

Memorandum

Date: February 10, 2010

To: Ms. Victoria Whitney, Chief
Division of Water Rights
State Water Resources Control Board
Post Office Box 2000
Sacramento, California 95812-2000

From: Department of Water Resources

Subject: Petition for Temporary Change to allow 2010 Transfer of up to 10,000 acre-feet from Tulare Lake Basin Water Storage District and Empire West Side Irrigation District to Westlands Water District

This is to transmit the attached Petition for temporary change to allow the transfer of 10,000 acre-feet of State Water Project water from the Tulare Lake Basin Water Storage District and Empire West Side Irrigation District to Westlands Water District (WWD) in the U.S. Department of the Interior's Bureau of Reclamation's service area.

Also included are (1) a check for the \$4,997 fee to the State Water Resources Control Board, (2) a check for \$850 to the Department of Fish and Game, and (3) maps showing the areas of the proposed change and the depth to shallow groundwater within WWD.

If you have any questions or need additional information, please contact Maureen Sergent of my staff at (916) 653-9467.



Robert B. Cooke, Chief
State Water Project Analysis Office
(916) 653-4313

Attachments

cc: (Attached list)

Mr. Terry Erlewine, General Manager
State Water Contractors
1121 L Street, Suite 1050
Sacramento, California 95814

Mr. Mark Gilkey, Manager
Tulare Lake Basin Water Storage District
1109 S. Whitley
Corcoran, California 93212

Mr. Tom Birmingham, General Manager
Westlands Water District
Post Office Box 6056
Fresno, California 93703

Mr. Ray Sahlberg
U.S. Department of the Interior
Bureau of Reclamation
2800 Cottage Way
Sacramento, California 95825

Mr. Anthony Toto
Central Valley Regional Water
Quality Control Board
1685 E Street
Fresno, California 93706-2007

Ms. Julie Means
California Department of
Fish and Game, Region 4
1234 East Shaw
Fresno, California 93710

Mr. Brian Erlandsen
California Department of
Fish and Game, Region 4
1234 East Shaw
Fresno, California 93710

U.S. Fish and Wildlife Service
Habitat Conservation
2800 Cottage Way, Room W-2605
Sacramento, California 95825-1846

Fresno County Board of Supervisors
2281 Tulare-Hall of Records, Room 301
Fresno, California 93721-2198

Kings County Board of Supervisors
1400 West Lacey Boulevard
Hanford, California 93230

Tulare County Board of Supervisors
2800 West Burrel
Visalia, California 93291

Mr. John Howe, President
Empire West Side Irrigation District
Post Office Box 66
Stratford, California 93232

**PETITION FOR TEMPORARY TRANSFER
OF WATER/WATER RIGHTS**

(Water Code 1725)

Point of Diversion Point of Rediversion Place of Use Purpose of Use

Application No(s) 17512 Permit No. 16482 License No. _____

Statement or Other No. _____

Present Holder and User of Water Right

<u>Department of Water Resources</u>	<u>Nancy Quan, Program Dev and Transfers</u>	<u>(916) 653-0190</u>	
Person or Company name	Contact person	Telephone No.	
<u>Post Office Box 942836</u>	<u>Sacramento</u>	<u>California</u>	<u>94236-0001</u>
Address	City	State	Zip Code
<u>nquan@water.ca.gov</u>			
E-MAIL (For noticing purposes)			

Co-petitioner

<u>Tulare Lake Basin Water Storage District</u>	<u>Mark Gilkey, General Manager</u>	<u>(559) 992-4127</u>	
Person or Company name	Contact person	Telephone No.	
<u>1001 Chase Avenue</u>	<u>Corcoran</u>	<u>California</u>	<u>93212</u>
Address	City	State	Zip Code
<u>mgilkey@tlbwsd.com</u>			
E-MAIL (For noticing purposes)			

Co-petitioner

<u>Empire West Side Irrigation District</u>	<u>Mr. John Howe, President</u>	<u>(559) 947-3027</u>	
Person or Company name	Contact person	Telephone No.	
<u>Post Office Box 66</u>	<u>Stratford</u>	<u>California</u>	<u>93232</u>
Address	City	State	Zip Code
<u>jnhowe@att.net</u>			
E-MAIL (For noticing purposes)			

Proposed New User

<u>Westlands Water District</u>	<u>Tom Birmingham, General Manager</u>	<u>(559) 241-6241</u>	
Person or Company name	Contact person	Telephone No.	
<u>P. O. Box 6056</u>	<u>Fresno</u>	<u>California</u>	<u>93703</u>
Address	City	State	Zip Code
<u>tbirmingham@westlandswater.org</u>			
E-MAIL (For noticing purposes)			

I (We) hereby petition the State Water Resources Control Board (State Water Board) under the provisions of Water Code (WC) section 1725 et seq. and in conformance with the specific requirements of California Code of Regulations (CCR) section 794 for temporary change(s) to the water right application(s) noted above for the purpose of transferring water. The changes are **shown on the accompanying map and described as follows** (attach additional pages, as needed):

4997-
530
DPG-
2/16/2010
PPP.

