

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

ORDER WR 2007-0041-DWR

In the Matter of Amended Permit 7130B (Application 11674B)

Monterey Peninsula Water Management District

**ORDER DENYING PETITION FOR CHANGE OF
POINTS OF DIVERSION AND PLACE OF STORAGE**

SOURCE: Carmel River tributary to Pacific Ocean

COUNTY: Monterey

WHEREAS:

1. The State Water Resources Control Board (State Water Board), Division of Water Rights (Division) conditionally issued Amended Permit 7130B to Monterey Peninsula Water Management District (MPWMD) on January 6, 1999, pursuant to Application 11674B.
2. The water which MPWMD is currently authorized to appropriate under Amended Permit 7130B is limited to the quantity which can be beneficially used and shall not exceed 15,970 acre-feet per annum (afa) to be collected from October 1 of each year to May 31 of the succeeding year. Under Amended Permit 7130B, MPWMD is currently authorized to divert Carmel River water to storage at the New Los Padres Dam (Point of Diversion) and divert stored water at the San Clemente Dam (Point of Rediversion) and at 32 extraction wells in the Carmel Valley Aquifer (Points of Rediversion), for domestic, irrigation and municipal uses within MPWMD's boundaries.
3. On September 12, 2003, MPWMD filed a petition to change Amended Permit 7130B. This petition was submitted to facilitate development of a groundwater injection and recovery project in the Seaside Groundwater Basin. MPWMD seeks to obtain State Water Board authorization for the diversion of up to 7,300 afa of water from the Carmel River for the MPWMD Aquifer Storage and Recovery Project (ASR Project) in the Seaside Groundwater Basin. For purposes of operating this project, the petitioner seeks to change Amended Permit 7130B's: (1) Place of Storage, (2) Points of Diversion and (3) various permit terms that are related to the New Los Padres Dam project or are otherwise no longer applicable.
4. The MPWMD is proposing to construct and operate an ASR Project that allows diversion of a limited amount of surplus Carmel River flow for storage in, and later recovery from, the Seaside Groundwater Basin. The objective of the proposed ASR Project is to allow for changes in water supply operations in the Carmel River and Seaside Groundwater Basin that will benefit the natural resources of the Carmel River and the groundwater resources of the Seaside Groundwater Basin, and improve the short-term reliability of the domestic water supply system in the Seaside area. The proposed operation of the ASR Project would result in reduced pumping of the Carmel River in the summer and fall. A secondary benefit would be increased storage in the Seaside Groundwater Basin. The project concept promotes the conjunctive use of the area's

water resources, and has the potential to significantly reduce impacts associated with low-flow season pumping from California American Water (CAW) Carmel River Basin sources.

5. CAW owns 19 wells in the Carmel Valley Aquifer that the MPWMD seeks to use to extract the water, and additional diversion facilities that the MPWMD proposes to use for the ASR Project. Amended Permit 7130B currently designates the wells as points of re-diversion for water diverted at the New Los Padres Dam. The MPWMD's petition does not seek to change Amended Permit 7130B to describe the current and future wells as points of diversion to offstream storage in the Seaside Groundwater Basin.
6. CAW owns the San Clemente Dam that the MPWMD will use to divert water from the Carmel River. The MPWMD's petition seeks to change Amended Permit 7130B to describe the San Clemente Dam as a Point of Diversion to offstream storage in the Seaside Groundwater Basin.
7. If the petition were granted, the San Clemente Dam and New Los Padres Dam would be the only authorized points of diversion for the ASR project. All water extracted from the wells in the Carmel Valley Aquifer would first have to have been diverted from Carmel River surface flow at either the San Clemente Dam or New Los Padres Dam. This is not compatible with the project as proposed. Amended Permit 7130B, even with the changes proposed, would not have the points of diversion required for the ASR project.

THEREFORE, IT IS ORDERED:

Monterey Peninsula Water Management District's petition to change Amended Permit 7130B is denied.

STATE WATER RESOURCES CONTROL BOARD

James W. Kassel
for *Victoria A. Whitney, Chief*
Division of Water Rights

Dated: **NOV 30 2007**