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August 14, 2015

By Certified Mail – Certified No. 7003 1010 0000 3095 4601

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

**CG COPY**

STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS  
SACRAMENTO  
2015 AUG 19 AM 11:19

**Subject: South Feather Water & Power Agency Petitions for Change  
Involving Water Transfers under Permit 1267 (Application 1651)  
and Permit 2492 (Application 2778)**

Dear Ms. Evoy:

On behalf of South Feather Water & Power Agency (Agency), enclosed are the following documents relative to its above referenced Petitions for Change Involving Water Transfers:

1. Petition for Change Involving Water Transfers Form for Permit 1267 (Application 1651) with Attachment No. 1 (one original and one copy).
2. Petition for Change Involving Water Transfers Form for Permit 2492 (Application 2778) with Attachment No. 1 (one original and one copy).
3. Environmental Information Form with Attachment (one original and one copy).
4. Two checks in the amount of \$3,500 each to cover the fees for each of the Petitions.
5. Two checks in the amount of \$850 each to cover the fee for each Petition for the Department of Fish and Wildlife.

The Agency is petitioning to temporarily add points of diversion, point of rediversion, place of use, and purposes of use to its Permits 1267 and 2492 in order to transfer up to a total of 10,000 AF to participating State Water Contract (SWC) Agencies by reservoir storage release. The Agency's Petitions and proposed 2015 Water Transfer are consistent with the Governor's

Barbara Evoy

August 14, 2015

Re: South Feather Water & Power Agency Petitions for Change Involving  
Water Transfers under Permit 1267 (Application 1651) and Permit  
2492 (Application 2778)

Page 2.

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State of Emergency Drought Proclamation dated January 17, 2014 and subsequent Proclamation of a Continued State of Emergency dated April 25, 2014. As indicated in the Governor's April 25, 2014 Proclamation, the 30-day comment period required by Water Code Section 1726(f) is suspended and a 15-day comment period is to be provided for temporary water transfers under Water Code Section 1725, which includes these Petitions. As you are aware, time is of the essence to process these Petitions for the implementation of the water transfer to participating buyers; and we appreciate your prompt attention to these Petitions.

Please call if you have any questions or require additional information.

Very truly yours,

**MINASIAN, MEITH, SOARES,  
SEXTON & COOPER, LLP**

By: 

**DUSTIN C. COOPER**

DCC:aw  
Enclosures

cc: Mike Glaze, General Manager, South Feather Water & Power Agency  
Eric Chapman, State Water Contractors  
Amanda Montgomery, Division of Water Rights  
Nancy Quan, DWR SWPAO  
John Leahigh, DWR Operations  
Elizabeth Lee, CVRWQCB (via certified mail)  
Paul Forsberg, Department of Fish and Wildlife (via certified mail)  
Board of Supervisors, County of Butte (via certified mail)  
Water and Resource Conservation Department, County of Butte (via certified mail)  
Board of Supervisors, County of Kern (via certified mail)  
Board of Supervisors, County of Kings (via certified mail)  
Board of Supervisors, County of Los Angeles (via certified mail)  
Board of Supervisors, County of Orange (via certified mail)  
Board of Supervisors, County of Riverside (via certified mail)  
Board of Supervisors, County of San Bernardino (via certified mail)  
Board of Supervisors, County of San Diego (via certified mail)  
Board of Supervisors, County of Stanislaus (via certified mail)  
Board of Supervisors, County of Ventura (via certified mail)

Please indicate County where your project is located here:

Butte

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

2015 AUG 19 AM 11:19

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 2778 Permit 2492 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: See Attachment No. 1
Proposed: See Attachment No. 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: See Attachment No. 1
Proposed: See Attachment No. 1

Purpose of Use

Present: Recreation, Domestic, Municipal, Industrial, Irrigation
Proposed: Recreation, Domestic, Municipal, Industrial, Irrigation

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: Not applicable.
Downstream Location:

Table with 12 columns for months (Jan-Dec) and rows for flow quantities.

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.

See Attachment No. 1

**Amount of Water to be Transferred**

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  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.

