

VIA EMAIL

June 3, 2015

Mr. Tom Howard  
Executive Director  
State Water Resources Control Board  
Post Office Box 100  
Sacramento, CA 95812-0100

Re: State Water Resources Control Board Water Right Curtailments

Dear Tom:

On behalf of Banta-Carbona irrigation District and Patterson irrigation District, I am proposing for consideration by the State Water Resources Control Board a voluntary agreement in lieu of curtailment of these pre-1914 water right holders on the San Joaquin River. The diverters would propose to work with other San Joaquin River diverters to accomplish the following:

- A live stream shall be maintained at all times between the mouth of the Merced River and Vernalis.
- Minimum monthly average flow rate (cfs) at Vernalis shall not be less than 215 cfs.
- Minimum monthly average flow rate (cfs) at Mossdale shall not be less than 200 cfs
- The 7-day running average shall not be less than 30% below the above flow rate objectives.

If any of the above requirements are not met, pre-1914 diverters in the San Joaquin River will be curtailed.

We believe that this voluntary agreement would be beneficial to the San Joaquin River, as there are currently no flow standards in place of the San Joaquin River in July and August of 2015. In addition, San Joaquin River diverters are making very real, and painful, reductions in diversions of up to 50% of 2013 use.

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In addition, a voluntary agreement will help us all to avoid the extensive time and cost involved in litigation of curtailment issues in the courts, which will immediately follow a curtailment notice of any kind, however artfully drafted. We believe that resources in California this year are much better spent working together to answer questions that have troubled us for decades rather than litigation those same issues in court.

Very truly yours,



JEANNE M. ZOLEZZI  
Attorney-at-Law

cc: Ms. Felicia Marcus  
Ms. Frances Spivy-Weber  
Ms. Tam M. Doduc  
Mr. Steven Moore  
Ms. Dorene D'Adamo  
Ms. Barbara Evoy  
Mr. Michael George  
Mr. John O'Hagan  
Mr. David Weisenberger  
Mr. Peter Rietkerk