

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

DIVISION OF WATER RIGHTS

**IN THE MATTER OF LICENSE 11118 (APPLICATION 14804)
OF SOUTH SUTTER WATER DISTRICT**

**PETITION FOR TEMPORARY CHANGE INVOLVING THE TRANSFER OF UP TO
2,000 ACRE-FEET OF WATER TO WOODLAND-DAVIS CLEAN WATER AGENCY**

SOURCE: Bear River

COUNTIES: Placer and Yuba

ORDER APPROVING TEMPORARY CHANGES

BY THE DEPUTY DIRECTOR FOR WATER RIGHTS:

1.0 OVERVIEW

On August 18, 2026, the South Sutter Water District (SSWD or Petitioner) filed with the State Water Resources Control Board (State Water Board), Division of Water Rights (Division), a Petition for Temporary Change (2026 Petition) involving the transfer of water under water right License 11118 (Application 14804), pursuant to Water Code section 1725 et seq. Under the proposed transfer, up to 2,000 acre-feet (af) of water will be transferred to Woodland-Davis Clean Water Agency (WDCWA) from November 1, 2026 through March 31, 2027.

2.0 TRANSFER TYPE

The Petitioner proposes to make water available by releasing water that would otherwise be stored in Camp Far West Reservoir (Reservoir) under License 11118.

2.1 Reservoir Release

Under a reservoir release transfer, surface water supply is made available for transfer as a result of a petitioner releasing water held in storage that would otherwise remain in storage if the transfer were not to occur. The transfer proposed by SSWD involves

water currently stored in the Reservoir. Following the transfer, the Reservoir may have additional storage capacity that will result in diversions that would not occur in the absence of the transfer, referred to as a reservoir refill. Reservoir refill has the potential to injure other legal users of water if it occurs when the Delta is in balanced condition¹ or there is limited streamflow in the channel from which the water is being transferred. The Draft Technical Information for Preparing Water Transfer Proposals (Draft Technical Information), dated December 2019, prepared by the California Department of Water Resources (DWR) and the U.S. Bureau of Reclamation (Reclamation) describes data and criteria for ensuring that reservoir refill does not impact other users of water, including the Central Valley Project (CVP) and State Water Project (SWP). Section 4 of the Draft Technical Information and Appendix B outline the information used to develop refill criteria.

Refill criteria developed in conjunction with DWR and Reclamation can ensure that future refill of the reservoir space made available in the Reservoir from this transfer does not adversely impact other legal users of water.

3.0 PETITION FOR TEMPORARY CHANGE INVOLVING TRANSFER

3.1 Summary of SSWD's License 11118

License 11118 (Application 14804), which has a priority date of May 12, 1952, authorizes the diversion to storage in the Reservoir of up to 58,370 af of water per year from the Bear River between October 1 of each year to June 30 of the succeeding year. License 11118 also authorizes the direct diversion of up to 330 cubic feet per second (cfs) and rediversion from storage at the Camp Far West Diversion Dam (Diversion Dam) between May 1 and September 1 of each year. The Diversion Dam is located about one mile downstream of the Reservoir.

Water diverted under License 11118 is used for irrigation and domestic purposes within the authorized places of use, as well as incidental power generation. The authorized places of use under License 11118 are a net 59,000 acres within a gross area of 65,796 acres for domestic and irrigation uses within SSWD's service area, 4,180 acres for irrigation use within the Camp Far West Irrigation District (CFWID) (including 102 acres outside SSWD's boundaries and served under contract), and a power generation plant located on SSWD's conveyance canal.

¹ The Delta is in balanced conditions when the SWP and CVP agree that releases from upstream reservoirs, plus unregulated flow, approximately equal water supply needed to meet Sacramento Valley in-basin uses and Project exports. During balanced conditions in the Delta when water must be withdrawn from storage to meet Sacramento Valley and Delta requirements, 75 percent of the responsibility to withdraw from storage is borne by the CVP and 25 percent by the SWP.

In order to protect fish and wildlife resources in the Bear River downstream of the Diversion Dam, SSWD is required to bypass 25 cfs between April 1 and June 30 of each year and 10 cfs between July 1 of each year to March 31 of the succeeding year. SSWD's 2026 Petition states that the water intended for transfer is in addition to those required releases.

