section 1728, subdivision (e) states in part that when evaluating transfers, "...the board shall not deny, or place conditions on, a temporary change to avoid or mitigate impacts that are not caused by the temporary change..." Additionally, Water Code section 1728, subdivision (d) states in part that "...the board shall not modify any term or condition of the petitioner's permit or license, including those terms that protect other legal users of water, fish, wildlife, and other instream beneficial uses, except as necessary to carry out the temporary change..."

OPPORTUNITY FOR COMMENTS

Pursuant to Water Code section 1726, subdivision (d), the State Water Board is providing notice of this petition and seeking information to assist in the evaluation of the proposed temporary change. The comments must address one or more of the required findings described above; only comments related to effects caused by the temporary change will be considered.

The petitioner has the burden of establishing that the proposed temporary change will not injure any legal user of the water, or unreasonably affect fish, wildlife, or other instream beneficial uses. If the State Water Board determines that the petitioner has established a prima facie case, the burden of proof then shifts to the party that has filed comments (Water Code section 1728). Since, at this time, the State Water Board has not made a determination regarding whether the petition identified above presents a prima facie case, persons commenting on a petition should provide sufficient information to support claims of injury or effects on fish, wildlife, or other instream uses.

Pursuant to California Water Code section 1726 subdivision (f), any interested person may file a comment regarding the petition. **Comments filed in response to this notice must be received by the Division of Water Rights at WaterRightPetitions@waterboards.ca.gov by 4:30pm on July 29, 2026. A copy of the comments should also be sent to the parties below.**

Send comments to both:

Kate Gaffney
State Water Resources Control Board
Division of Water Rights
P.O. Box 2000
Sacramento, CA 95812
kathryn.gaffney@waterboards.ca.gov

Foresthill Public Utility District
Hank White
General Manager
P.O. Box 266
Foresthill, CA 95631
gm@foresthillpud.com

For more information regarding this matter, please contact Kate Gaffney by email at kathryn.gaffney@waterboards.ca.gov.

Date of Notice: **July 2, 2026**