Amount of Water to be Transferred up to 10,000 Acre-feet (AF). 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 (cfs).

Period of Transfer/Exchange (Not to exceed one year) May 2010 through April 2011

Point of Diversion or Rediversion (Give coordinate distances from section corner or other ties as allowed by CCR section 715, and the 40-acre subdivision in which the present & proposed points lie.

Present Harvey O. Banks Pumping Plant NW ¼ of SE ¼ of Projected Section 20, T1S, R3E, MDB&M;
Rediversion at San Luis Dam SW¼ of SE¼ of projected Section 15, T10S, R8E, MDB&M.
Proposed No Change

Place of Use

Present SWP authorized Place of use within the Tulare Lake Basin Water Storage District and Empire West Side Irrigation District service Areas as shown on the attached maps
Proposed Westlands Water District as shown on the attached maps

Purpose of Use

Present Irrigation
Proposed Irrigation

Season of Use	Direct Use (cfs)	Storage (ac-ft)
Present <u>May 2010– December 2011</u>		<u>Up to 10,000 af</u>
Proposed <u>May 2010 – April 2011</u>		<u>Up to 10,000 af</u>

The proposed transfer/exchange water is presently used or stored within the county/counties of:
Kings and Tulare

The proposed transfer/exchange water will be placed to beneficial use within the following county/counties:
Fresno

The water covered by this petition, up to 10,000 AF of State Water Project (SWP) water, is currently allocated to Tulare Lake Basin Water Storage District (TLBWSD) and Empire West Side Irrigation District (EWSID). Two farming interests in TLBWSD, Newton Farms and Hansen Ranches/Vista Verde Farms, and up to 2,000 AF of EWSID SWP Table A water currently allocated to two farming interests in EWSID, Newton and Brooks Farms (Brooks) will deliver the SWP water to lands owned by the same farming interests in Westlands Water District (WWD) as shown on the attached maps.

- 1a. Would the transfer/exchange water have been consumptively used or stored in the absence of the proposed temporary change (See WC 1725)? Yes
(yes/no)
- 1b. Provide an analysis which provides documentation that the amount of water to be transferred/exchanged would have been consumptively used or stored in the absence of the proposed temporary change.

Newton Farms, Hansen Ranches/Vista Verde Farms and Brooks Farms own and irrigate land within TLBWSD, EWSID and WWD. With an initial SWP allocation of 5 percent of the Long-Term SWP water supply contract Table A amounts, demands within TLBWSD and EWSID exceed current SWP allocations. In light of recent precipitation, Table A allocations are anticipated to increase, but are not expected to increase sufficiently to exceed the existing demand within TLBWSD and EWSID. The lands farmed by these landowners in TLBWSD and EWSID are in agricultural production, consisting of open land that has historically been planted with annual field crops such as cotton, small grains, safflower, and alfalfa. In the absence of the proposed temporary change, TLBWSD and EWSID's SWP Table A water will be used for irrigation on Hansen Ranches/Vista Verde Farms, Newton Farms lands and Brooks Farms in TLBWSD and EWSID. If SWP water is transferred, alternate local sources of surface water will be used to farm

landholders' lands, depending on availability. Newton Farms, Hansen Ranches/Vista Verde Farms and Brooks Farms may also elect to crop shift on portions of the lands. No additional groundwater will be pumped as a result of the transfer/exchange.

CVP allocations are currently estimated at 0 to 10% percent of contract amounts. Even if water supply conditions improve significantly in the coming months, CVP allocations are not expected to exceed a 55% allocation, due to the Delta export restrictions imposed on the CVP and SWP by the current regulatory restrictions. Thus there will also likely be a significant unmet demand in WWD during the 2010 irrigation season. The first official 2010 CVP water allocation announcement is planned for February 26, 2010. The lands owned by these landowners in WWD are in agricultural production, consisting of open land that has historically been planted with annual field crops such as alfalfa, cotton tomatoes and wheat, and permanent plantings of almonds and pistachios. The conversion of field crops to high dollar permanent plantings requires a more reliable water supply. In the absence of surface water, growers would likely pump groundwater to keep the trees from reaching their permanent wilting point. The water resulting from this transfer will be used to supplement supplies and to reduce the need for groundwater pumping.

- 2a. If the point of diversion/diversion is being changed, are there any person(s) taking water from the stream between the present point of diversion/diversion and the proposed point? N/A
(yes/no)
- 2b. Are there any persons taking water from the stream between the present point of diversion or return flow and the proposed point of diversion or return flow? No
(yes/no)
- 2c. If the answer to 2a. or 2b. is yes, provide the name and address. Also provide the name and address of other persons known to you who may be affected by the proposed change.

