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June 30, 2014

Ms. Barbara Evoy
Deputy Director for Water Rights
State Water Resources Control Board
P.O. Box 2000
Sacramento, CA 95812-2000

**Subject: Petition for Temporary Change
CCWD Water Right Permit 20749**

Dear Ms. Evoy:


Please find enclosed a Petition for Temporary Change for Contra Costa Water District's (CCWD) Water Right Permit 20749, filed pursuant to Water Code Section 1725. Under separate cover, the Bureau of Reclamation (Reclamation) will be filing nine Petitions for Temporary Change to temporarily modify nine of its Central Valley Project (CVP) permits to add Byron Bethany Irrigation District's (BBID) point of diversion on the intake channel to the Harvey O. Banks Pumping Plant as a point of diversion/rediversion for the purpose of transferring 4,000 acre-feet of CCWD's CVP supply to BBID this July through October. The basis of this transfer is water stored in Los Vaqueros Reservoir under Water Right Permit 20749. CCWD proposes to use 4,000 acre feet of previously stored water in Los Vaqueros Reservoir, subsequently purchased by BBID, to compensate for the reduction in CVP supply, a mechanism similar to a groundwater substitution-based transfer. The enclosed petition for CCWD's water right asks the State Board to temporarily add the refill criteria to Water Right Permit 20749.

Reclamation and CCWD request that the petitions related to this transfer be consolidated. Because the basis of the transfer is non-CVP water (CCWD's Los Vaqueros water), CCWD is submitting the associated filing fees of \$31,790 for all ten petitions. The enclosed Petition contains a pre-printed statement that an \$850 fee made payable to the California Department of Fish and Game (CDFG) must accompany each Petition. Therefore, a check for \$850.00 made payable to the CDFG is enclosed. Since all thirteen Petitions will be reviewed and considered together for the same exchange, only one fee is enclosed pursuant to Section 10005(e) of the California Public Resources Code.

State Water Resources Control Board
Petition for Temporary Change - CCWD Water Right Permit 20749
June 30, 2014
Page 2

CCWD appreciates the assistance that the Division will be providing in processing these petitions. Should you have any questions or concerns, please contact Lucinda Shih at (925) 688-8168 or lshih@ccwater.com, or Reclamation's point of contact for these petitions, Lisa Holm, Water Rights Specialist, at (916) 978-5252 or lholm@usbr.gov.

Sincerely,


for Leah Orloff
Water Resources Manager

LHS

Enclosures

cc: Lisa Holm, Reclamation
Rick Gilmore, BBID
Annette Tenneboe, California Department of Fish and Wildlife
Board of Supervisors, County of Alameda
Board of Supervisors, County of Contra Costa
Board of Supervisors, County of San Joaquin
Daniel Woldesenbet, Alameda County Public Works Agency
Ryan Hernandez, Contra Costa County Water Agency
Tom Gau, San Joaquin County Public Works Department

Please indicate County where your project is located here:

Alameda, Contra Costa, and San Joaquin

MAIL FORM AND ATTACHMENTS TO: State Water Resources Control Board DIVISION OF WATER RIGHTS P.O. Box 2000, Sacramento, CA 95812-2000 Tel: (916) 341-5300 Fax: (916) 341-5400 http://www.waterboards.ca.gov/waterrights

PETITION FOR CHANGE INVOLVING WATER TRANSFERS

Separate petitions are required for each water right. Mark all areas that apply to your proposed change(s). Incomplete forms may not be accepted. Location and area information must be provided on maps in accordance with established requirements. (Cal. Code Regs., tit. 23, § 715 et seq.) Provide attachments if necessary.

- Point of Diversion, Point of Rediversion, Place of Use, Purpose of Use, Temporary Urgency, Temporary Change, Long-term Transfer, Instream Flow Dedication

Application 20245 Permit 20749 License Statement

I (we) hereby petition for change(s) noted above and described as follows:

Point of Diversion or Rediversion - Provide source name and identify points using both Public Land Survey System descriptions to 1/4-1/4 level and California Coordinate System (NAD 83).

Present: Contra Costa Water District Old River and Victoria Canal, as described in D1629 -- see supplement
Proposed: no change

Place of Use - Identify area using Public Land Survey System descriptions to 1/4-1/4 level; for irrigation, list number of acres irrigated.

Present: see supplement
Proposed: see supplement

Purpose of Use

Present: Irrigation, Domestic, Municipal, Industrial, Fish and Wildlife Enhancement, Salinity Control, Water Quality Control, Stockwatering, and Recreation
Proposed: no change

Instream Flow Dedication - Provide source name and identify points using both Public Land Survey System descriptions to 1/4-1/4 level and California Coordinate System (NAD 83).

Upstream Location: n/a
Downstream Location: n/a

Table with 12 columns for months (Jan-Dec) and rows for flow quantities (cubic feet per second or gallons per day).

Will the dedicated flow be diverted for consumptive use at a downstream location? Yes No
If yes, provide the source name, location coordinates, and the quantities of flow that will be diverted from the stream.

Proposed New User(s)

Provide the names, addresses, and phone numbers for all proposed new user(s) of the water right.

