

Please indicate County where your project is located here:

Multiple

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 see supplement Permit 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: multiple
Proposed: addition of Los Banos Creek Detention Dam and three diversion points in Los Banos Creek (see attached map).

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:
Proposed: no change

Purpose of Use

Present:
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:
Downstream Location:

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.

N/A

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

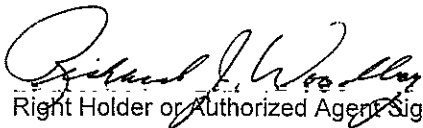
If by lease or agreement, state name and address of person(s) from whom access has been obtained.

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

The requested action will not reduce the flow in Los Banos Creek.
License 12134 (Los Banos Diversion Dam) held by Reclamation and a MOA with California Department of Fish and Wildlife (bypass of water).
License 5271 is held by Herman Menezes, who is also a member of CCID, one of the Districts making water available for the underlying exchanges, and is informed.
Multiple riparian users: all within project proponent Districts (San Luis Water district, Central California Irrigation District, and Crossland Water District).

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/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)

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.

The United States Bureau of Reclamation (Reclamation) requests the State Water Resources Control Board (SWRCB) modify the permits listed in the petition supplement to temporarily add Los Banos Creek Detention Dam and three points in Los Banos Creek as points of redirection to upstream reservoirs (including San Luis Reservoir) of the Central Valley Project (CVP). The purpose of this change is to improve annual flexibility of CVP operations for wildlife refuges and to improve drought supplies of south of Delta CVP contractors by permitting up to 8,000 acre-feet of CVP water to be restored in Los Banos Creek Detention Reservoir for later delivery to irrigation districts.

CVP water would be made available through conservation or groundwater substitution. All actions to develop water have been evaluated in environmental documents, as identified in the petition supplement.

To facilitate this physical operation, a temporary above-ground pipeline and connection with an existing San Luis Canal turnout will be installed to convey water into Los Banos Creek Detention Reservoir. Appropriate CEQA documentation and permits will be completed/obtained for the physical temporary construction.

Approval of this Petition will not increase the quantity or alter the timing of diversions from the Delta or the San Joaquin River, or reduce flows or impact water quality in Los Banos Creek.

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

1/11/2019

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:

Contacted Debbie Mahnke in Fresno Office of Region 5. Region 5 did not identify any issues.

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

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:

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:

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:

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:

Insert the attachment number here, if applicable:

Photographs

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

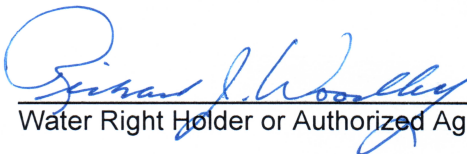
Maps

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 redirection, 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 April 11, 2019 at Sacramento, California.


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.)

**Petition for Temporary Change to
add Los Banos Creek Detention Diversion Dam and
Diversion Points Downstream as Points of Rediversion to
Central Valley Project Reservoirs**

U.S. Bureau of Reclamation Permits for the Central Valley Project

Application Numbers: 5626, 5628, 9363, 9364, 13370, 13371, 15374, 15375, 15764, 16767, 17376

Permit Numbers: 12721, 11967, 12722, 12723, 11315, 11316, 11968, 11969, 12860, 11971, 12364

Requested Changes

The United States Bureau of Reclamation (Reclamation) requests the State Water Resources Control Board (SWRCB) modify the permits listed above to temporarily add Los Banos Creek Detention Dam and three points within Los Banos Creek, as points of rediversion to upstream reservoirs (including San Luis Reservoir) within the Central Valley Project (CVP). The three points of rediversion within the Los Banos Creek are located at: 1) Los Banos Creek at the Delta-Mendota Canal, 2) Los Banos Creek at the CCID Outside Canal, 3) Grassland Water District delivery via the Los Banos Creek. The purpose of this temporary change is to improve the flexibility of CVP operations and increase water supply reliability for wildlife refuges and south of Delta CVP contractors by permitting up to 8,000 acre-feet of CVP water to be re-stored in Los Banos Creek Detention Reservoir. CVP water would be made available through conservation, development of local exchange water, or groundwater substitution. To facilitate this physical operation to the Los Banos Creek Detention Reservoir, a temporary pipeline would be connected from an existing San Luis WD pump station to the reservoir. The San Luis WD Pump Station is supplied by an existing San Luis Canal turnout, at mile post S79.39R. Reclamation requests that this change be in effect for calendar year 2019.

Approval of this Petition will not increase the quantity or alter the timing of diversions from the Delta or the San Joaquin River.

Reason for the Requested Changes

Central Valley wildlife refuges, South of Delta CVP Contractors and Exchange Contractors all have faced challenges meeting their full water demands. For several years, refuges have partnered with CVP contractors south of the Delta (Participants) to improve their water supply situation through mutually beneficial exchanges (described in the next section). These exchanges currently rely on the use of San Luis Reservoir, which exposes the exchanges to the risk of losing water due to a lower priority of access to storage space in San Luis Reservoir. The requested changes would permit these parties to test the use of Los Banos Creek Detention Reservoir for re-storage as a means to improve the success of existing exchanges.

