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## State Water Resources Control Board

**TO:** Robert Cooke, Chief  
State Water Project Analysis Office  
Department of Water Resources  
P.O. Box 942836  
Sacramento, CA 94236-0001

ORIGINAL SIGNED BY:  
LES GROBER FOR

**FROM:** Barbara Evoy, Deputy Director  
Division Of Water Rights  
State Water Resources Control Board

**DATE:** MAY 2 2014

**SUBJECT:** REQUEST FOR ADDITIONAL EXCHANGE OF WATER PURSUANT TO DIVISION OF WATER RIGHTS MARCH 28, 2014 ORDER APPROVING CONSOLIDATED PLACE OF USE UNDER SPECIFIED LICENSE AND PERMITS OF THE STATE WATER PROJECT AND CENTRAL VALLEY PROJECT (CPOU ORDER)

On March 28, 2014, the State Water Resources Control Board (State Water Board), Division of Water Rights (Division), issued an order approving petitions<sup>1</sup> from the Department of Water Resources (DWR) and the U.S. Bureau of Reclamation (Reclamation) requesting temporary changes in the place of use of water rights of the State Water Project (SWP) and Central Valley Project (CVP). The CPOU Order temporarily approved a consolidated place of use for DWR's SWP with Reclamation's CVP allowing for transfer/exchange of water for projects that were detailed in the original petitions. Condition 5 of the CPOU Order provides a process for DWR and Reclamation to request the approval of transfers/exchanges not specifically identified in the petitions if the proposed transfer/exchange meets certain criteria as detailed in the CPOU Order as follows:

- a) The total quantity of water delivered to any SWP or CVP contractor under this order shall not exceed historic average deliveries to the contractor as stated in the attachments provided with the petition for change.

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<sup>1</sup> The petitions were filed for Permit 16479 (Application 14443) of the Department of Water Resources' State Water Project and License 1986 and Permits 11885, 11886, 12721, 11967, 11887, 12722, 12723, 12725, 12726, 12727, 11315, 11316, 11968, 11969, 11970, 12860, 11971, 11972, 11973 and 12364 (Applications 23, 234, 1465, 5626, 5628, 5638, 9363, 9364, 9366, 9367, 9368, 13370, 13371, 15374, 15375, 15376, 15764, 16767, 16768, 17374 and 17376, respectively) of the United States Bureau of Reclamation's Central Valley Project.

- b) Transfers or exchanges under this order shall not result in the net decrease of San Joaquin River or Sacramento River flow over the period of the transfer. The transfer or exchange will not result in an increase in saline drainage to the San Joaquin River.
- c) Transfers or exchanges shall not result in any increase in the amount of water diverted from the Delta. The water to be exchanged is part of any available Project allocations, water currently stored in San Luis Reservoir, or previously placed in groundwater storage south of the Delta. Further, the water to be exchanged or transferred would have been consumptively used or stored in the absence of the transfer.

On April 22, 2014, DWR submitted a request to the Division pursuant to Condition 5 of the CPOU Order. DWR's request is based on an additional exchange requested by Santa Clara Valley Water District (SCVWD) to better utilize its limited drought year supplies. DWR described SCVWD's project as follows:

SCVWD has previously banked CVP water supplies in the Semitropic Water Storage District (SWSD) groundwater bank. Recovery of the stored CVP water must be accomplished by exchange. In order to return the previously stored CVP water to SCVWD, SWSD will pump the water into the California Aqueduct and deliver that water to DWR for use within the SWP service area south of SWSD's turn-in facilities. In exchange, an equal amount of SWP water would be delivered to SCVWD through either the South Bay Aqueduct and/or the San Felipe Division from San Luis Reservoir. SCVWD anticipates a need to recover up to 31,500 acre-feet (af) of stored CVP water from the SWSD groundwater bank through April of 2015. The total quantity of transfers and exchanges implemented under the CPOU Order will not exceed 277,863 af as authorized in the Order.

DWR has indicated that the proposed exchange meets all criteria identified under Condition 5 of the CPOU Order as described below:

- a) Deliveries to SCVWD will remain far below average deliveries even with the proposed recovery of storage from the SWSD groundwater bank. Therefore, the total quantity of water delivered to SCVWD will not exceed historic average deliveries.
- b) The water recovered by SWSD will be discharged to the California Aqueduct for the area downstream of the San Joaquin River watershed. No additional water will be diverted from or discharged to the Sacramento or San Joaquin Rivers as a result of the exchange. Therefore, there will be no net loss in water to the Sacramento or San Joaquin Rivers.

Also, the water recovered by SWSD will be delivered to DWR in the California Aqueduct for use in its service area downstream of SWSD. Therefore, any potential saline drainage from the SWP service area will not contribute to the San Joaquin River as a result of this exchange.

- c) The exchange will be implemented only to the extent that there is SWP water available consistent with current SWP operations. No new water will be diverted from the Delta to complete the exchange, and no change in SWP or CVP allocations will be made. Consequently, the transfer will not result in an increase in water diverted from the Delta.

The exchange is an even exchange. No more water will be delivered to the SWP service area downstream of the SWSD California Aqueduct turnout than would have been delivered in the absence of the exchange. If there is not sufficient SWP or CVP water available to complete the exchange, the water will remain in storage in the SWSD groundwater bank.

Pursuant to Condition 5 of the 2014 CPOU Order, the exchange of up to 31,500 af of stored CVP water to SCVWD from the SWSD groundwater bank as described above is approved.

Also, Division staff noted a typographical error in the CPOU Order. Specifically, Condition 11 reads as follows:

“Within 90 days of the completion of the transfer; but no later than September 1, 2013, the Petitioners shall provide to the Deputy Director for Water Rights a report describing the transfer authorized by this Order. The report shall....”

The date should have read September 1, 2014. Please make note of the correct date for submittal of the required transfer report.

If you require further assistance, please contact Kate Gaffney at (916) 341-5360 or by email at [kathryn.gaffney@waterboards.ca.gov](mailto:kathryn.gaffney@waterboards.ca.gov). Written correspondence or inquiries should be addressed as follows: State Water Resources Control Board, Division of Water Rights, Attn: Kate Gaffney, P.O. Box 2000, Sacramento, CA, 95812-2000.

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