Water (under CVP water rights listed in the petitions submitted by Reclamation on this matter, not the CCWD water right named in this petition) will be transferred to Byron Bethany Irrigation District Rick Gilmore, General Manager 7995 Bruns Road Byron, California 94514 (209) 835-0375

Amount of Water to be Transferred

4,000 acre-feet will be transferred. If the basis of right is direct diversion, the average rate of diversion for the maximum 30-day period of use is 320 cfs; see attached cubic feet per second or million gallons per day.

General Information – Provide the following information, if applicable to your proposed change(s).

Have you attached an analysis which documents that the amount of water to be transferred or exchanged would have been consumptively used or stored in the absence of the proposed temporary change or long-term transfer? Yes No

Have you attached an analysis of any changes to streamflow, water quality, timing of diversion or use, return flows, or effects on legal users from the proposed temporary change or long-term transfer? Yes No

Have you attached an analysis that shows the proposed temporary change or long-term transfer will not unreasonably affect fish, wildlife, or other instream beneficial uses? Yes No

I (we) have access to the proposed point of diversion or control the proposed place of use by virtue of:
 ownership lease verbal agreement written agreement

If by lease or agreement, state name and address of person(s) from whom access has been obtained.

[Empty box for providing name and address of person(s) from whom access has been obtained.]

Give name and address of any person(s) taking water from the stream between the present point of diversion or rediversion and the proposed point of diversion or rediversion, as well as any other person(s) known to you who may be affected by the proposed change.

This transfer is a joint petition by Reclamation and CCWD. Water under CVP water rights will be bypassed by Contra Costa Water District (CCWD) at their Old River and/or Middle River intakes and instead be pumped at Byron Bethany Irrigation District's (BBID) point of diversion on the intake channel to Banks Pumping Plant. There will only be an increase in flows in the southern Delta between CCWD's intakes and Clifton Court Forebay from what would occur absent the transfer. Therefore, no injury to other water users will occur. In lieu of diverting this water from the Delta, CCWD will release an equal amount of water held in Los Vaqueros Reservoir that has been obtained by BBID through an agreement with CCWD. CCWD will only refill the vacated storage in Los Vaqueros Reservoir due to this exchange when the Delta is in excess conditions, in order to avoid injury to other water users. See Supplement for more details.

All Right Holders Must Sign Below: I (we) declare under penalty of perjury that this involves only the amount of water which would have been consumptively used or stored in the absence of the proposed temporary change, and that the above is true and correct to the best of my (our) knowledge and belief.

Dated 6/30/14 at Concord, California

 6/30/14
Right Holder or Authorized Agent Signature

Right Holder or Authorized Agent Signature

- NOTE: All petitions must be accompanied by:**
- (1) the form Environmental Information for Petitions, available at: http://www.waterboards.ca.gov/waterrights/publications_forms/docs/pet_info.pdf
 - (2) Division of Water Rights fee, per the Water Rights Fee Schedule, available at: http://www.waterboards.ca.gov/waterrights/water_issues/programs/fees/
 - (3) Department of Fish and Wildlife fee of \$850 (Pub. Resources Code, § 10005)

State of California
State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. Box 2000, Sacramento, CA 95812-2000
Tel: (916) 341-5300 Fax: (916) 341-5400
<http://www.waterboards.ca.gov/waterrights>

ENVIRONMENTAL INFORMATION FOR PETITIONS

This form is required for all petitions.

Before the State Water Resources Control Board (State Water Board) can approve a petition, the State Water Board must consider the information contained in an environmental document prepared in compliance with the California Environmental Quality Act (CEQA). This form is not a CEQA document. If a CEQA document has not yet been prepared, a determination must be made of who is responsible for its preparation. As the petitioner, you are responsible for all costs associated with the environmental evaluation and preparation of the required CEQA documents. Please answer the following questions to the best of your ability and submit any studies that have been conducted regarding the environmental evaluation of your project. If you need more space to completely answer the questions, please number and attach additional sheets.

DESCRIPTION OF PROPOSED CHANGES OR WORK REMAINING TO BE COMPLETED

For a petition for change, provide a description of the proposed changes to your project including, but not limited to, type of construction activity, structures existing or to be built, area to be graded or excavated, increase in water diversion and use (up to the amount authorized by the permit), changes in land use, and project operational changes, including changes in how the water will be used. For a petition for extension of time, provide a description of what work has been completed and what remains to be done. Include in your description any of the above elements that will occur during the requested extension period.

This transfer will use only existing facilities and calls for only slight re-operation of these existing facilities. There are no additional works that need to be constructed to facilitate this temporary transfer. There will be no changes in the purpose of use of the water.

Insert the attachment number here, if applicable:

Coordination with Regional Water Quality Control Board

For change petitions only, you must request consultation with the Regional Water Quality Control Board regarding the potential effects of your proposed change on water quality and other instream beneficial uses. (Cal. Code Regs., tit. 23, § 794.) In order to determine the appropriate office for consultation, see: http://www.waterboards.ca.gov/waterboards_map.shtml. Provide the date you submitted your request for consultation here, then provide the following information.