The Agency owns the present points of diversion. Access has been or will be acquired for the proposed new, temporary points of diversion by virtue of agreements with the Department of Water Resources and/or the participating buyers of the State Water Contractors.

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.

See Attachment 1

**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  at

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](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/](http://www.waterboards.ca.gov/waterrights/water_issues/programs/fees/)  
(3) Department of Fish and Wildlife fee of \$850 (Pub. Resources Code, § 10005)

**Attachment No. 1**  
**to Petition for Change Involving Water Transfers**  
**Permit 2492 (Application 2778)**  
**held by South Feather Water & Power Agency**

**PURPOSE OF PETITION**

The purpose of this Petition for Change Involving Water Transfers (Petition) is to: (1) add the State Water Project's (SWP) Harvey O. Banks Pumping Plant and Barker Slough Pumping Plant as points of diversion, and (2) add the service area of the SWP as an additional place of use to South Feather Water & Power Agency's (Agency) Permit 2492 (Application 2778). This petition is being filed to facilitate a temporary transfer (2015 Water Transfer) of up to 5,000 acre-feet (AF) of currently stored surface water from the Agency's Sly Creek Reservoir during October 2015, which will be made available by reoperation of this reservoir for delivery to participating agencies of the State Water Contractors, Inc. (SWC Agencies) in order to provide an additional water supply for recreational, irrigation, municipal, industrial, and domestic purposes. This period of transfer is consistent with the time period authorized for transfers in 2015 by the federal and state fishery agencies at the Jones or Banks pumping plants between October 1 and November 15, as long as the water is diverted consistent with the DWR and Reclamation Temporary Urgency Change Petition (TUCP) drought proposal and biological concurrence associated with the July TUCP and the effects to listed species described in the associated biological reviews. The Agency's proposed transfer, as well as other transfers, will not exceed the quantities authorized by the fishery agencies for the period of October through November 15. Another Petition for Change involving Water Transfers under the Agency's Permit 1267 by reoperation of Little Grass Valley Reservoir is submitted contemporaneously with this Petition. Together, the two Petitions would allow the transfer of up to 10,000 AF to SWC Agencies.

Transfers involving reservoir storage release involve the release of water in excess of what would be released annually under normal operations. Absent the proposed temporary transfer, the Agency would not make water available at the point of delivery, Ponderosa Dam, thence Lake Oroville. The proposed 2015 Water Transfer is consistent with the Governor's State of Emergency Drought Proclamation dated January 17, 2014 and subsequent Proclamations and Executive Orders.

**POINT OF DIVERSION OR REDIVERSION**

***Present Point of Diversion:*** See Exhibit A

***Proposed Additional Points of Diversion:***

No change in the present point of diversion is proposed. The Agency proposes to add the following points of diversion:

**Banks Pumping Plant via the Clifton Court Forebay**

N 2,126,440 ft., E 6,256,425 ft., California Coordinate System Zone 3, NAD 83, being within the NW ¼ of SE ¼ of Projected Section 20, T1S, R4E, MDB&M. This proposed additional point of diversion is identified on maps filed with the Division of Water Rights (Division) under Application 5630.

**Barker Slough Pumping Plant**

N 567,682, E 2,017,761, California Coordinate System Zone 2, within the NE ¼ of SW ¼ of Projected Section 18, T5N, R2E, MDB&M. This proposed additional point of diversion is identified on maps filed with the Division of Water Rights (Division) under Application 5630.

**PLACE OF USE**

***Present:*** See Exhibit A.

***Proposed:*** No change in the present place of use is proposed. The Agency proposes to add a portion of the service area of the SWP as the proposed additional place of use in order to facilitate the temporary water transfer to the participating SWC Agencies. This portion of the service area of the SWP is shown on Map 1878 – 1, 2, 3 and 4 on file with the Division under Application 5630.

