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## State Water Resources Control Board

### **NOTICE OF PETITION FOR TEMPORARY CHANGE INVOLVING THE TRANSFER OF UP TO 750 ACRE-FEET OF WATER FROM EL DORADO IRRIGATION DISTRICT TO VARIOUS CENTRAL VALLEY PROJECT AND STATE WATER PROJECT CONTRACTOR AGENCIES UNDER LICENSE 2184 (APPLICATION 1692)**

On June 14, 2024, El Dorado Irrigation District (EID), filed a Petition for Temporary Change with the State Water Resources Control Board (State Water Board) to transfer up to 750 acre-feet (af) of water pursuant to Water Code section 1725 et seq., under water right License 2184 (Application 1692). Temporary changes approved pursuant to Water Code section 1725 may be effective for up to one year.

#### **DESCRIPTION OF THE TRANSFER**

The transfer would involve up to 750 af of water previously stored in Weber Reservoir under License 2184. EID proposes to transfer the water from July through November 2024 to various Central Valley Project (CVP) and State Water Project (SWP) Contractor Agencies by re-operating Weber Reservoir to release water that would have remained in storage in 2024.

EID proposes to rely on CVP and SWP facilities to convey water. EID has stated that the proposed transfer will be in accordance with the guidelines contained in the Department of Water Resources' "Draft Technical Information for Preparing Water Transfer Proposals", published December 2019 and available at:

[Department of Water Resources Water Transfers website.](#)

#### **PROPOSED CHANGES**

EID requests the following temporary changes to its water right License 2184 (Application 1692).

1. Add the Banks Pumping Plant as a point of rediversion;
2. Add the Jones Pumping Plant as a point of rediversion;
3. Add San Luis Reservoir as a point of rediversion; and
4. Add a portion of the service areas of the CVP and SWP as additional places of use.

E. JOAQUIN ESQUIVEL, CHAIR | ERIC OPPENHEIMER, EXECUTIVE DIRECTOR

While not part of this Water Code 1725 petition, the EID transfer project also includes an additional amount through re-operation of EID's Silver Lake and Caples Lake under pre-1914 water rights, for a total transfer amount, inclusive of the Weber Reservoir re-operation, of 4,300 af of transfer water.

## **ENVIRONMENTAL CONSIDERATIONS**

Temporary changes petitioned pursuant to Water Code section 1725 are exempt from the requirements of the California Environmental Quality Act (CEQA). However, the State Water Board must consider potential impacts to other legal users of the water and to fish, wildlife, or other instream beneficial uses.

## **STATUTORY PROVISIONS**

Pursuant to Water Code sections 1725, et seq., the State Water Board is authorized to issue temporary change orders, allowing the transfer or exchange of water or water rights after completing an evaluation and finding that the proposed temporary changes:

1. Involves only water that would otherwise have been consumptively used or stored by permittee or licensee;
2. Would not injure any legal user of the water; and
3. Would not unreasonably affect fish, wildlife, or other instream beneficial uses.

Water Code section 1728, subdivision (e) states in part that when evaluating transfers, "...the board shall not deny, or place conditions on, a temporary change to avoid or mitigate impacts that are not caused by the temporary change..." Additionally, Water Code section 1728, subdivision (d) states in part that "...the board shall not modify any term or condition of the petitioner's permit or license, including those terms that protect other legal users of water, fish, wildlife, and other instream beneficial uses, except as necessary to carry out the temporary change..."

## **OPPORTUNITY FOR COMMENTS**

Pursuant to Water Code section 1726, subdivision (d), the State Water Board is providing notice of this petition and seeking information to assist in the evaluation of the proposed temporary changes. Comments should identify the application or license number being addressed. The comments must address one or more of the required findings described above; only comments related to effects caused by the temporary changes will be considered.

The petitioner has the burden of establishing that the proposed temporary change will not injure any legal user of the water, or unreasonably affect fish, wildlife, or other instream beneficial uses. If the State Water Board determines that the petitioner has established a prima facie case, the burden of proof then shifts to the party that has filed comments (Water Code section 1728). Since at this time the State Water Board has

not made a determination regarding whether the petition identified above presents a prima facie case, persons commenting on a petition should provide sufficient information to support claims of injury or effects on fish, wildlife, or other instream uses.

Pursuant to California Water Code section 1726 subdivision (f), any interested person may file a comment regarding the petition. **Comments filed in response to this notice must be received by the Division of Water Rights at [WaterRightPetitions@waterboards.ca.gov](mailto:WaterRightPetitions@waterboards.ca.gov) by 4:30pm on July 15, 2024. A copy of the comments should also be sent to the persons below.**

Send comments to both:

Arvin Chi  
Division of Water Rights  
P.O. Box 2000  
Sacramento, CA 95812  
[Arvin.Chi@waterboards.ca.gov](mailto:Arvin.Chi@waterboards.ca.gov)

El Dorado Irrigation District  
c/o Elizabeth Leeper  
2890 Mosquito Road  
Placerville, CA 95667  
[ELeeper@eid.org](mailto:ELeeper@eid.org)

Copies of the petition and related documentation, including maps, are available upon request. Please direct all requests and questions regarding this notice to Arvin Chi at [Arvin.Chi@waterboards.ca.gov](mailto:Arvin.Chi@waterboards.ca.gov).

Date of Notice: **June 14, 2024**