Date of Request

6/12/2014

Will your project, during construction or operation, (1) generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or (2) cause erosion, turbidity or sedimentation?

Yes No

Will a waste discharge permit be required for the project?

Yes No

If necessary, provide additional information below:

As discussed with Ken Landau of the Central Valley Regional Water Quality Control Board, since there is no change in the amount of water pumped from South Delta channels, there will be no change in water quality from what would occur absent this transfer.

Insert the attachment number here, if applicable:

Local Permits

For temporary transfers only, you must contact the board of supervisors for the county(ies) both for where you currently store or use water and where you propose to transfer the water. (Wat. Code § 1726.) Provide the date you submitted your request for consultation here.

Date of Contact

6/10/2014

For change petitions only, you should contact your local planning or public works department and provide the information below.

Person Contacted: Date of Contact:

Department: Phone Number:

County Zoning Designation:

Are any county permits required for your project? If yes, indicate type below. Yes No

- Grading Permit
- Use Permit
- Watercourse
- Obstruction Permit
- Change of Zoning
- General Plan Change
- Other (explain below)

If applicable, have you obtained any of the permits listed above? If yes, provide copies. Yes No

If necessary, provide additional information below:

The Contra Costa County board of supervisors and Contra Costa County Water Agency, Alameda County board of supervisors and Daniel Woldesenbet, Public Works Director, Alameda County Public Works Agency, phone number (510) 670-5455, and the San Joaquin County board of supervisors and Tom Gau, San Joaquin County Public Works Department, phone number (209) 468-3000, were contacted on 6/10/2014. This temporary transfer only requires a slight re-operation of existing facilities for which all necessary local permits have already been obtained. No new local permits are required to accomplish this temporary transfer.

Insert the attachment number here, if applicable:

Federal and State Permits

Check any additional agencies that may require permits or other approvals for your project:

- Regional Water Quality Control Board Department of Fish and Game
- Dept of Water Resources, Division of Safety of Dams California Coastal Commission
- State Reclamation Board U.S. Army Corps of Engineers U.S. Forest Service
- Bureau of Land Management Federal Energy Regulatory Commission
- Natural Resources Conservation Service

Have you obtained any of the permits listed above? If yes, provide copies. Yes No

For each agency from which a permit is required, provide the following information:

Agency	Permit Type	Person(s) Contacted	Contact Date	Phone Number

If necessary, provide additional information below:

This temporary transfer only requires a slight re-operation of existing facilities for which all necessary federal and state permits have already been obtained. No new state or federal permits are required to accomplish this temporary transfer except the change in point of diversion/redirection requested in Reclamation's petitions to the SWRCB on this matter. This temporary transfer of water in the Delta is already covered by the Biological Opinions for the Delta operations of the CVP and SWP.

Insert the attachment number here, if applicable:

Construction or Grading Activity

Does the project involve any construction or grading-related activity that has significantly altered or would significantly alter the bed, bank or riparian habitat of any stream or lake? Yes No

If necessary, provide additional information below:

This temporary transfer will result in a 4,000 AF reduction in water volume in Los Vaqueros Reservoir than would occur absent the transfer. This will result in a reduction in water levels of approximately three feet, which is well within the permitted operational range of the reservoir, and will not have an unreasonable effect on riparian or lake habitat.

Insert the attachment number here, if applicable:

Archeology

Has an archeological report been prepared for this project? If yes, provide a copy. Yes No

Will another public agency be preparing an archeological report? Yes No

Do you know of any archeological or historic sites in the area? If yes, explain below. Yes No

If necessary, provide additional information below:

Los Vaqueros Reservoir sits within the Kellogg Historic District. The reservoir was constructed and is operated under a memorandum of agreement among CCWD, Bureau of Reclamation, Army Corps of Engineers, and State Historic Preservation Office. This temporary transfer will result in a 4,000 AF reduction in water volume in the reservoir, or less than a 3 foot reduction in water level, which is well within the permitted operational range.

Insert the attachment number here, if applicable:

Photographs The present and proposed points of diversion and rediversion include existing facilities that are well known and documented with the Division. In addition, the present and proposed places of use are also well known and documented with the Division. Therefore, for these reasons, photographs of these points of diversion, points of rediversion, and places of use are not included.

For all petitions other than time extensions, attach complete sets of color photographs, clearly dated and labeled, showing the vegetation that exists at the following three locations:

- Along the stream channel immediately downstream from each point of diversion
- Along the stream channel immediately upstream from each point of diversion
- At the place where water subject to this water right will be used

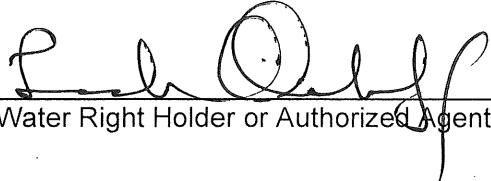
Maps The proposed additional point of diversion/rediversion is identified on maps filed with the Division of Water Rights by the California Department of Water Resources (DWR) under application 5630.

For all petitions other than time extensions, attach maps labeled in accordance with the regulations showing all applicable features, both present and proposed, including but not limited to: point of diversion, point of rediversion, distribution of storage reservoirs, point of discharge of treated wastewater, place of use, and location of instream flow dedication reach. (Cal. Code Regs., tit. 23, §§ 715 et seq., 794.)