In 2000, SSWD and CFWD entered into the Bay-Delta Settlement Agreement (Agreement) with DWR to meet the Bear River watershed's responsibilities for Bay-Delta flow objectives. The Agreement provides that DWR may request SSWD to release up to 4,400 af of water from the Reservoir during July 1 through September 30 of each Dry Year and Critical Year². SSWD's 2026 Petition states that the water intended for transfer is in addition to releases that may be requested by DWR pursuant to the Agreement.

3.2 Description of the Proposed Temporary Changes

The proposed transfer includes the following temporary changes to SSWD's water right License 11118:

- 1) Add the WDCWA's Pumping Plant at the Sacramento River as an additional point of rediversion;
- 2) Add the WDCWA's service area as shown on maps filed with the Division under water right Permit 20281 (Application 30358) as an additional place of use; and
- 3) Add municipal and industrial as additional purposes of use.

3.3 Water Available for Transfer

SSWD will deliver previously stored surface water to WDCWA. The quantity of surface water proposed to be delivered by SSWD to WDCWA will be made available by releases of up to 2,000 af of water currently stored in the Reservoir. This transfer will involve the delivery of previously stored surface water to WDCWA, and the subsequent refill of the Reservoir, which normally occurs during periods of high runoff. Under the proposed transfer, releases of stored water would be increased compared to conditions in the absence of the proposed temporary transfer.

² "Dry Year" and "Critical Year" shall mean those years as defined on Page 18 of the State Water Board's *Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary (Plan)*, December 2018. This Plan supersedes the May 1995 Plan.

4.0 PUBLIC NOTICE AND COMMENTS ON THE PROPOSED TEMPORARY CHANGE

On August 21, 2026, public notice of the 2026 Petition was provided by posting on the Division's website and via the State Water Board's electronic subscription mailing list. The comment deadline was September 17, 2026. Timely comments on the proposed transfer were received from the California Department of Fish and Wildlife (CDFW), Reclamation, and DWR. Petitioner provided a response to the comments by email to the Division dated September 18, 2026. Petitioner stated the comments received from the three agencies were the same as those received for the 2025 transfer petition. Therefore, Petitioner suggested including conditions in this Order similar to those included in the October 13, 2025 Order to satisfy the comments received from all agencies.

4.1 Comments of CDFW

On August 24, 2026, CDFW commented on the proposed transfer. CDFW had concerns with the proposed transfer, consistent with those included in previous comment letters to SSWD's past transfers. CDFW referenced their comment letter dated September 5, 2024 for the 2026 Petition and provided the following comments:

- 1) CDFW indicated that the 2026 Petition lacks sufficient operational baseline information to establish the normal operating conditions, normal end-of-storage season storage, and typical release patterns required to support a reservoir release transfer determination.
- 2) Water transfer flows may have the potential to act as attraction flows for anadromous species and may have the potential to exacerbate flow fluctuations in the lower Bear River in a manner harmful to fish that are occupying the system. To reduce the likelihood of adversely affecting Bear River fisheries, CDFW requested that the transfer releases not exceed 15 cfs. Additionally, CDFW requested a review of the proposed transfer schedule within 15 days of the State Water Board's approval and notification when transfer releases begin and when they end, either due to the Reservoir winter spill or final cessation of the transfer releases in March.

Petitioner and State Water Board Response:

As indicated in the 2026 Petition, SSWD requested to facilitate the transfer of water to WDCWA through releases from the Reservoir. Additionally, DWR and Reclamation requested in their comment letter for this 2026 Petition that SSWD be subject to a refill agreement pursuant to this Order, which is necessary for reservoir release transfer proposals. Therefore, the State Water Board determines that SSWD's transfer meets the criteria for a reservoir release transfer. Section 2 of this Order includes detailed

information regarding the transfer type and reservoir reoperation.

SSWD indicated in a comment response dated September 18, 2026 that it agrees to the same conditions as the October 13, 2025 Order. Thus, the Order is conditioned to require SSWD to hold transfer releases at rate up to 15 cfs and to provide CDFW a proposed transfer release schedule within 15 days following the issuance of this Order. This Order further conditions SSWD to notify CDFW when transfer releases begin and end, either due to the Reservoir winter spill or final cessation of the transfer releases in March 2027.