- 3a. Provide an analysis of any changes in streamflow, water quality, timing of diversion or use, return flows, or effects on legal users resulting from the proposed transfer/exchange.

The water proposed to be transferred will be delivered out of TLBWSD and EWSID's allocated Table A water. The water is currently in storage in San Luis Reservoir or will be diverted throughout 2010 under the currently planned operations of the SWP. No additional water will be diverted from the Sacramento-San Joaquin Delta to affect the proposed transfer. Therefore there will be no change in streamflow or hydrologic regime, or effect on any other legal user of water. Although the total amount of water used will not change, the delivery rates from San Luis Reservoir may be slightly different. The scheduling of the deliveries will be coordinated between DWR and USBR 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 this transfer.

There will be no change in return flows as a result of the proposed transfer. In general, land in WWD has complete tailwater control within each field. Water planned for transfer to WWD will be delivered to 3,461 acres (Hansen) and 1,319 acres (Brooks) in the western half WWD and 875 acres (Newton) in the southern half WWD. Lands within WWD area having selenium and other drainage problems are in the low lying areas in the northern quarter of the District. However, all lands that will receive the transferred water are located west of the California Aqueduct (except portions of Sections 10, 15, and 16, T19S, R18E) and no further north or west than T16S, R14E.

**Summary of Water Available to Lands in WWD
Receiving Water From Transfer**

Hansen/Vista Verde Farms 3,461 Acres
 Maximum CVP Allotment 8,999 AF
 Maximum SWP Allotment 6,000 AF

AF/Acre at Various Allocations

CVP Allocation	SWP Allocation						
	0%	10%	20%	30%	40%	50%	60%
0%	0.0	0.2	0.3	0.5	0.7	0.9	1.0
10%	0.3	0.4	0.6	0.8	1.0	1.1	1.3
20%	0.5	0.7	0.9	1.0	1.2	1.4	1.6
30%	0.8	1.0	1.1	1.3	1.5	1.6	1.8
40%	1.0	1.2	1.4	1.6	1.7	1.9	2.1
50%	1.3	1.5	1.6	1.8	2.0	2.2	2.3
60%	1.6	1.7	1.9	2.1	2.3	2.4	2.6

Newton Farms 875 Acres
 Maximum CVP Allotment 2,275 AF
 Maximum SWP Allotment, TLBWSID 2,000 AF
 Maximum SWP Allotment, EWSID 1,000 AF

AF/Acre at Various Allocations

CVP Allocation	SWP Allocation						
	0%	10%	20%	30%	40%	50%	60%
0%	0.0	0.3	0.7	1.0	1.4	1.7	2.1
10%	0.3	0.6	0.9	1.3	1.6	2.0	2.3
20%	0.5	0.9	1.2	1.5	1.9	2.2	2.6
30%	0.8	1.1	1.5	1.8	2.2	2.5	2.8
40%	1.0	1.4	1.7	2.1	2.4	2.8	3.1
50%	1.3	1.6	2.0	2.3	2.7	3.0	3.4
60%	1.6	1.9	2.2	2.6	2.9	3.3	3.6

Brooks Farms 1,319 Acres
 Maximum CVP Allotment 3,429 AF
 Maximum SWP Allotment 1,000 AF

AF/Acre at Various Allocations

CVP Allocation	SWP Allocation						
	0%	10%	20%	30%	40%	50%	60%
0%	0.0	0.1	0.2	0.2	0.3	0.4	0.5
10%	0.3	0.3	0.4	0.5	0.6	0.6	0.7
20%	0.5	0.6	0.7	0.7	0.8	0.9	1.0
30%	0.8	0.9	0.9	1.0	1.1	1.2	1.2
40%	1.0	1.1	1.2	1.3	1.3	1.4	1.5
50%	1.3	1.4	1.5	1.5	1.6	1.7	1.8
60%	1.6	1.6	1.7	1.8	1.9	1.9	2.0

Water delivered to WWD under the proposed transfer will be used for irrigation in 2010 and pre-irrigation prior to the end of April 2011. The water obtained through the transfer will reduce the need for supplemental groundwater pumping.

WWD has acquired and retired the water supply from about 94,000 acres within the eastern third of the District known to be susceptible to shallow groundwater conditions. Most of the retired land is situated in an area that would be most likely to contribute to subsurface return flows back to the San Joaquin River (refer to the attached WWD map Generalized Depth of Shallow Groundwater, April 2009 for locations of those retired lands with monitoring wells, and representative hydrographs). Continued irrigation of upslope (more westerly) lands has not been shown to be contributing water to the San Joaquin River through subsurface return flows, as the WWD shallow groundwater monitoring program has identified that the shallow water table has steadily declined since the WWD acquisitions.