Pursuant to California Code of Regulations, title 23, section 794, petitions for change submitted without maps may not be accepted.

All Water Right Holders Must Sign This Form:

I (we) hereby certify that the statements I (we) have furnished above and in the attachments are complete to the best of my (our) ability and that the facts, statements, and information presented are true and correct to the best of my (our) knowledge. Dated at


Water Right Holder or Authorized Agent Signature

Water Right Holder or Authorized Agent Signature

NOTE:

- Petitions for Change may not be accepted unless you include proof that a copy of the petition was served on the Department of Fish and Game. (Cal. Code Regs., tit. 23, § 794.)
- Petitions for Temporary Transfer may not be accepted unless you include proof that a copy of the petition was served on the Department of Fish and Game and the board of supervisors for the county(ies) where you currently store or use water and the county(ies) where you propose to transfer the water. (Wat. Code § 1726.)

Supplement to Transfer Petition

U.S. Bureau of Reclamation Central Valley Project Permits

Applications: 5626, 5628, 9363, 9364, 13370, 13371, 15374, 15375, 16767

Permits: 12721, 11967, 12722, 12723, 11315, 11316, 11968, 11969, 11971

Contra Costa Water District Los Vaqueros Project Permit

Application: 20245 Permit: 20749

Requested Change

The United States Bureau of Reclamation (Reclamation) and Contra Costa Water District (CCWD) request that the State Water Resources Control Board (SWRCB) temporarily add a point of diversion/diversion to the above Reclamation permits. The requested change will allow the temporary transfer of up to 4,000 acre-feet (AF) of surface water that would otherwise be diverted by CCWD at its Old and/or Middle River intakes under Reclamation's Central Valley Project (CVP) water rights. The water will instead be diverted at the Byron Bethany Irrigation District (BBID) point of diversion, for delivery to BBID's service area in summer 2014.

The proposed temporary changes identified in this petition apply to each of the water rights listed above and involve the same facilities, place of use, and purposes of use. Thus, a single consolidated petition and environmental information form has been prepared for these water rights to address the questions and provide the relevant information associated with the proposed temporary changes, similar to other petitions submitted by Reclamation to the SWRCB.

The proposed action would increase pumping at BBID's point of diversion in order to facilitate the transfer. Net pumping in the Delta would not be changed, due to simultaneous and commensurate reduction in pumping at CCWD intakes.

Present Point of Diversion or Rediversion

The temporary transfer will occur during a period when the Rock Slough Intake is shut down for construction. The points of diversion and rediversion for delivery of CVP water to CCWD during the transfer are described in Water Right Decision 1629 (June 1994) and Water Right Orders issued by the SWRCB on July 8, 2010. The following locations are also shown in Figure 2:

Old River Intake: NW_{1/4} of SE_{1/4} of projected section 31, T1N, R4E, MDB&M

Also described as California Coordinates, NAD 83, Zone 3, North 2,147,455 feet and East 6,250,918 feet

"Middle River" Intake at Victoria Canal: Victoria Canal tributary to Old River thence San Joaquin Delta Channels, within NE_{1/4} of NW_{1/4} of Section 9, T1S, R4E, MDB&M.

Also described as California Coordinates, NAD 83, Zone 3, North 2,139,610 feet and East 6,259,970 feet.

There is no change to the present points of diversion/rediversion in the water rights listed above.

Requested Additional Point of Diversion or Rediversion

Reclamation requests that the SWRCB modify the permits listed in this petition to temporarily add BBID's point of diversion on the intake channel of the State Water Project's Harvey O. Banks Pumping Plant (Banks Intake Channel) as a point of diversion/rediversion, also shown in Figure 2, for the purpose of this transfer:

BBID Point of Diversion at Milepost 1.83 on the Harvey O. Banks Pumping Plant Intake Channel:

California State Plane III, Feet, Coordinates: 6242467, 2120509

Also described as Latitude 37 degrees 48' 51.81" North/Longitude 121 degrees 36' 20.71" West

Adding this point of diversion/rediversion will permit BBID to convey the transfer water to BBID's service area. BBID will deliver water throughout BBID's service area (excepting the Tracy Hills area) via its point of diversion on the Banks Intake Channel and thence through a temporary intertie with the Delta Mendota Canal south of the channel.

Place of Use

The present place of use of the water diverted under Reclamation's permits is the consolidated CVP place of use. The place of use for this transfer of CVP water is the BBID water service area, which is entirely within the consolidated CVP place of use (excepting the Tracy Hills area).

Proposed New Users

The proposed new users will be water users within the service area of BBID. As described above, the user is within the authorized place of use of the CVP.

Byron Bethany Irrigation District
7995 Bruns Road
Byron, California 94514
Rick Gilmore, General Manager
(209) 835-0375
r.gilmore@bbid.org

Requested Refill Conditions

The proposed exchange results in a lower water level in Los Vaqueros Reservoir than would have existed absent the transfer. When this vacated storage will be refilled is a concern to other legal users of water. As described below, Los Vaqueros Reservoir is an off-stream reservoir that is filled from Delta diversions with CCWD's CVP contract water or under CCWD's Los Vaqueros water right.