**PROPOSED NEW USERS**

The proposed new users will be water users within the following SWC Agencies listed below:

County of Kings  
c/o Jacob Westra  
1001 Chase Avenue  
Corcoran, CA 93212

Dudley Ridge Water District  
c/o Rick Besecker  
Provost & Pritchard Engineering Group, Inc.  
286 W. Cromwell Avenue  
Fresno, CA 93711-6162

Kern County Water Agency  
Lara Kimm  
P. O. Box 58  
Bakersfield, CA 93302

Metropolitan Water District of Southern  
California  
Steve Hirsch  
1121 L. Street, Suite 900  
Sacramento, CA 95814-3974

Oak Flat Water District  
Anthea Hansen  
P.O. Box 1596  
Patterson, CA 95363

**GENERAL INFORMATION**

The Agency's Reservoir Storage Release will be made in accordance with the Draft Technical Information for Preparing Water Transfer Proposals, dated November 2014 (Draft Technical Information) and the May 25, 2015 Addendum both published by the Department of Water Resources (DWR) and U.S. Bureau of Reclamation (Reclamation). The Draft Technical Information has been developed to address the concerns of DWR and Reclamation relative to the potential impacts that water transfers may have on other legal users, instream beneficial uses, and the overall economy and environment.

Since approximately December 2014 Agency staff and consultants have been in discussions with DWR concerning a potential 2015 water transfer and, more specifically, a refill criteria that would be acceptable to the Agency and DWR while at the same time avoiding injury to other legal users of water, including the SWP and other legal users of water that receive water from Lake Oroville. DWR and Agency have agreed to a refill criteria that will ensure that the proposed transfer and the refill of the storage space vacated due to the proposed transfer does not injure any legal user of water.

As a result of the Agency's two Petitions for transfer, the flow into Lake Oroville at Ponderosa Dam and thence the Feather River will increase by up to 10,000 AF during the period of the transfer over what would have occurred absent the proposed transfer. The water will be released from Lake Oroville consistent with current operational requirements. There will be no reduction in flow downstream of Lake Oroville as a result of the transfer. Therefore, there will be no injury to other legal water users, water quality, or return flows; in fact, these increased flows may provide benefits for fisheries and wildlife and may result in a positive effect to the water users between the point of delivery and the proposed additional point of diversion.

During a typical year, Little Grass Valley and Sly Creek Reservoirs are filled by the end of May with runoff from snow melt and rainfall, and are then gradually drawn down throughout the summer to provide instream aquatic habitat, consumptive water supply and power generation, while maintaining sufficient water supplies for recreational purposes. The end of the year storage (on or before December 31) in Little Grass Valley is typically 45,000 – 50,000 AF, and the storage in Sly Creek Reservoir is 10,000 – 15,000 AF, for a combined end of year storage total of about 60,000 AF. In 2015, in the absence of a transfer, the Agencies combined end of year storage target is 66,000 AF.

To facilitate the transfer, 10,000 AF in excess of typical operations will be drawn down (5,000 from each Reservoir), while still meeting the Agency's various responsibilities regarding recreation, instream flow, and hydroelectric generation. This 10,000 AF in excess of typical operations would be delivered from Little Grass Valley Reservoir and Sly Creek Reservoir, respectively, through the Agency's facilities to Ponderosa dam where the water will be spilled to

Lake Oroville (See attached Exhibit B depicting Agency facilities). The combined 2015 low-point storage in Little Grass Valley and Sly Creek Reservoirs would be drawn down to 56,000 AF, rather than the non-transfer target of 66,000 AF.

Once transfer water is delivered at Ponderosa Dam into Lake Oroville, DWR would deliver the transfer water to SWC Agencies on a schedule approved by DWR which will result in no impact to CVP or SWP operations. Transfer water releases from Lake Oroville and exports by DWR shall be made in conformance with all applicable regulatory requirements including those contained in Water Right Decision 1641, the Biological Opinions issued by the National Marine Fisheries Service and U.S. Fish and Wildlife Service (BiOps) as well as any other applicable regulatory obligations.

Consistent with Water Code § 1726, a copy of the Petition and related documents will be sent to California Department of Fish & Wildlife (DFW). The transfer is similar to transfers from other agencies within the Feather River watershed have occurred since 2008. No adverse impacts to those transfers were identified by DFW.