All lands have depths to groundwater of greater than 15 feet of the ground surface as identified on the attached WWD map Generalized Depth of Shallow Groundwater, October 2009. Total quantities of water delivered to the drainage problem area will not be affected by this transfer. Lands to receive increased water deliveries due to this transfer have not been shown to have drainage or selenium problems. None of WWD's drainage is discharged to the San Joaquin River system. In addition, WWD has an aggressive program to deal with water conservation and drainage reduction in their district.

4. Consult with staff of the applicable Regional Water Quality Control Board concerning the proposed temporary change. State the name and phone number of person(s) contacted. Summarize their opinion concerning compliance with CCR 794(b) and any Regional Board requirements. _____
Anthony Toto (559) 445-6278; FAX (559) 445-5910 who provided the following comments.
We have reviewed the Draft Petition for Temporary Change of Place of Use for State Water Project water from Tulare Lake Water Storage District, Empire West Side Irrigation District and Westlands Water District (WWD) emailed on 2/2/10. The petition proposes transfer of up to 10,000 acre-feet from TLBWSD and EWSID to WWD, to help maintain existing water deliveries. Water supply to WWD has been severely reduced and the transfer of 10,000 acre-feet should not provide supplies in surplus of crop demand. The proposed change should result in minimal increases in water elevation at the point of application, and no measurable change in groundwater quality provided best management practices are followed.
- 5a. Consult with the California Department of Fish and Game pursuant to CCR 794(b) concerning the proposed temporary change. State the name and phone number of the person(s) contacted and their opinion concerning the potential effect(s) of the proposed temporary change on fish, wildlife, or other instream beneficial uses, and state any measures recommended for mitigation. _____
Julie Means (559) 243-4014, jmeans@dfg.ca.gov; Brian Erlandsen, berlandsen@dfg.ca.gov
- 5b. Does the proposed use serve to preserve or enhance wetlands habitat, fish and wildlife resources, or recreation in or on the water (See WC 1707) ? No
(yes/no)
- 5c. Provide an analysis of potential effect(s) on fish, wildlife, or other instream beneficial uses which may arise from the proposed change.

The transfer will not effect fish, wildlife or other instream beneficial uses. The transfer will not result in an increase in diversions from the Sacramento-San Joaquin Delta or an increase in return flows to the San Joaquin River. The water to be transferred is water currently allocated to TLBWSD and EWSID for use within its service area. In the absence of the transfer, the water would be used within TLBWSD and EWSID. The water to be transferred is stored in San Luis Reservoir and/or approved for delivery to TLBWSD and EWSID in accordance with the terms of DWR's permits.

5d. State reasons you believe the proposed temporary change will not unreasonably affect fish, wildlife, or other instream beneficial uses, see Water Code Section 1727 (b)(2).

The transfer will not unreasonably affect fish, wildlife or other instream beneficial uses. The quantity of water associated with this transfer was or will be diverted at the Banks Pumping Plant and rediverted to storage in San Luis Reservoir in conformance with the criteria contained in SWRCB Decision 1641 and the criteria mandated under the Biological Opinions for protection of Delta smelt, and anadromous fishes and marine mammal species.

6a. Does any agency involved in the proposed transfer/exchange rely upon section 382 of the Water Code to allow the delivery of water outside of the agency's service area? No?
(yes/no)

6b. If yes, provide an analysis of the effect of the proposed transfer/ exchange on the overall economy of the area from which the water is being transferred. _____

A TRANSFER/EXCHANGE UNDER WATER CODE SECTION 1725 INVOLVES ONLY THE AMOUNT OF WATER WHICH WOULD HAVE BEEN CONSUMPTIVELY USED OR STORED IN THE ABSENCE OF THE PROPOSED TEMPORARY CHANGE. A CHANGE WILL BE EFFECTIVE FOR A PERIOD OF ONE YEAR OR LESS, BEGINNING ON THE APPROVAL OF THIS PETITION OR ON SUCH DATE OTHERWISE SPECIFIED BY THE STATE WATER BOARD ORDER. FOLLOWING EXPIRATION OF THIS TEMPORARY CHANGE, ALL RIGHTS AUTOMATICALLY REVERT TO THE PRESENT HOLDER BY OPERATION OF LAW.

I (we) declare under penalty of perjury that the above is true and correct to the best of my (our) knowledge and belief.

