

Please indicate County where your project is located here:

Contra Costa

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

STATE WATER RESOURCES CONTROL BOARD
2014 FEB 21
DIV OF WATER RIGHTS
SACRAMENTO

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 2952 Permit 1416 License 1572 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: See Attachment 1
Proposed: See Attachment 1

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: Webb Tract, Contra Costa County.
Proposed: Alameda County Water District service area; City of Tracy service area; Santa Clara Valley Water District service area; Zone 7 service area; Kern County Water Agency service area.

Purpose of Use

Present: Irrigation.
Proposed: Irrigation, domestic, power generation, municipal and industrial.

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:
Downstream Location:

Table with 12 columns for months (Jan-Dec) and rows for cubic feet per second and 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.

Semitropic Water Storage District
1101 Central Avenue
Wasco, CA 93280
Phone: 661.758.5113
(contact for proposed places of use)

CK Rec'd 2-21-14
CK amt - 5,477.90
CK # 111410

CK Rec'd 2-20-14
CK # 111409
CK amt: 4,136.39

Handwritten signatures and dates: 2-21-2014, 2-20-14

Amount of Water to be Transferred

9,131.31 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 63.94 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.

The Delta water diverters between the present points of diversion and the proposed points of diversion have been identified in other transfers utilizing the Banks and Jones pumping plants, including Orders WR 2009-003 and WR 2009-0037-DWR.

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 February 21, 2014 at Martinez, CA

Lowell Forkel

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/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)

Attachment 1 to Petition for Change Involving Water Transfers

Description of Proposed Transfer

An estimated 9,131.31 acre-feet of water will be made available for transfer by fallowing 4,287 acres of agricultural land on Webb Tract in the Sacramento River – San Joaquin River Delta. Water that would have been consumptively used under License 1572 will be made available to Semitropic Water Storage District in order to facilitate delivery of water banked in the Semitropic Groundwater Storage Bank to Alameda County Water District, the City of Tracy, Santa Clara Valley Water District, and Alameda County Flood Control and Water Conservation District, Zone 7. Semitropic Water Storage District returns banked water to its banking partners either by exchanging a portion of Semitropic's State Water Project entitlement (which it receives as a member agency of SWP contractor Kern County Water Agency (KCWA)) to the banking partner or by pumpback of stored water into the California Aqueduct. Semitropic Water Storage District anticipates that there will not be adequate State Water Project deliveries for exchange and not adequate pumpback capacity in 2014 to deliver the water demanded by its banking partners Alameda County Water District, City of Tracy, Santa Clara Valley Water District, and Alameda County Flood Control and Water Conservation District, Zone 7. Alternatively, the water would be transferred to KCWA if Semitropic is able to deliver the water demanded by its banking partners through alternate means, or if KCWA facilitates an exchange of water to Alameda County Water District, City of Tracy, Santa Clara Valley Water District, and Alameda County Flood Control and Water Conservation District, Zone 7.

Water conserved under License 1572 would be conveyed by the California Department of Water Resources (DWR) via Banks Pumping Plant or the United States Bureau of Reclamation (USBR) via Tracy Pumping Plant to: (a) Alameda County Water District, Santa Clara Valley Water District, and Alameda County Flood Control and Water Conservation District, Zone 7 via the California Aqueduct to the South Bay Aqueduct; (b) the City of Tracy via the Delta Mendota Canal; and (c) KCWA via the California Aqueduct.

Semitropic will cooperate with the KCWA and DWR or USBR to convey the water to the places of use.

A separate petition filed contemporaneously with this petition describes a proposed transfer under License 1405 (Bouldin Island).

Delta Wetlands Properties completed a similar conserved water transfer in 2009. (See State Water Board Orders WR 2009-003 and WR 2009-0037-DWR.)

Overview of License No. 1572

Webb Tract is irrigated using water right License 1572 (A002952) issued to Reclamation District No. 2026. License 1572 has a 1922 priority date and authorizes the direct diversion of 63.94 cfs (33,352 afa) between March 1 and November 1 for irrigation of 5,115.5 acres on Webb Tract.

The sources of water for License 1572 are False River, Fishermans Cut, Washington Slough, Old River and San Joaquin River.

Need for Transfer

California is facing the most significant water crisis in its history. Governor Brown issued a Drought Emergency Proclamation on January 17, 2014, declaring the severity and magnitude of current drought conditions. As part of the Proclamation, the State Water Resources Control Board is directed to expedite the processing of water transfers.

This transfer would help ensure that Alameda County Water District, the City of Tracy, Santa Clara Valley Water District, and Alameda County Flood Control and Water Conservation District, Zone 7 can satisfy minimal health and safety needs during the 2014 drought.