4.2 Comments of Reclamation

On September 3, 2026, Reclamation commented on the proposed transfer. Reclamation stated that a refill agreement is necessary in order for the proposed temporary change to not have an adverse effect on the water rights or operations of the CVP. Reclamation requested that the Order approving the proposed transfer be subject to a refill agreement.

Petitioner and State Water Board Response:

As stated in Section 2.1 of this Order, refill criteria are needed to ensure that the refill of the Reservoir resulting from the proposed temporary change does not adversely impact operations and/or water rights of the SWP and CVP. In an email dated September 30, 2026, the Petitioner indicated that it transmitted a draft refill criteria agreement to Reclamation and DWR for their review on September 30, 2026. The transfer is conditioned that SSWD is subject to a refill criteria agreement with DWR and Reclamation ensuring that future refill of any storage space in the Reservoir created by the transfer will not reduce the amount of water that DWR, Reclamation, or other legal water users, could divert under their water rights. This Order requires SSWD to comply with the refill criteria.

4.3 Comments of DWR

By letter dated September 16, 2026, DWR commented on the proposed transfer. DWR requested that the Order approving the proposed transfer be subject to the following: 1) a refill agreement between SSWD, DWR, and Reclamation; 2) a condition that requires SSWD to provide DWR the following: the accounting methodology for this proposed transfer, monthly diversions through the Main Canal, deliveries to Camp Far West Irrigation District, any other releases from 2011 onward, and a description of how allocations to SSWD customers are established during years SSWD participates in transfers; and 3) SSWD to submit a complete transfer proposal using DWR's Water Transfers Information Management System (WTIMS) online database, and provide a copy of all the reports pursuant this Order and monthly refill accounting reports after the completion of the transfer.

Petitioner and State Water Board Response:

See State Water Board's response in Section 4.2 of this Order regarding a refill agreement. SSWD indicated in a comment response dated September 18, 2026 that it agrees to the same conditions as the October 13, 2025 Order. Thus, this Order is conditioned to require SSWD to enter the applicable transfer information into WTIMS, given the important role of WTIMS in compiling information related to temporary transfers. Additionally, this Order is conditioned to require SSWD to provide an updated accounting memorandum for this proposed transfer.

5.0 COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Water Code section 1729 exempts temporary changes involving a transfer of water from the requirements of CEQA. (Pub. Resources Code, § 21000 et seq.) The State Water Board will file a Notice of Exemption.

6.0 CRITERIA FOR APPROVING THE PROPOSED TEMPORARY CHANGES

Pursuant to Water Code section 1725, "a permittee or licensee may temporarily change the point of diversion, place of use, or purpose of use due to a transfer or exchange of water or water rights if the transfer would involve only the amount of water that would have been consumptively used or stored by the permittee or licensee in the absence of the proposed temporary change, would not injure any legal user of the water, and would not unreasonably affect fish, wildlife, or other instream beneficial uses." (Wat. Code, §§ 1725 and 1725.5.)

The State Water Board shall approve a temporary change involving the transfer of water under Water Code section 1725 et seq., if it determines that a preponderance of the evidence shows both of the following:

- a. The proposed change would not injure any legal user of water, during any potential hydrologic condition that the State Water Board determines is likely to occur during the proposed change, through significant changes in water quantity, water quality, timing of diversion or use, consumptive use of water, or return flows.
- b. The proposed change would not unreasonably affect fish, wildlife, or other instream beneficial uses.

(Wat. Code, § 1728, subd. (b).)

In addition, the proposed change must involve only the amount of water that would have been consumptively used or stored in the absence of the temporary change. (Wat. Code, § 1726, subd. (e).)

Temporary changes pursuant to Water Code section 1725 may be effective for a period of up to one year from the date of approval. (Wat. Code, § 1725.5) “The one-year period does not include any time required for monitoring, reporting, or mitigation before or after the temporary change is carried out.” (*Ibid.*)

The State Water Board also has an independent obligation to consider the effect of the proposed project on public trust resources and to protect those resources where feasible. (*National Audubon Society v. Superior Court* (1983) 33 Cal.3d 419.) The State Water Board considers the evaluation of public trust resources as part of its evaluation of impacts to fish, wildlife, or other instream beneficial uses under Water Code section 1728, subdivision (b)(2).