Dated: Feb 10, 2010 at Sacramento, California

Nancy Duma
Signature(s)

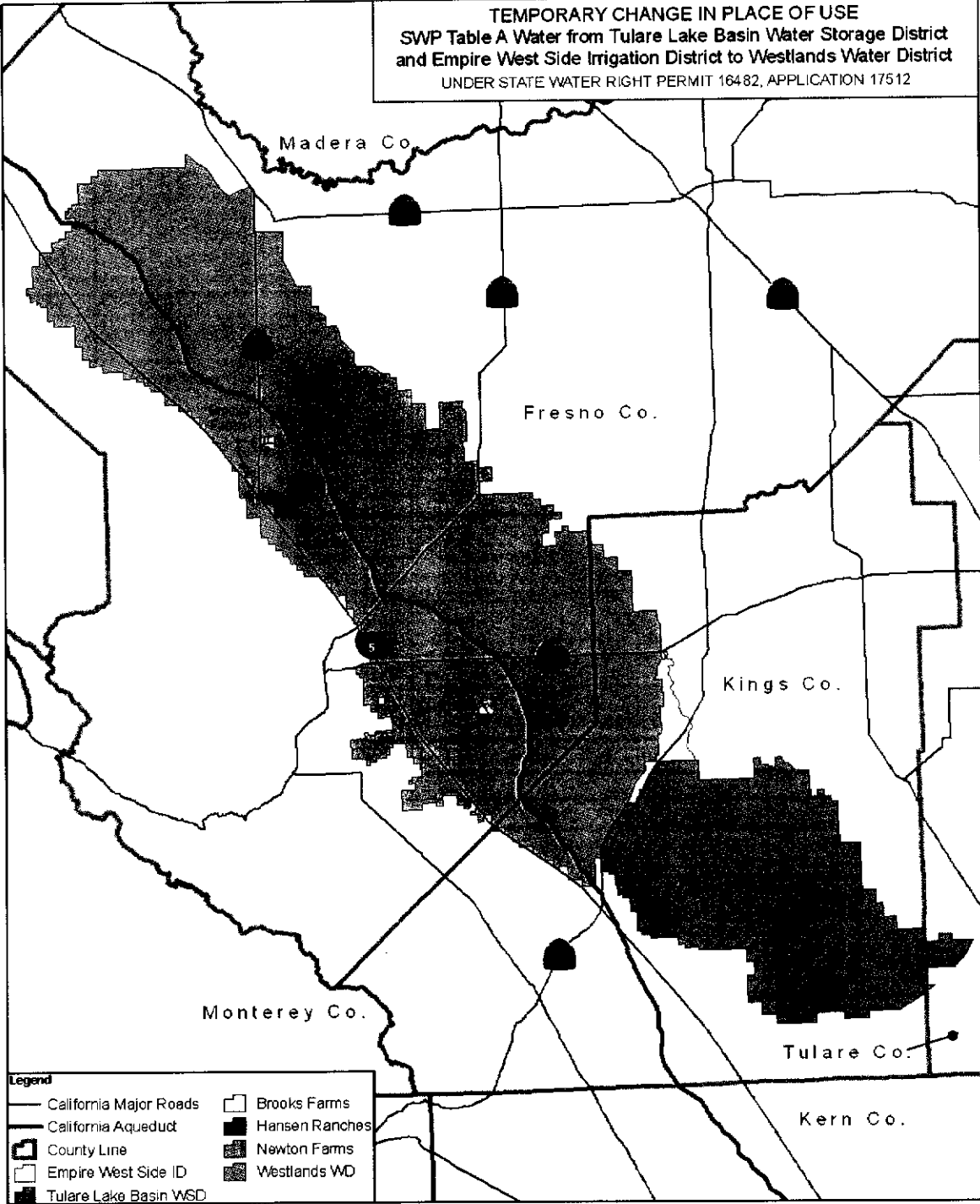
(916) 653-0190
Telephone No.

NOTE: This petition shall be accompanied by all information required by this form and W.C. Section 1725 et. seq, and the fees before the State Water Board will consider acceptance of the petition requesting a temporary change to facilitate a transfer/exchange.

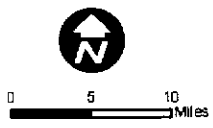
Proof of Service: Compliance with W.C. section 1726(c) shall be met by the filing of copies of the proof of service to the Department of Fish and Game and to the board of supervisors of the counties where the water is currently used and the counties to which water is proposed to be transferred.