Central California Irrigation District (CCID) has a need in many years to develop local dispatchable storage to meet peak summer irrigation demand in order to better manage and utilize its existing water supplies. During the off-peak irrigation season, Central California ID will generate conserved water and/or substituted groundwater and store that water in the Los Banos Creek Detention Reservoir, for use during peak summer irrigation demand. If in any given year if CCID finds its self in a favorable position of not needing the water back to meet peak summer demand then the water would be moved to one of the project partners to meet irrigation demands.

Los Banos Creek Detention Dam and Reservoir are federally owned and state operated facilities that were constructed jointly by Reclamation and the California Department of Water Resources as part of the San Luis Unit of the CVP to provide flood control protection to the San Luis Canal. The California Department of Parks and Recreation operates the public recreational facilities at Los Banos Creek Detention Reservoir. Reclamation holds license 12134 for storage of up to 14,000 acre-feet per annum for non-consumptive purposes of use. The footprint of Los Banos Creek Detention Dam is not within the CVP place of use, but Los Banos Creek below the Dam is. The proposed action has been discussed with all parties and will not operate to the detriment of existing uses or Safety of Dams concerns.

It is expected that the reservoir would be operated in the October through February time period to bypass natural Los Banos Creek flow downstream. The operation would create space in the Los Banos Creek Detention Dam to be used to temporarily store water. Then starting in the Spring, the Participants would begin temporarily re-storing up to 8,000 acre-feet of CVP water supplies in the available Los Banos Creek Detention Dam space. CVP water would be conveyed through the San Luis Canal (California Aqueduct) to San Luis Water District's Pump Station 8 and lifted into Los Banos Creek Detention Reservoir for temporary storage. The stored water would be returned to the participating Districts during peak irrigation or wildlife water management times via the Los Banos Creek at the three downstream points of rediversion. The Dam operations would preserve and enhance but be consistent with the current flood control criteria and operation.

The proposed changes will not result in diversion of additional water from the Delta, a change in the timing of CVP diversions, or the delivery of more CVP water than has been delivered historically. Instead, the requested change will provide the operational flexibility the CVP needs to improve water supply deliveries for wildlife refuges and CVP contractors.

Participant Actions to Make Water Available for Proposed Temporary Project

The Project Participants consist of the San Luis Water District (San Luis WD), Grassland Water District (Grassland WD), and Central California Irrigation District (Central California ID) (a member agency of the San Joaquin River Exchange Contractors Water Authority (SJRECWA or Exchange Contractors). The Participants would use one or more of the following projects to generate water that would free up CVP water to re-store in Los Banos Creek Detention Reservoir.

A. Central California Irrigation District: Groundwater Substitution

Central California ID owns and operates approximately 60 groundwater wells within its service area. Central California ID would use or substitute up to 8,000 acre-feet of groundwater for irrigation purposes instead of its CVP Exchange Contact surface water, making CVP water available for temporary storage in Los Banos Creek Detention Reservoir.

B. Central California Irrigation District Conserved Water

Central California ID would generate up to 8,000 acre-feet of conserved water for temporary storage in Los Banos Creek Detention Reservoir. The water would be generated through a conservation/tailwater recovery program, as described in the “Water Transfer Program for the San Joaquin River Exchange Contractors, 2014–2038 Environmental Impact Statement/Environmental Impact Report” approved by Reclamation on July 30, 2013.

C. Grassland Water District and San Luis Water District: North Grasslands Water Conservation and Water Quality Control Project

Grassland WD and San Luis WD have jointly constructed a recirculation project, the “North Grasslands Water Conservation and Water Quality Control Project.” After CVP supplies are applied to various wetlands and refuges throughout the Grassland WD, it is re-collected and conveyed back up-gradient and re-applied to those same wetlands and refuges. In return for funding a portion of the project, San Luis WD can use up to half of the conserved water generated from the project.

This project relies on a mutually beneficial exchange of CVP refuge water supplies, leaving an exchanged volume of up to 6,000 acre-feet of CVP water stored in San Luis Reservoir which could be re-stored in Los Banos Creek Detention Reservoir.

This project was evaluated by Reclamation in the “North Grasslands Water Conservation/Water Quality Control and Level 2 Refuge Water Exchange Project Final Environmental Assessment” approved by Reclamation on April 24, 2017.

D. Grassland Water District and San Luis Water District: Groundwater Exchange

The Grassland WD and San Luis WD utilize groundwater supplies to provide up to 3,000 acre-feet to wetlands and refuges within the Grassland WD, using a mutually beneficial exchange that leaves an equivalent volume of CVP water stored in San Luis Reservoir, which could be re-stored in Los Banos Creek Detention Reservoir.