7.0 REQUIRED FINDINGS OF FACT

7.1 Availability of Water for Transfer

Before approving a temporary change due to a transfer or exchange of water pursuant to Chapter 10.5 of part 2 of Division 2 of the Water Code, the State Water Board must find that the transfer would only involve the amount of water that would have been consumptively used or stored by the permittee or licensee in the absence of the proposed temporary change or conserved pursuant to Section 1011. (Wat. Code, §§ 1725, 1725.5, 1726.) Water Code section 1725.5 defines “consumptively used” to mean “the amount of water which has been consumed through use by evapotranspiration, has percolated underground, or has been otherwise removed from use in the downstream water supply as a result of direct diversion.” The water proposed for transfer is currently stored in the Reservoir pursuant to the terms of License 11118. As of October 4, 2026, the Reservoir held approximately 15,703 af of water in storage. SSWD indicated the transfer water would have been consumptively used within SSWD’s service area in the absence of the proposed transfer.

Under License 11118, SSWD can both directly divert and collect water to storage. SSWD would not provide water by direct diversion under License 11118 to WDCWA; this transfer includes a condition requiring only delivery of stored water to WDCWA.

In light of the above, and in accordance with Water Code section 1726, subdivision (e), the State Water Board finds that up to 2,000 af of water proposed for transfer pursuant to this Order would be consumptively used or lawfully stored in the Reservoir in the absence of the proposed temporary change.

7.2 No Injury to Other Legal Users of the Water

Before approving a temporary change due to a transfer or exchange of water pursuant to Article 1 of Chapter 10.5 of Part 2 of Division 2 of the Water Code, the State Water Board must find that the transfer would not injure any legal user of the water during any potential hydrologic condition that the Board determines is likely to occur during the proposed change, through significant changes in water quantity, water quality, timing of diversion or use, consumptive use of the water, or reduction in return flows. (Wat. Code §1728, subd. (b)(1).)

This Order requires SSWD to comply with refill criteria to ensure that future refill of the reservoir space made available in the Reservoir from this transfer does not adversely impact the SWP or CVP. SSWD has indicated it has sufficient supply to continue the same surface water deliveries to its existing customers with or without the proposed temporary water transfer. In addition, SSWD is required to release water to meet other existing downstream commitments and requirements on the Bear River; this approval does not change those obligations. Therefore, there will be no downstream change of the streamflow, water quality, timing of diversion, return flows, effects on legal users of water, or change in the purposes of use authorized by License 11118 during the period of the proposed temporary transfer.

In light of the above, and in accordance with Water Code section 1728, subdivision (b)(1), the State Water Board finds that the proposed temporary changes would not injure any legal user of the water during any potential hydrologic condition that the State Water Board determines is likely to occur during the proposed change, through significant changes in water quantity, water quality, timing of diversion and use, consumptive use of the water, or reduction in return flows, or otherwise unreasonably affect a legal user of water.

7.3 No Unreasonable Effect on Fish, Wildlife, or Other Instream Beneficial Uses

Before approving a temporary change due to a transfer or exchange of water, the State Water Board must find that the proposed change would not unreasonably affect fish, wildlife, or other instream beneficial uses (Wat. Code, § 1728, subd. (b)(2).). The Petitioner provided CDFW and the Central Valley Regional Water Quality Control Board (Central Valley Water Board) with a copy of the 2026 Petition in accordance with California Code of Regulations, title 23, section 794, subdivision (c). CDFW provided comments regarding the transfer as described in Section 4.1 of this Order. Condition 11 has been included in this Order to address CDFW's comments and reduce any potential adverse impacts to the fish and wildlife in the Bear River system. The Central Valley Water Board did not provide any comments to the State Water Board regarding potential effects of the proposed changes on water quality, fish, wildlife, and other instream beneficial uses.

In general, North of Delta transfers result in an incremental increase in instream flows between the Petitioner's point of diversion and the location where the water is removed from the stream system. The increase in flows is not anticipated to be harmful to instream resources, provided that the transfer water does not cause instream temperatures to increase to harmful levels and also does not result in false fish attraction flows to streams not suited for fish rearing. No information is available that suggests the transfer flows as conditioned in this Order will contribute to false fish attraction flows or significantly change stream temperatures or water quality. The transfer will also be subject to all applicable federal and State Endangered Species Act requirements, including applicable biological opinions, Incidental Take Permits, court orders, and any other conditions imposed by other regulatory agencies.