Point of Diversion or Rediversion

Present:

Point of Diversion	Source	Diversion Reference Points	California Coordinate Zone 3	Point is within (40 acre subd.)	Project Section	Township	Range	Base & Meridian
One point of diversion (one siphon) between Point A and Point B	Old River	Point A	N 574,750 E 1,691,450	NW ¼ SE ¼	30	3N	4E	MD
		Point B	N 571,100 E 1,688,350	SW ¼ NW ¼	31	3N	4E	MD
Two points of diversion (six siphons) between Point B and Point C	False River	Point B (above)						
		Point C	N 569,050 E 1,669,950	SW ¼ SE ¼	33	3N	3E	MD
Four points of diversion (eleven siphons) between Point D and Point A	San Joaquin River	Point D	N 578,850 E 1,670,550	NW ¼ NE ¼	28	3N	3E	MD
		Point A (above)						

Proposed:

Point of Diversion	California Coordinate Zone 3	Point is within (40 acre subd.)	Project Section	Township	Range	Base & Meridian
State Water Project Banks Pumping Plant	N 486,035 E 1,695,057	NW ¼ of SE ¼	20	1S	4E	MD
Central Valley Project Jones (Tracy) Pumping Plant	S 76 degrees 39 minutes E, 2674.53 feet from West ¼ Corner of Section 29 T 1 South R 4 East, M D B & M	NE ¼ of SW ¼	29	1S	4E	MD

Amount of Water to be Transferred

Under the proposed transfer, the idling or temporary fallowing of 4,287 acres of corn is estimated to result in a savings of 9,131.31 AF of water that would be consumptively used in 2014 absent the fallowing program. The consumptive use estimate was derived by applying an estimate of evapo-transpiration of applied water (ETAW) to the crops that would be planted in 2014 if the transfer is not approved:

2014 Estimated Water Use without Fallowing – Webb Tract

Crop	Net Planted Acres	ETAW* (AF)	Consumptive Use (AF)
Corn	4,287	2.13	9,131.31
Total	4,287		9,131.31

* ETAW, Estimates of Evapotranspiration of Applied Water, is the amount of applied water beneficially transpired by plants, retained in plant tissue, and evaporated from adjacent soil surfaces during a specific time. ETAW factors are from the California Department of Water Resources Agricultural Land & Water Use Workbook, downloaded from

<http://www.water.ca.gov/landwateruse/anaglwu.cfm>

on February 19, 2014 (Data for Hydrologic Planning Unit 185, San Joaquin Delta).

Weed growth on the fallowed fields will be controlled through regularly discing and other measures.

Transfer Will Not Adversely Affect Streamflow, Water Quality, or Legal Users of Water

The proposed transfer involves the transfer of water that would be consumptively used through evapotranspiration and not available to other users of water. To ensure that the fallowing results in consumptive use savings, a fallowing verification plan acceptable to the California Department of Water Resources will be implemented. Surface water not applied to the fallowed land will remain in the Delta channels where it will be conveyed by the California Department of Water Resources (DWR) through the Banks Pumping Plant or United States Bureau of Reclamation (USBR) through the Jones Pumping Plant to the Semitropic Groundwater Bank partners and/or Kern County Water Agency, subject to DWR's or USBR's export and conveyance capacity and compliance with applicable water quality standards. Although the quantity of water proposed for transfer would be a small percentage of the total Delta inflow, the reduction of diversions and consumptive use on Webb Tract will have a positive effect on in-Delta water quality and flow. The proposed transfer will increase the flow between the present points of diversion and the South Delta pumping facilities and reduce return drainage from Webb Tract, which is likely to benefit water quality during this extreme drought year.

Because the proposed transfer involves the transfer of water that would be consumptively used and would increase streamflow and improve water quality, this transfer has no potential to harm streamflow, water quality or legal users of water.

Transfer Will Not Unreasonably Affect Fish, Wildlife or Other Instream Beneficial Uses

Aquatic, riparian and herbaceous upland habitats on Webb Tract will not be affected by the fallowing and water transfer. Fallowing of corn on Webb Tract would reduce forage for waterfowl and other birds, but the amount of fallowed corn (4,287 acres) is likely a small percentage of total corn to be grown in or around Contra Costa County in 2014 (93,500 acres of corn were planted in neighboring San Joaquin County in 2012, most recent data available at

http://www.nass.usda.gov/Statistics_by_State/California/Publications/County_Estimates/2012corngrnF.pdf).

The proposed transfer will increase flows and improve water quality between the present points of diversion and the Banks and Jones pumping plans, and reduce agricultural drainage into the Delta from Webb Tract.

Petitioner has initiated consultation with the Department of Fish and Wildlife (Corinne Gray contacted February 20, 2014).

The proposed transfer will therefore not unreasonably affect fish, wildlife, or other instream beneficial uses.