Agency provided a copy of this petition and related documents to Regional Board staff at the same time this petition was filed with the SWRCB. The water proposed for transfer is very high quality runoff derived from snowmelt and rains falling in predominantly undeveloped portions of the Butte and Plumas Counties in the Sierra Nevada mountains. The proposed transfer would not violate any water quality standards or waste discharge requirements. The proposed transfer would use existing reservoirs, streams, and rivers operating within all applicable requirements. Transfer water releases from Lake Oroville and exports by DWR shall be made in conformance with all applicable regulatory requirements including those contained in Water Rights Decision 1641, the BiOps, as well as all other applicable regulatory obligations.

Agency will provide copies of the Petition and related documents, by certified mail, to the Board of Supervisors for the Counties of Butte, Kern, Kings, Los Angeles, Orange, Riverside, San Bernardino, San Diego, Stanislaus, and Ventura.

The Agency's Permit 2492 was curtailed by notice of the State Water Resources Control Board on May 1, 2015. Since that notification and until the curtailment is lifted, the Agency will comply with the curtailment. The water proposed for transfer was stored prior to the effective date of the post-1914 water right curtailment.

See files of the State Water Resources Control Board for more information regarding other legal water users, which may include the Delta water users, the CVP, the SWP, and the Cities of Sacramento and West Sacramento.



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

**DIVISION OF WATER RIGHTS**

**PERMIT FOR DIVERSION AND USE OF WATER**

**AMENDED PERMIT 2492**

Application 2778 of South Feather Water and Power Agency  
P.O. Box 581  
Oroville, CA 95965-0581

filed on March 6, 1922, has been approved by the State Water Resources Control Board (State Water Board) SUBJECT TO PRIOR RIGHTS and to the limitations and conditions of this permit.

Permittee is hereby authorized to divert and use water as follows:

1. Source of water

Source:

Lost Creek

Tributary to:

South Fork Feather River thence  
Feather River

within the County of **Butte**

2. Location of point of diversion

By California Coordinate System of 1927 in Zone 1	40-acre subdivision of public land survey or projection thereof	Section	Township	Range	Base and Meridian
<b><u>Point of Diversion Storage</u></b> <b><u>Sly Creek Storage Dam</u></b> S8°30'W, 1,240 feet from NE corner of section 19	NE¼ of NE¼	19	20N	8E	MD
<b><u>Point of Rediversion</u></b> <b>1. <u>Ponderosa Dam</u></b> N41°30'E, 3,710 feet from SW corner of section 33	NW¼ of SE¼	33	20N	6E	MD
<b>2. <u>Lost Creek Storage Dam</u></b> N28°E, 2,200 feet from S¼ corner of section 24	NW¼ of SE¼	24	20N	7E	MD
<b>3. <u>Forbestown Diversion Dam</u></b> S45°W, 2,000 feet from NE corner of section 32	SW¼ of NE¼	32	20N	7E	MD

3. Purpose of use	4. Place of use	Sections	Township	Range	Base and Meridian	Acres
Recreational	Sly Creek Reservoir	4, 8, 9, 16, 17 & 20	20N	8E	MD	
	Ponderosa Reservoir	33, 34 & W½ of 35	20N	6E	MD	
	Lost Creek Storage Dam	24	20N	7E	MD	
Domestic	<b>Within the boundaries of the South Feather Water and Power Agency as shown on map dated May 2000 filed with the State Water Board</b>					
Municipal*						
Industrial*						
Irrigation						

\*Upon compliance with Condition 8 of this permit

The place of use is shown on map on file with the State Water Board.

5. The water appropriated shall be limited to the quantity which can be beneficially used and shall not exceed 50 cubic feet per second by direct diversion to be diverted from April 1 to June 1 of each year and 25,000 acre-feet per annum by storage to be collected from October 1 of each year to June 1 of the succeeding year.

The total amount of water allowed under Permits 1267, 1268, 1271, 2492, 11516 and 11518 shall not exceed 810,000 acre-feet per water year of October 1 to September 30.