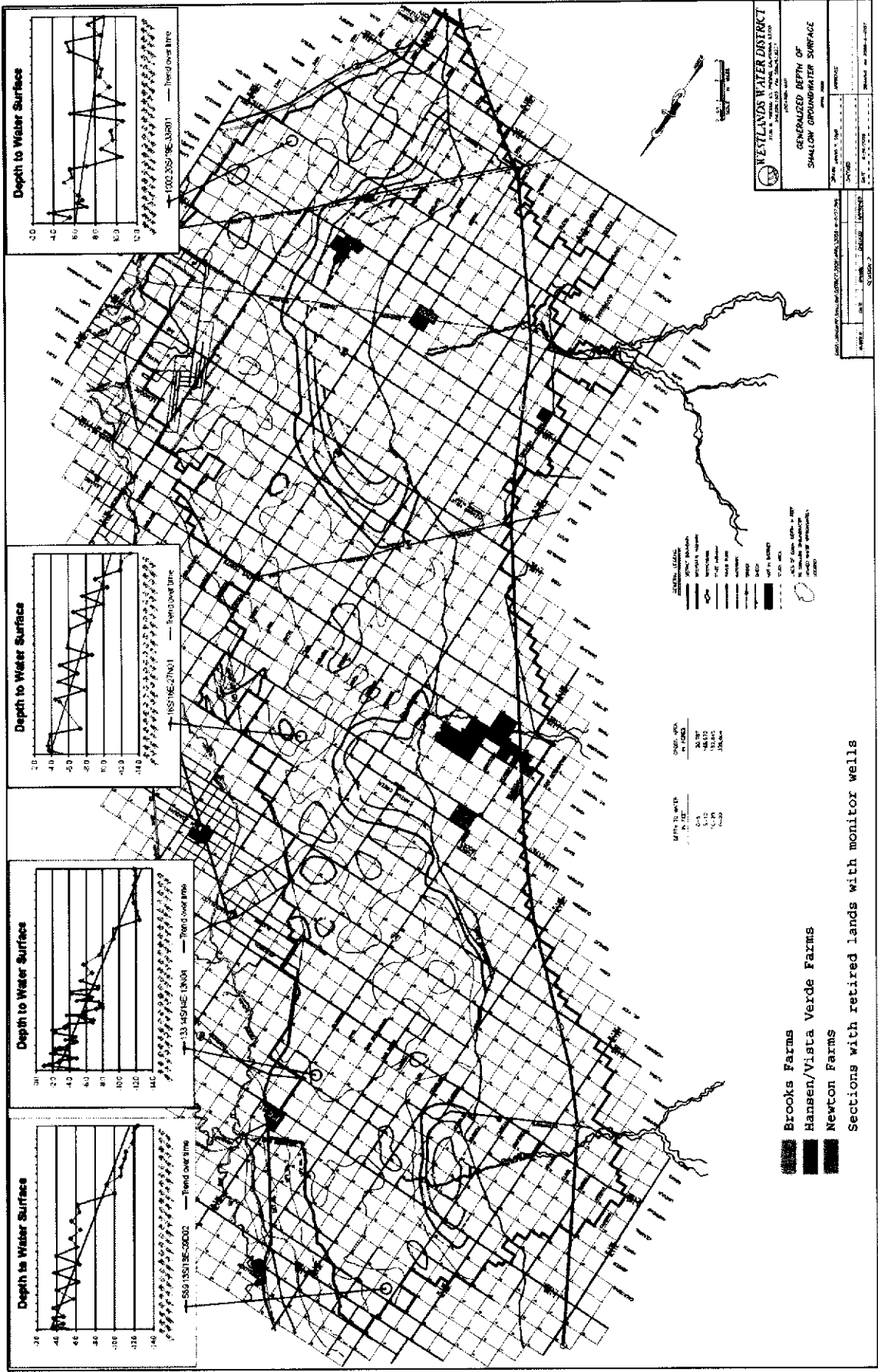
NOTE: All petitions must be accompanied by the **filing fee, (see fee schedule at www.waterrights.ca.gov)**, made payable to the State Water Resources Control Board and an **\$850 fee** made payable to the Department of Fish and Game must accompany this petition. Separate petitions are required for each water right.

TEMPORARY CHANGE IN PLACE OF USE
SWP Table A Water from Tulare Lake Basin Water Storage District
and Empire West Side Irrigation District to Westlands Water District
 UNDER STATE WATER RIGHT PERMIT 16482, APPLICATION 17512



- Legend**
- California Major Roads
 - California Aqueduct
 - County Line
 - Empire West Side ID
 - Tulare Lake Basin WSD
 - Brooks Farms
 - Hansen Ranches
 - Newton Farms
 - Westlands WD





Brooks Farms
 Hansen/Vista Verde Farms
 Newton Farms

Sections with retired lands with monitor wells

Scale: 1" = 1 Mile
 Date: 1/1/00
 Author: [Name]
 Title: [Title]

EXHIBIT 'A'
LOCATION OF LANDS IN TULARE LAKE BASIN WATER STORAGE DISTRICT

Landowner	Approximate Acreage	Transferred Water "up to"
Hansen/Vista Verde Farms	9,176 Ac.	6,000 AF
Newton Farms	3,093 Ac.	2,000 AF
Total	12,269 Ac.	8,000 AF

T21S, R19E, MDB&M:
 E½, Section 1
 E½, Section 12

T21S, R20E, MDB&M:
 Portion, Section 5
 Section 6
 Section 7
 Portion, Section 8

T21S, R21E, MDB&M:
 Portion, Section 5
 Portion, Section 6
 N½, Section 7
 Section 8
 W¼, Section 16
 Portion, Section 17