As a condition of this project, CCWD will keep track of the vacated storage amount in Los Vaqueros resulting from this transfer and refill that storage space only under its Los Vaqueros water rights or with its CVP contract supply, only during Delta excess conditions and subject to the approval of DWR and Reclamation. CCWD, Reclamation, and DWR will develop a refill agreement to avoid impacts to other legal users of water, which will be similar to that previously developed for the Alameda County Water District (ACWD) CCWD transfer that has already been submitted for approval this summer. CCWD and Reclamation request that the SWRCB condition the Order approving this action with the terms of this refill agreement to avoid impacts to other legal users of water.

Transfer Window

BBID and CCWD propose to transfer this water starting July 15 and continuing through the end of the irrigation season in October. The timing and rate of the water transfer will be determined in close coordination among BBID, CCWD, DWR and Reclamation.

Reason for Requested Change

BBID has obtained through agreement 4,000 AF of water in Los Vaqueros Reservoir, previously stored under CCWD's Los Vaqueros water right when the Delta was in surplus conditions. When CCWD is reducing its CVP Delta diversions at its Old River and/or Middle River intakes to allow this transfer to occur, CCWD will release the BBID water held in Los Vaqueros in exchange to meet demand in its service area. This "storage water substitution transfer" is similar to the common "groundwater substitution transfer", but in this case, the forgone surface water made available for transfer is replaced by releasing water held in storage, rather than by pumping groundwater. In this manner, these two eastern Contra Costa County water users are cooperating to share their facilities and resources to help maximize the beneficial use of water as part of improved Integrated Regional Water Management.

CCWD is a federal CVP contractor located in central and eastern Contra Costa County (see Figure 1). CCWD relies completely on the Delta for its water supply, and diverts water at its four intakes in the Delta: Rock Slough, Mallard Slough, Old River and Middle River at Victoria Canal. Using these last two intakes, CCWD can also divert water to storage in Los Vaqueros Reservoir, which is CCWD's off-stream storage facility located in the foothills in the south area of CCWD. As described in State Water Resources Control Board Decision 1629, CCWD can divert water to storage under its CVP contract as well its own Los Vaqueros water rights. Los Vaqueros is a water quality reservoir; CCWD diverts Delta water to storage when the Delta is fresh and makes releases from storage to blend with Delta diversions when the Delta is saltier.

BBID serves agricultural, municipal, and industrial customers in Alameda, Contra Costa, and San Joaquin Counties (see Figure 1). BBID diverts water under its own pre-1914 water rights and under a CVP contract for irrigation (Ag) and municipal and industrial (M&I) uses. BBID diverts water from the Delta at its point of diversion on the intake channel to the State Water Project's Harvey O. Banks Pumping Plant (Banks Intake Channel) under a settlement agreement with DWR, because the construction of the Banks Pumping Plant disrupted BBID's ability to divert water from its previous point of diversion of Italian Slough at Old River. The portion of the BBID service area that is also within the CVP service area can receive water through an intertie between the BBID channel and the Delta-Mendota Canal.

This year, due to extraordinarily dry hydrologic conditions, the State Water Resources Control Board has notified pre-1914 water rights holders that curtailments of pre-1914 and riparian diversions are likely to occur this year. BBID's CVP allocation has already been set to zero for Ag and fifty percent for M&I. BBID has imposed mandatory conservation measures in response to the drought this year, eliminating surface furrow irrigation and operational spilling and converting to drip irrigation. This water transfer is needed during this drought emergency to help BBID with the shortfall in its water supplies this summer. Most critically, the Byron area in Contra Costa County would lose its entire water supply if BBID's diversions under its pre-1914 water right are curtailed. The timing of the curtailment is uncertain, so approval of this transfer is needed as soon as possible to ensure an uninterrupted supply of irrigation water to crops that have already been planted, in order to avoid severe economic impacts to the region.

BBID and CCWD are working together to share resources and facilities for Integrated Regional Water Management to the mutual benefit of their collective customers. BBID and CCWD have entered into an agreement to undertake a one-time demonstration project to cooperatively evaluate the feasibility of a longer-term partnership for the improvement of regional water supply reliability. The proposed water transfer, in addition to providing a vital water supply during this year's drought, is part of this demonstration project.

During the period of this transfer, CCWD will be diverting water at its Old River and/or Middle River intakes for delivery to its customers. CCWD's Rock Slough intake will be shut down for construction on the unlined portion of the Contra Costa Canal, and salinity at CCWD's Mallard Slough intake is projected to be too high for municipal and industrial use. Water diverted will be CCWD's CVP Contract water, made available to CCWD by Reclamation under its CVP water rights.