(000005F)

6. Construction work shall be completed on or before December 1, 1990.

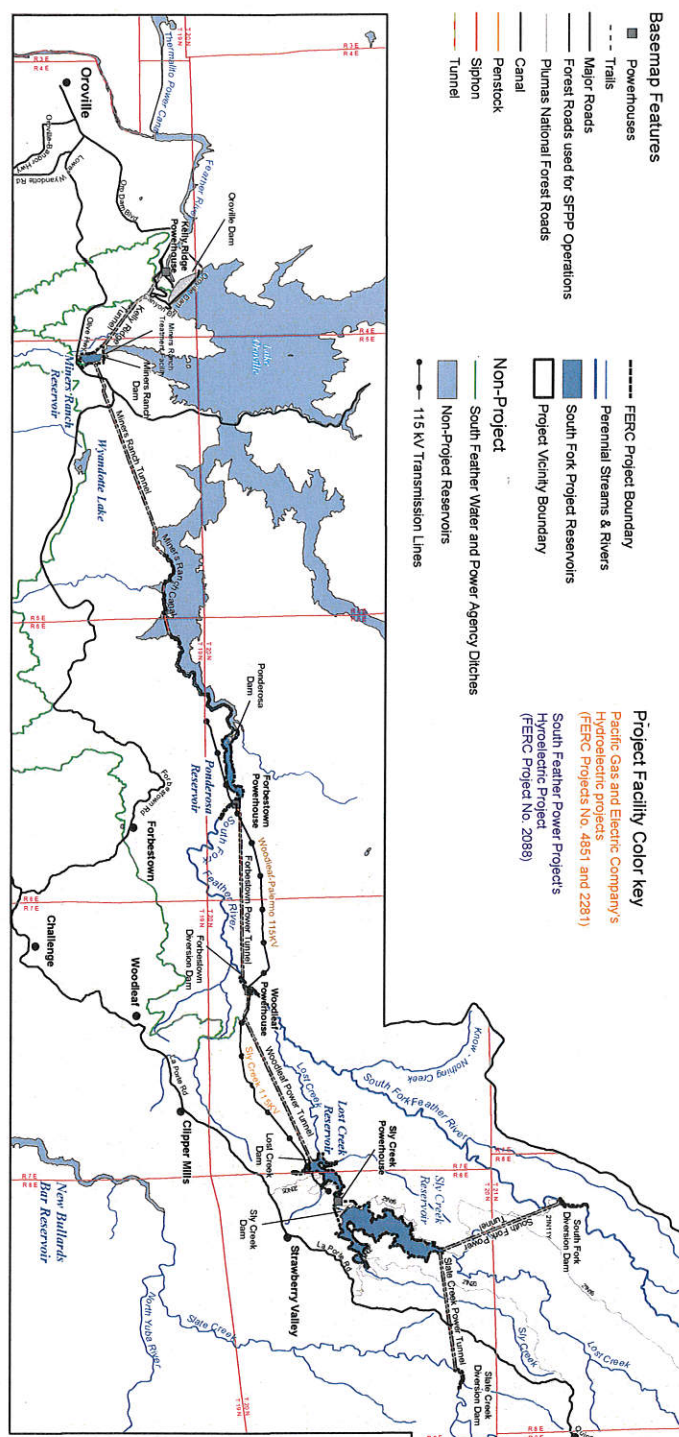
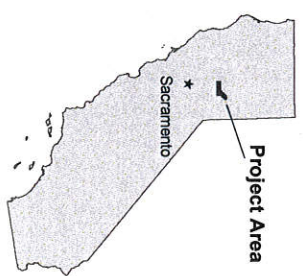
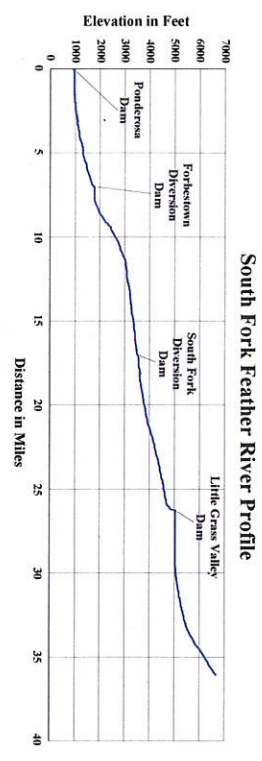
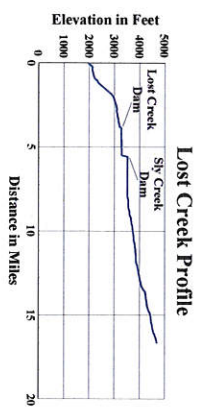
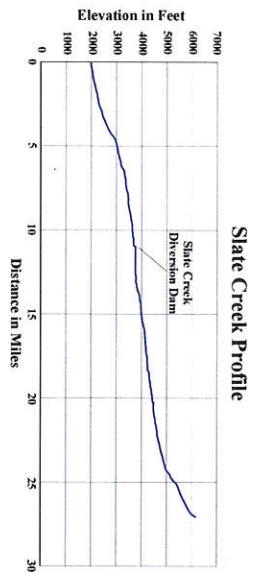
(0000009)

