

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

DIVISION OF WATER RIGHTS

ORDER WR 2009-0058-DWR

**IN THE MATTER OF PERMITS 11885, 11886 AND 11887
(APPLICATIONS 234, 1465 AND 5638) OF
U.S. BUREAU OF RECLAMATION**

**TEMPORARY TRANSFER OF WATER AND CHANGE PURSUANT TO
WATER CODE SECTIONS 1725 AND 1707**

SOURCE: San Joaquin River

COUNTIES: Madera and Fresno

ORDER APPROVING TEMPORARY TRANSFER AND CHANGE

BY THE DEPUTY DIRECTOR FOR WATER RIGHTS:

1.0 SUBSTANCE OF PETITIONS

On June 10, 2009 U.S. Bureau of Reclamation (Reclamation) submitted petitions for transfer and change pursuant to Water Code sections 1725 and 1707 with the State Water Resources Control Board (State Water Board), Division of Water Rights (Division). Upon execution of a contract with Reclamation for payment of filing fees, the State Water Board accepted the petitions for processing on July 15, 2009. The petitions request authorization to change the method of operation of the Friant Division of the Central Valley Project (CVP) in order to implement on an interim basis the provisions of the Stipulation of Settlement (Settlement) in *Natural Resources Defense Council, et al. v. Rodgers, et al.*, and the San Joaquin River Restoration Settlement Act, Public Law No. 111-11, § 10001 et seq., 123 Stat. 991, 1349 (Settlement Act). Reclamation seeks to (1) add points of rediversion, (2) add to the place of use, and (3) add preservation and enhancement of fish and wildlife resources as an authorized purpose of use under Permits 11885, 11886, and 11887.

A maximum of 384,000 acre-feet (af) of water will be transferred. Reclamation plans to transfer up to 29,000 af from October 1, 2009 through November 20, 2009. Depending upon the forecast for the 2010 Water Year type, up to 355,000 af would be transferred from February 1, 2010 through September 30, 2010. Thus, the entire period for the temporary transfer is October 1, 2009 through September 30, 2010.

The petitions propose temporary changes to the points of rediversion and place of use under Reclamation's permits. Under both alternatives, the petitions request the temporary addition of preservation and enhancement of fish and wildlife resources as an authorized purpose of use under the subject permits. Water will be released to the natural watercourse of the San Joaquin River for this instream dedication, but due to capacity issues, both natural and artificial conveyance means may be utilized to facilitate flow throughout the designated stretch of the river.