San Luis WD and/or Grassland WD desire to store up to 3,000 acre-feet of this CVP water in the Los Banos Creek Detention Reservoir conveyed through the San Luis Canal (California Aqueduct) to San Luis WD’s Pump Station 8 and lifted into Los Banos Creek Detention Reservoir for storage.

This project was evaluated by Reclamation in the “5-Year Groundwater Acquisitions for South of Delta Central Valley Project Improvement Act Refuges Final Environmental Assessment” approved by Reclamation on January 28, 2016.

E. San Luis Water District: Meyers Water Bank Exchange

The San Luis WD stores CVP water in the Meyers Water Bank. As needed banked CVP water is delivered into the Mendota pool for exchange by Reclamation into the San Luis Reservoir. On occasion the exchanged banked water is at risk of loss or spill and would be re-stored in the Los Banos Creek Detention Reservoir. San Luis WD desires to store up to 2,000 acre-feet of this exchanged CVP water.

This project was evaluated by Reclamation in the “Amendment to the Meyers Groundwater Banking Exchange Agreement” and the FONSI was approved by Reclamation in September, 2013.

General Information

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

The requested change is to allow for a temporary change in the timing of use of CVP water. The requested change does not affect CVP allocations or Delta pumping patterns. Water is developed by the projects described above through conservation, banking, or groundwater pumping south of the Delta in the San Joaquin Valley. This developed water is used by wildlife refuges in the San Joaquin Valley, in exchange for half of the equivalent volume of CVP water. This CVP water goes to the project developers (San Luis WD) instead of the wildlife refuges (who receive twice that volume from the projects).

The requested change will allow the project developers to temporarily store up to 8,000 acre-feet in Los Banos Creek Detention Reservoir for later release into Los Banos Creek and diversion to consumptive use. Absent the requested change (and as currently implemented), the CVP water is consumptively used at the time of the exchange. The requested change is to increase the flexibility of existing water supplies, improve the timing of deliveries, and improve water use efficiency.

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

The requested change will have no effect on quantity or timing of Delta pumping or San Luis Reservoir operations. The requested change will affect flows in Los Banos Creek, as flows will increase when the CVP water is released for rediversion from the Los Banos Creek. Water levels in Los Banos Creek Detention Dam will also increase during the period of storage, but not above levels set by the California Department of Water Resources, Division of Safety of Dams, or above water levels set by current reservoir operation. All water right holders in Los Banos Creek are participants in the projects described above. The requested change will not affect the

outflow or water quality of Los Banos Creek. The requested change will have no effects on other legal users of water, fish and wildlife or the environment.

Los Banos Creek Detention Reservoir’s beneficial uses are primarily recreation (including a stocked fishery). It was constructed to control the flow of debris into constructed canals downstream during higher flow events. Releases and bypasses from the reservoir go to downstream water right holders and riparian parcels who divert for irrigation and wetland management. The Reservoir is not an identified surface water body in the Water Quality Control Plan for the California Regional Water Quality Control Board, Central Valley Region, for the Sacramento River Basin and San Joaquin River Basin (Basin Plan). Water quality reports in 2017 of the proposed source water and Los Banos Creek Detention Reservoir releases were compared and are summarized below in Table 1. The location of the source water quality sample was at the Pioneer Road Crossing in the San Luis Canal (California Aqueduct) at milepost 75.49R, which is in the same pool as the San Luis WD Pump Station. The Los Banos Creek water quality sample was taken in the creek at the Delta-Mendota Canal during a scheduled reservoir release.

Analysis	Los Banos Creek	San Luis Canal
Conductivity (µmhos/cm)	600	216
Total Dissolved Solids (ppm)	370	129
Turbidity (NTU)	9.8	0.75

Table 1: 2017 Water Quality Test Results for San Luis Canal and Los Banos Creek

The delivery rates from San Luis Reservoir may be slightly different. The scheduling of the deliveries will be coordinated between DWR and Reclamation so as not to adversely impact any SWP or CVP contractor deliveries. Adequate capacity in the California Aqueduct and in the Delta-Mendota Canal is available, and will not be adversely impacted as a result of the exchanges.

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

The requested change will not result in unreasonable impacts to fish and wildlife or the environment. The water was previously diverted out of the watershed from which it originates in conformance with the provisions of the respective Reclamation water rights permits and regulatory restrictions governing those diversions including those contained in D-1641 and the current Biological Opinions. There will be no change in the pumping schedule or the amount of CVP water diverted at Jones (or Banks) Pumping Plants. Therefore, there will be no change in flow or water quality conditions in the Delta. The projects which develop water to support the existing exchanges are conducted south of the Delta and do not affect pumping from the Delta. All the water to be stored in Los Banos Creek Diversion Dam for consumptive use later in the season is water that would have been consumptively used or stored in the absence of the exchanges.

The requested change will not result in a measurable change in quantity or quality of return flows. The requested change is to facilitate storage of existing CVP water supplies for use later in the same year, to improve flexibility in managing multiple water sources over the irrigation season, while also increasing reliable water supplies for wildlife refuges in the San Joaquin Valley.