In light of the above, and in accordance with Water Code section 1728, subdivision (b)(2), the State Water Board finds that, as conditioned, the proposed transfer will not unreasonably affect fish, wildlife, or other instream beneficial uses.

8.0 STATE WATER BOARD'S DELEGATION OF AUTHORITY

On June 5, 2012, the State Water Board adopted Resolution 2012-0029, delegating to the Deputy Director for Water Rights the authority to act on petitions for temporary change if the State Water Board does not hold a hearing. This Order is adopted pursuant to the delegation of authority in Section 4.4.2 of Resolution 2012-0029 and the Deputy Director for Water Rights redelegation of authority dated April 20, 2023.

9.0 CONCLUSIONS

The State Water Board has adequate information in its files to make the evaluation required by Water Code section 1725 et seq.

The State Water Board concludes that, based on the available information:

1. The proposed transfer involves only an amount of water that would have been consumptively used or stored in the absence of the temporary change.
2. The proposed temporary change will neither injure, nor unreasonably affect, any legal user of water, including during any potential hydrologic condition that the Board determines is likely to occur during the proposed change, through significant changes in water quantity, water quality, timing of diversion or use, consumptive use of water, or return flows.

3. The proposed temporary change will not have an unreasonable effect upon fish, wildlife, or other instream beneficial uses.

ORDER

NOW, THEREFORE, IT IS ORDERED that the petition filed by the South Sutter Water District (SSWD) for temporary change for the transfer of up to 2,000 acre-feet (af) of water under License 11118 is approved.

All existing terms and conditions of License 11118 remain in effect, except as temporarily amended by the following provisions:

1. The transfer is limited to the period commencing on the date of this Order to one year from the date of this Order. Reservoir releases will be limited to the date commencing on November 1, 2026 through March 31, 2027.
2. Only water previously stored in Camp Far West Reservoir (Reservoir) may be transferred. Water shall not be provided to Woodland-Davis Clean Water Agency (WDCWA) by direct diversion.
3. The following point of redirection is temporarily added to License 11118. The water diverted at these facilities is limited to the quantities made available as transfer water, as specified above:

WDCWA Pumping Plant:

California Coordinate System of 1983, Zone 2, North 2,008,200 feet and East 6,667,300 feet, being within Northeast quarter of Northwest quarter of projected Section 34, Township 10 North, Range 3 East, Mount Diablo Base and Meridian.

4. The place of use under License 11118 is temporarily amended to include the WDCWA service area as shown on maps filed with the Division of Water Rights under water right Application 30358.
5. Municipal and industrial are temporarily added as purposes of use.
6. During the period of the transfer, SSWD shall comply with applicable terms and conditions imposed by other regulatory agencies. This Order shall not be construed as authorizing the violation of any agreement entered into by SSWD.
7. Water may not be transferred until SSWD has executed a Refill Agreement between the Department of Water Resources (DWR), U.S. Bureau of Reclamation (Reclamation), and SSWD to address potential refill concerns in the

Reservoir. Documentation of the Refill Agreement shall be submitted to the Deputy Director for Water Rights (Deputy Director) within 15 days of the date of execution of the agreement. The documentation shall include as an attachment all information identified by Section 4 and Appendix B of the 2019 Draft Technical Information for Preparing Water Transfer Proposals³ (Water Transfer White Paper) for the development of the agreement. The terms of the Refill Agreement shall be binding until such time as all the storage vacated for the transfer has been refilled during periods consistent with the terms of the Refill Agreement. The refill period may span multiple years if the hydrologic conditions in the year following the transfer are not consistent with the terms of the Refill Agreement. SSWD may be required to relinquish for downstream release any reservoir storage collected in violation of the Refill Agreement (up to the transfer quantity), in accordance with a schedule acceptable to DWR and Reclamation.