T22S, R22E, MDB&M:
 Portion, SW¼, Section 5
 Portion, S½, Section 6
 Section 7
 W½, Section 8
 SW¼, Section 17
 Section 19
 W½, Section 20
 W½, Section 28
 Section 29
 Section 30
 Section 31
 Section 32
 Section 33

T23S, R22E, MDB&M:
 Portion, Section 4
 Portion, Section 5
 Portion, Section 6

EXHIBIT 'B'
LOCATION OF LANDS IN EMPIRE WESTSIDE IRRIGATION DISTRICT

<u>Landowner</u>	<u>Approximate Acreage</u>	<u>Transferred Water "up to"</u>
Brooks Farms	1,437 Ac.	1,000 AF
Newton Farms	1,483 Ac.	1,000 AF
Total	2,920 Ac.	2,000 AF

T20S, R19E, MDB&M:

- Portion, Section 1
- Portion, Section 12
- Portion, Section 13
- Portion, Section 24
- Portion, Section 25
- Portion, Section 36

T20S, R20E, MDB&M:

- Portion, Section 7
- Portion, Section 18
- Portion, Section 19
- Portion, Section 30
- Portion, Section 31
- Portion, Section 32

EXHIBIT 'C'
LOCATION OF LANDS IN WESTLANDS WATER DISTRICT

Landowner	Approximate Acreage	WWD Water Allocation ¹	Transferred Water "up to"
Brooks Farms	1,319 Ac.	3,429 AF	1,000 AF
Hansen/Vista Verde Farms	3,461 Ac.	8,999 AF	6,000 AF
Newton Farms	875 Ac.	2,275 AF	3,000 AF
Total	5,655 Ac.	14,703 AF	10,000 AF

T16S, R15E, MDB&M:
Section 31

T17S, R14E, MDB&M:
SW ¼ Section 12
Portion of W ½ Section 13
Portion of NE ¼ of NE ¼ Section 14
Portion of Section 24

T17S, R15E, MDB&M:
SW ¼, Section 12
SE¼ & SW¼ SW¼, Section 14
Section 15
Section 16
Section 19
S½, Section 20
Section 21
Section 29

T19S, R18E, MDB&M:
SW¼, Section 10
Portion, Section 15
SE¼, Section 16

¹ Based on a 100% CVP allocation to Westlands Water District; 2009 allocation was 10% of these values. The first official 2010 CVP water allocation announcement is planned for February 26, 2010.

California Environmental Protection Agency

State Water Resources Control Board

DIVISION OF WATER RIGHTS

P.O. Box 2000, Sacramento, CA 95812-2000

Info: (916) 341-5300, FAX: (916) 341-5400, Web: http://www.waterrights.ca.gov

ENVIRONMENTAL INFORMATION FOR PETITIONS

Petition for Change

Petition for Extension of Time

Before the State Water Resources Control Board (SWRCB) can approve a petition to change your water right permit or a petition for extension of time to complete use, the SWRCB 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.

1. DESCRIPTION OF PROPOSED CHANGES OR WORK REMAINING TO BE COMPLETED

For a petition to 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.

DWR is petitioning the SWRCB to change the authorized place of use of one of DWR's water rights permits. The changes will allow the delivery of a portion of the State Water Project 2010 Table A water allocated to Tulare Lake Basin Water Storage District and Empire West Side Irrigation District to be delivered to land within Westlands Water District. The water covered by this petition, up to 8,000 AF of SWP water currently allocated to two farming interests in TLBWSD, Hansen Ranches/Vista Verde Farms (Hansen) and Newton Farms (Newton), and up to 2,000 AF of SWP water currently allocated to two farming interests in EWSID, Newton and Brooks Farms (Brooks) will be delivered to lands owned by the same farming interests in WWD (in total 10,000 af; up to 6,000 AF for Hansen, up to 3,000 AF for Newton, and up to 1,000 AF for Brooks). The lands farmed by these landowners in TLBWSD are in agricultural production, consisting of open land that has historically been planted with annual field crops such as cotton, small grains, safflower, and alfalfa. The quantity of water associated with this transfer has been made available through the use of alternate local supplies to farm the lands within TLBWSD. Depending on the availability of these local supplies, Hansen and Newton will either fallow, crop shift, or continue with normal farming operations within TLBWSD. The lands owned by these landowners in WWD are in agricultural production, consisting of open land that has historically been planted with annual field crops such as alfalfa, cotton tomatoes and wheat, and permanent plantings of almonds and pistachios. The conversion of field crops to high dollar permanent plantings requires a more reliable water supply. In the absence of surface water, growers would likely pump groundwater to keep the trees from reaching their permanent wilting point. The water resulting from this transfer will be used to supplement supplies and to reduce the need for groundwater pumping.