7. Complete application of the water to the authorized use shall be prosecuted with reasonable diligence and completed by December 1, 2004.

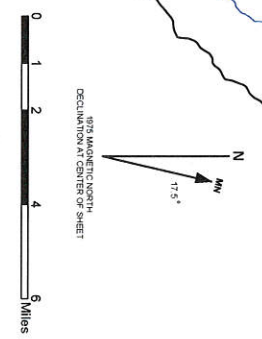
(0000009)

8. Pursuant to condition 5 of Order WR 2004-0029:

The petitions to add municipal and industrial purposes of use under Permits 1267, 1268, 1271, 2492, 11516, and 11518 are approved subject to the permittee's submission of water conservation plans that meet the requirements for an urban water management plan under Water Code section 10620 et seq. and that is acceptable to the Chief, Division of Water Rights (Division Chief). The water conservation plans shall be submitted to the Division Chief by December 14, 2004, and any revisions required to make the plans acceptable to the Division Chief shall be submitted in accordance with a schedule established by the Division Chief. Yuba County Water District shall submit a water conservation plan for use under Permit 11518. South Feather Water and Power Agency shall submit a water conservation plan for use under Permits 1267, 1268, 1271, 2492, and 11516. In addition, the water conservation plans submitted by South Feather Water and Power Agency shall evaluate and address ditch conveyance losses. No water shall be diverted for municipal and industrial purposes, except for amounts currently delivered to Yuba City, until the



- #### Basemap Features
- Powerhouses
  - Trails
  - Major Roads
  - Forest Roads used for SRPP Operations
  - Pumas National Forest Roads
  - Canal
  - Penstock
  - Siphon
  - Tunnel
- #### Project Facility Color Key
- FERC Project Boundary
  - Perennial Streams & Rivers
  - South Fork Project Reservoirs
  - Project Vicinity Boundary
- #### Non-Project
- South Feather Water and Power Agency Ditches
  - Non-Project Reservoirs
  - 115 kV Transmission Lines
- #### Project Facility Color Key (Additional)
- Pacific Gas and Electric Company's Hydroelectric projects (FERC Projects No. 4851 and 2281)
  - South Feather Power Project Hydroelectric Project (FERC Project No. 2088)



REV	DATE	DESCRIPTION	DRAWN	CHECKED	APPROD
09-1-03		ES-1.pdf	ESF	CCC	

FIGURE ES-1

### South Feather Power Project Vicinity Map

SOUTH FEATHER POWER PROJECT

FERC PROJECT NO. 2088

September 11, 2003

Data Source: Roads and Streams, Pumas National Forest and U.S. Census Bureau TIGER 2000, Reservoirs - SFVPA & U.S. Census Bureau TIGER 2000, Transmission Lines - USGS & GPS, SFVPA facilities - SFVPA

Original Map: Size 11" x 17" color - f:\svp\proj\vicinity\proj\vicinity.mxd

Map prepared by: South Feather Water and Power Agency © 2003, South Feather Power Project