Under the proposed transfer, CCWD will forgo diversions of their CVP contract supply at its Old River and/or Middle River intakes and allow that water to stay in the southern Delta for diversion at the BBID point of diversion on the Banks intake channel for conveyance to the BBID service area. When CCWD is forgoing diversions at its Old River and/or Middle River intakes, that water supply will be replaced by releasing water held in Los Vaqueros Reservoir that BBID has previously obtained through agreement. This exchange of surface water in the Delta for stored water in Los Vaqueros Reservoir allows BBID to obtain the benefits of the water secured under agreement with CCWD and also maintain water delivery to CCWD customers. This stored water substitution transfer is similar in concept to the more common groundwater substitution transfers. This stored water substitution transfer is very similar to the ACWD-CCWD transfer, except for the location of the temporary point of diversion/diversion.

No Injury to Other Legal Users or the Environment

This temporary transfer only requires a slight re-operation of existing facilities for which all the necessary permits have already been obtained. No new construction will take place due to this proposed transfer. No new permits are required from any of the agencies listed to accomplish this temporary transfer, except the change in point of diversion/diversion requested by this petition to the SWRCB. This temporary transfer of water in the Delta is covered by the biological opinions for the operation of the CVP and SWP.

Bypassing diversions at CCWD's Old River and/or Middle River intakes under this transfer will only increase flows locally compared to what flows would be in the absence of this transfer. When BBID takes this bypassed water from the Banks Intake Channel, the overall pumping from the south Delta will not be increased from what would have occurred absent this transfer. The Old and Middle River flows north of CCWD's Old River and Middle River intakes do not change due to this transfer. This transfer will not result in a net decrease of San Joaquin River or Sacramento River flow over the period of the transfer.

The reduction in Los Vaqueros Reservoir water levels due to the transfer of up to 4,000 AF is well within the operational range of this off-stream reservoir. This reduction is small and will not have environmental effects not otherwise considered in the permitting of this reservoir. The refill agreement will eliminate any impacts to other legal users.

The Amount of Water to be Transferred/Exchanged Would Have Been Consumptively Used or Stored in the Absence of the Transfer

The 4,000 AF of CVP water to be transferred would have been consumptively used in the absence of the proposed temporary change. CCWD would have diverted the water under its CVP Contract for use in its service area this year, rather than leaving the water in the Delta to be diverted to BBID. This water has been made available to CCWD under its CVP contract allocation for this year. 4,000 AF of water would have remained in storage in Los Vaqueros Reservoir in the absence of the proposed temporary change. CCWD would have used Delta diversions to meet its service area demand this year, rather than releasing the water purchased by BBID in order to forgo Delta diversions.

Analysis of Potential Changes in Streamflow, Water Quality, Timing of Diversions or Use, Return Flows, or Effects on Legal Users

The proposed temporary transfer does not result in any measureable change to streamflow, water quality, timing of diversion or use, or return flows. CCWD's Old River and Middle River intakes are both under four miles away from the intake to Clifton Court Forebay, through which BBID diverts water at its point of diversion on the Banks Intake Channel, and the rate of diversion for the transfer is planned to be around 30 cubic feet per second, so increases in southward local streamflow and any changes in water quality in the south Delta will be undetectable in the tidal river environment. There is no additional carriage water cost incurred by diverting the water at the BBID point of diversion rather than the Old River or Middle River intake, since both are in the south Delta. There will be no net change in quantity or timing of diversions from the Delta. There will be no change in CCWD's return flows from the CCWD service area. The conditions for refilling Los Vaqueros Reservoir ensure that there will be no effects on other legal users of water due to this temporary transfer.

The Transfer Will Not Result in Unreasonable Impacts to Fish and Wildlife or the Environment

The proposed temporary transfer will not unreasonably affect fish, wildlife, or other instream beneficial uses. The operations of existing facilities used to accomplish this transfer fall under CCWD's biological opinions and incidental take permits and CVP and SWP's biological opinions. There will be no measurable change in the hydrodynamics in the local area due to this transfer.

Compliance with Condition 5 of the Consolidated Place of Use Order

The proposed transfer meets all criteria identified under Condition 5 of the March 2014 Consolidated Place of Use Order.

1. The transfer would not result in any increase in the amount of water diverted from the Delta. The water to be exchanged was previously placed in storage in Los Vaqueros Reservoir under CCWD's Los Vaqueros water right when the Delta was in surplus conditions. The water to be transferred is part of CCWD's CVP Contract allocation for this year.
2. The water to be transferred would have been consumptively used in the absence of the transfer. CCWD would have diverted the water under its CVP Contract for use in its service area this year. 4,000 AF of water would have remained in storage in Los Vaqueros Reservoir in the absence of the proposed transfer. CCWD would have used Delta diversions to meet its service area demand this year, rather than releasing the water from storage.
3. The total quantity of water delivered to SWP or CVP contractors as a result of the change will not exceed historic average deliveries. Water supplies in the state are critically short this year. Deliveries to BBID will remain far below average deliveries even with this transfer.

4. The transfer will not result in the net loss of San Joaquin River or Sacramento River flow. Bypassing diversions at CCWD's Old River and/or Middle River intakes under this transfer will only increase flows locally compared to what flows would be in the absence of this transfer. When BBID takes this bypassed water at its point of diversion on the Banks Intake Channel, the overall pumping from the south Delta will not be increased from what would have occurred absent this transfer. There will be no change to pumping at Banks and Jones pumping plant with this transfer.
5. The transfer will not result in an increase in saline drainage to the San Joaquin River. BBID does not irrigate land that drains to the San Joaquin River.