8. Within 90 days of completion of the transfer, SSWD shall provide to the Deputy Director a report describing the transfer authorized by this Order. The report shall include the following information:
 - a. The general location of where the water was delivered, and the acreage and/or population served by water delivered to WDCWA;
 - b. The average daily release rates and corresponding volume of water released from the Reservoir as a result of this transfer (reported on a daily basis);
 - c. For each day of the transfer, the daily average rate of water re-diverted at the WDCWA Pumping Plant; and
 - d. The daily amounts of water delivered to WDCWA pursuant to this Order.
9. SSWD must submit an updated accounting methodology that was provided in a memorandum, developed pursuant to Condition 9 of the October 13, 2025 Order approving SSWD's temporary transfer, within 60 days of the date of this Order. The updated methodology shall include data of monthly volumes of diversions through the Main Canal, deliveries to Camp Far West Irrigation District, and any other releases from the Reservoir from 2011 to 2026, as well as a description of how allocations to SSWD customers are established during years SSWD participates in transfers.

³ DRAFT Technical Information for Preparing Water Transfer Proposals
https://water.ca.gov/-/media/DWR-Website/Web-Pages/Programs/State-Water-Project/Management/Water-Transfers/Files/Draft_2019WTWhitePaper-012324.pdf

If the Deputy Director finds the methodology deficient for demonstrating additional flows in the Bear River for the transfer and those deficiencies are not remediated within a timeframe established by the Deputy Director, SSWD must cease transfer activities pursuant to this Order. If the approved methodology shows that the amounts proposed for the transfer are not being made available in the Bear River downstream of SSWD, the Deputy Director may order additional releases or bypasses of flow from the Reservoir and Camp Far West Diversion Dam during the transfer period, up to the amount of the approved transfer and consistent with an accounting methodology established by the Deputy Director.

10. SSWD shall provide a report to the Deputy Director by May 1, 2027, describing its refill of the transferred amount of water pursuant to this Order. For periods of refill or refill impacts, including any releases made by SSWD to address a refill impact. The report shall include the daily values for these periods and shall be referred to as the "2026-2027 water transfer report," and be included in the SSWD's annual Report of Licensee as an attachment. If reservoir refill or releases for refill impacts are not complete by May 1, 2027, subsequent reports shall be attached to SSWD's annual Report of Licensee and be submitted by February 1 of each year until completion of refill. The 2026-2027 water transfer report shall include a discussion of any measures and/or methods taken to ensure that releases made to satisfy and be consistent with the refill criteria pursuant to Condition 7 were conducted in a manner that did not injure any legal user of water and did not unreasonably affect fish, wildlife, or other instream beneficial uses.
11. Reservoir releases pursuant to this transfer shall not exceed 15 cubic feet per second. SSWD shall provide a proposed transfer schedule to the California Department of Fish and Wildlife (CDFW) for review within 15 days following the issuance of this Order. Additionally, SSWD shall notify CDFW when transfer releases begin and end, either due to the Reservoir winter spill or final cessation of the transfer releases in March 2027. SSWD shall provide confirmation to the Deputy Director (email confirmation is acceptable) that this condition has been complied with, within 15 days of completion of transfer.
12. SSWD shall utilize DWR's Water Transfers Information Management System (WTIMS) to document this transfer by entering the data identified by WTIMS for reservoir re-operation transfers applicable to the transfer approved by this Order. Additionally, SSWD shall transmit to DWR copies of all required reports submitted to the Deputy Director pursuant to this Order.
13. Pursuant to Water Code sections 100 and 275 and the common law public trust doctrine, all rights and privileges under this transfer and temporary change Order, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Board in

accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water. The continuing authority of the State Water Board also may be exercised by imposing specific requirements over and above those contained in this Order to minimize waste of water and to meet reasonable water requirements without unreasonable draft on the source.

14. This Order does not authorize any act which results in the taking of a candidate, threatened or endangered species or any act which is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish & G. Code, § 2050 et seq.) or the federal Endangered Species Act (16 U.S.C. § 1531 et seq.). If a “take” will result from any act authorized under this Order, right holder shall obtain any authorization for an incidental take prior to commencing the transfer of water. Right holder shall be responsible for meeting all requirements of the applicable Endangered Species Act for the temporary transfer authorized under this Order.
15. The State Water Board reserves jurisdiction to supervise the transfer, exchange, and use of water under this Order, and to coordinate or modify terms and conditions, for the protection of vested rights, fish, wildlife, instream beneficial uses, and the public interest as future conditions or new information may warrant.

STATE WATER RESOURCES CONTROL BOARD

ORIGINAL SIGNED BY:
ROBERTO CERVANTES, FOR

Juliet Christian-Smith, Deputy Director
Division of Water Rights

Dated: October 12, 2026