See Attachment No. ____

2. COUNTY PERMITS

N/A

- a. Contact your county planning or public works department and provide the following information:

Person contacted: _____ Date of contact: _____

Department: _____ Telephone: () _____

County Zoning Designation: _____

Are any county permits required for your project? YES NO If YES, check appropriate box below:

- Grading permit Use permit Watercourse Obstruction permit Change of zoning
 General plan change Other (explain): _____

- b. Have you obtained any of the required permits described above? YES NO

If YES, provide a complete copy of each permit obtained.

See Attachment No. _____

3. STATE/FEDERAL PERMITS AND REQUIREMENTS N/A

- a. Check any additional state or federal permits required for your project:

- Federal Energy Regulatory Commission U.S. Forest Service Bureau of Land Management
 Soil Conservation Service Dept. of Water Resources (Div. of Safety of Dams) Reclamation Board
 Coastal Commission State Lands Commission Other (specify) _____

- b. For each agency from which a permit is required, provide the following information:

AGENCY	PERMIT TYPE	PERSON(S) CONTACTED	CONTACT DATE	TELEPHONE NO.

See Attachment No. _____

- c. Does your proposed project involve any construction or grading-related activity that has significantly altered or would significantly alter the bed or bank of any stream or lake? YES NO

If YES, explain: _____

The action covered by the petition is limited to the approval by the SWRCB of a Petition for Change in authorized place of use filed by DWR to change its authorized place of use to allow the transfer of a portion of the SWP supply allocated to TLBWSD to be delivered to lands within WWD owned by farming interests with land in both districts. The lands to receive the water are currently in agricultural production.

See Attachment No. _____

- d. Have you contacted the California Department of Fish and Game concerning your project? YES NO

If YES, name and telephone number of contact: Copies of the Petition for Change are being submitted to the relevant regional office of DFG.

4. ENVIRONMENTAL DOCUMENTS

- a. Has any California public agency prepared an environmental document for your project? YES NO
If YES, submit a copy of the latest environmental document(s) prepared, including a copy of the notice of determination adopted by the California public agency. Public agency: TLBWSD
- b. If NO, check the appropriate box and explain below, if necessary:
 - The petitioner is a California public agency and will be preparing the environmental document.*
 - I expect that the SWRCB will be preparing the environmental document.**
 - I expect that a California public agency other than the State Water Resources Control Board will be preparing the environmental document.* Public agency: _____

The Petition for Transfer under Water Code Section 1725 is exempt from CEQA, therefore no environmental document is required. However, TLBWSD completed an initial study and proposed Negative Declaration for a long-term transfer by the same parties identical to that being proposed for 2010. The documents were filed with the Office of Planning and Research on December 29, 2009 (2009121084). DWR will file a NOD with OPR following completion of any required agreements to affect the proposed transfer.

See Attachment No. _____

* Note: When completed, submit a copy of the final environmental document (including notice of determination) or notice of exemption to the SWRCB, Division of Water Rights. Processing of your petition cannot proceed until these documents are submitted.

** Note: CEQA requires that the SWRCB, as Lead Agency, prepare the environmental document. The information contained in the environmental document must be developed by the petitioner and at the petitioner's expense under the direction of the SWRCB, Division of Water Rights.

5. WASTE/WASTEWATER N/A

- a. 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
If YES, or you are unsure of your answer, explain below and contact your local Regional Water Quality Control Board for the following information (See instruction booklet for address and telephone no.):

See Attachment No. _____

- b. Will a waste discharge permit be required for your project? YES NO
Person contacted: _____ Date of contact: _____
- c. What method of treatment and disposal will be used? _____

See Attachment No. _____

6. ARCHEOLOGY N/A

- a. Have any archeological reports been prepared on this project? YES NO
- b. Will you be preparing an archeological report to satisfy another public agency? YES NO
- c. Do you know of any archeological or historic sites located within the general project area? YES NO
If YES, explain: _____

See Attachment No. _____

7. **ENVIRONMENTAL SETTING**

Attach **three complete sets of color photographs**, clearly dated and labeled, showing the vegetation that exists at the below-listed three locations. For time extension petitions, the photographs should document only those areas of the project that will be impacted during the requested extension period.

- Along the stream channel immediately downstream from the proposed point(s) of diversion.
- Along the stream channel immediately upstream from the proposed point(s) of diversion.
- At the place(s) where the water is to be used.

There will be no change in DWR facilities and no construction required as part of the requested change.

8. **CERTIFICATION**

I hereby certify that the statements I have furnished above and in the attachments are complete to the best of my ability and that the facts, statements, and information presented are true and correct to the best of my knowledge.

Date: February 4, 2009

Signature: 