Figure 1: Map of BBID CCWD Water Service Areas

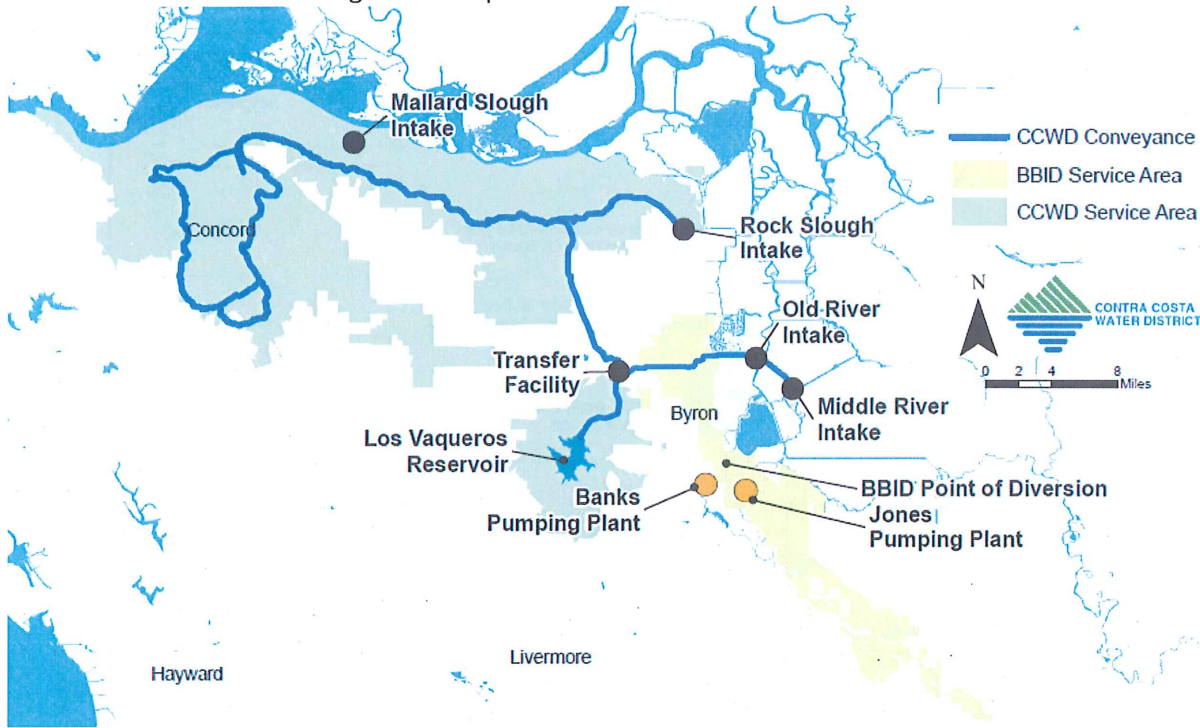


Figure 2: CCWD and BBID Points of Diversion

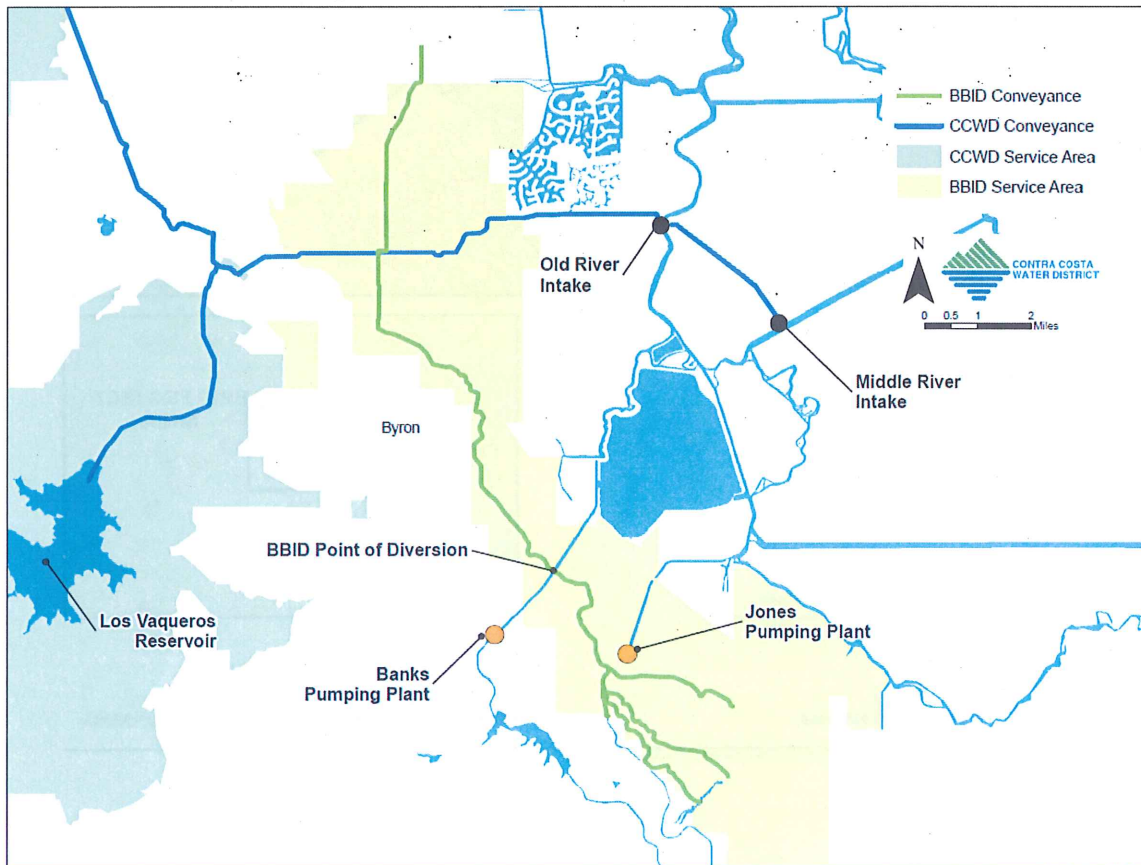
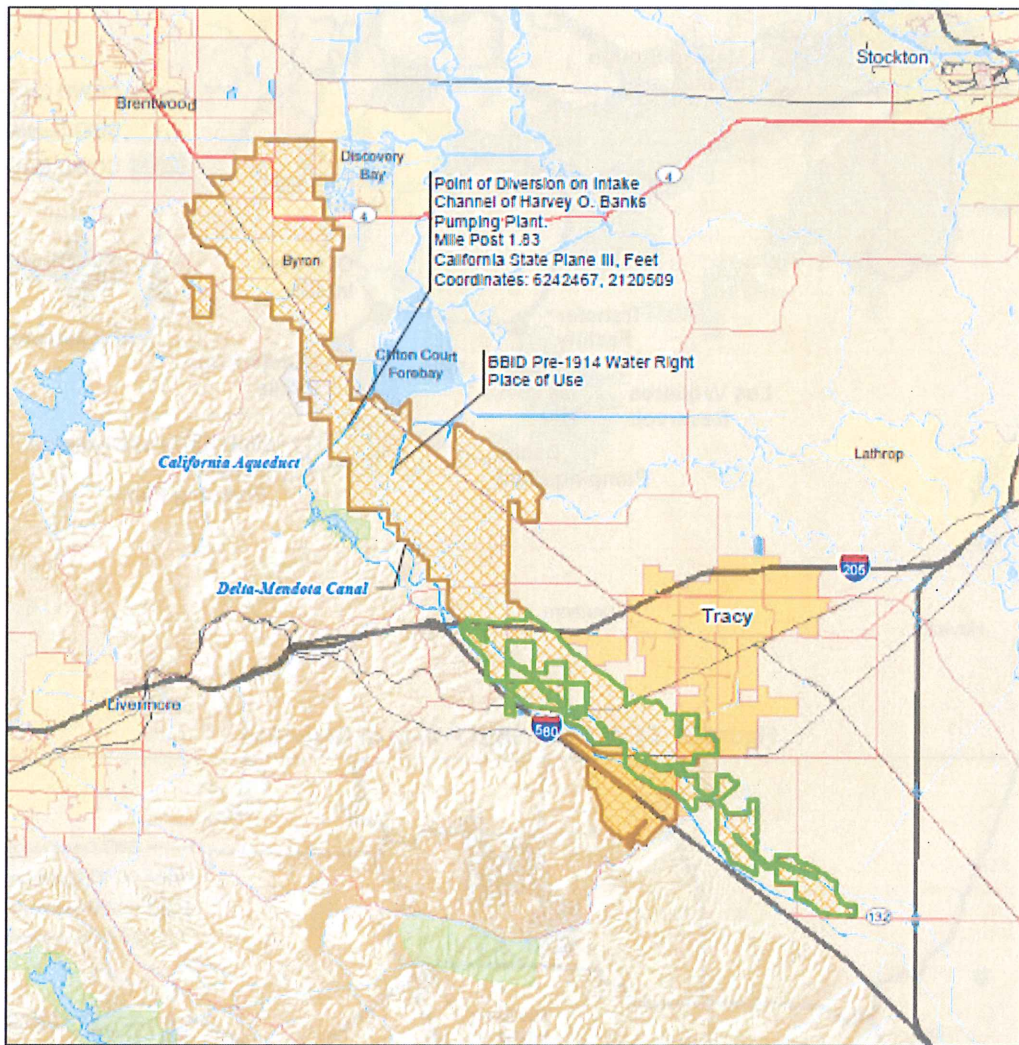





Figure 3: Map of BBID Pre-1914 Water Right and CVP Contract Place of Use



- LEGEND**
-  BBID
 -  BBID CVP SERVICE AREA
 -  CITY OF TRACY*

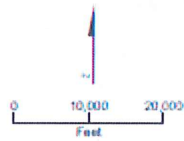


FIGURE 1
BBID PRE-1914 WATER RIGHT
PLACE OF USE
 BYRON BETHANY IRRIGATION DISTRICT, CALIFORNIA

* Source - City of Tracy GIS database.