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ANGUS NORMAN MURRAY
1913-1985

CONSULTANTS:
JOSEPH I. BURNS, P.E.
DONALD E. KIENLEN, P.E.

June 29, 2012

Ms. Barbara Evoy, Deputy Director
Division of Water Rights
State Water Resources Control Board
P.O. Box 2000
Sacramento, CA 95812-2000

**Subject: Merced Irrigation District Petition for Temporary Transfer of
Water under License 2685 (Application 1224)**

Dear Ms. Evoy:

Enclosed are the following documents relative to the Petition for Temporary Transfer of
Water (Petition) under Merced Irrigation District's (Merced) License 2685 (Application 1224):

1. Petition Form with Attachment (one original and one copy).
2. Environmental Information Form with Attachment (one original and one copy).
3. Map to accompany Petition (one original Mylar and one copy).
4. Check in the amount of \$4,997 to cover the fees for the Petition.
5. Check in the amount of \$850 to cover the fee for the Department of Fish and Game.

Merced is petitioning to temporarily add points of diversion and an additional place of use to its License 2685 in order to transfer up to a total of 10,000 AF to the Westlands Water District (Westlands) during a period of up to one year following approval of the Petition. As you are aware, time is of the essence to process this Petition for the implementation of the water transfer to Westlands; and we appreciate your attention to this temporary transfer Petition.

Please call if you have any questions or require additional information.

Sincerely,
MBK ENGINEERS


Darren Cordova

DC/ps
5520.12/BARBARA EVOY 06.29.2012

Enclosures

cc: John Sweigard, General Manager, Merced Irrigation District
Hicham Eltal, Deputy General Manager, Merced Irrigation District
Phillip McMurray, General Counsel, Merced Irrigation District
Tom Glover, Westlands Water District
Kathryn Gaffney, Division of Water Rights
Elizabeth Lee, CVRWQCB (via certified mail)
Julie Means, Department of Fish and Game (via certified mail)
Board of Supervisors, County of Mariposa (via certified mail)
Board of Supervisors, County of Merced (via certified mail)
Board of Supervisors, County of Fresno (via certified mail)
Board of Supervisors, County of Kings (via certified mail)

State of California
 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>

**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). 1224 Permit No. 914 License No. 2685
 Statement or Other No. _____

Present Holder and User of Water Right

Merced Irrigation District	c/o Darren Cordova, MBK Engineers	(916) 456-4400
Person or Company name	Contact person	Telephone No.
1771 Tribute Road, Ste. A	Sacramento	CA
Address	City	State
cordova@mbkengineers.com	95815	
E-MAIL (For noticing purposes)	Zip Code	

Co-petitioner

N/A		
Person or Company name	Contact person	Telephone No.
Address	City	State
E-MAIL (For noticing purposes)	Zip Code	

Proposed New User

Westlands Water District	Tom Glover	(559) 241-6215
Person or Company name	Contact person	Telephone No.
P.O. Box 6056	Fresno	CA
Address	City	State
tglover@westlandswater.org	93703-6056	
E-MAIL (For noticing purposes)	Zip Code	

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):

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 N/A cubic feet per second (cfs).

Period of Transfer/Exchange (Not to exceed one year) Up to one year following approval of Petition.

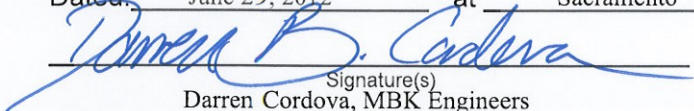
Point of Diversion or Rediversion (Give coordinate distances from section corner or other ties as allowed by CCR section 715, and the 40-acre subdivision in which the present & proposed points lie.

- 5b. Does the proposed use serve to preserve or enhance wetlands habitat, fish 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 benefits that may arise from the proposed change. See Attachment
-
- 5d. State reasons you believe the proposed temporary change will not unreasonably interfere with or other instream beneficial uses, see Water Code Section 1727 (b)(2). See
-
- 6a. Does any agency involved in the proposed transfer/exchange rely upon section 1725 of the Water Code to allow the delivery of water outside of the agency's service area?
- 6b. If yes, provide an analysis of the effect of the proposed transfer/ exchange on the area from which the water is being transferred. Not Applicable
-

A TRANSFER/EXCHANGE UNDER WATER CODE SECTION 1725 INVOLVES WATER WHICH WOULD HAVE BEEN CONSUMPTIVELY USED OR STORED IN THE PROPOSED TEMPORARY CHANGE. A CHANGE WILL BE EFFECTIVE FOR ONE YEAR OR LESS, BEGINNING ON THE APPROVAL OF THIS PETITION OR ON A DATE OTHERWISE SPECIFIED BY THE STATE WATER BOARD ORDER. FOLLOWING THE APPROVAL OF THIS TEMPORARY CHANGE, ALL RIGHTS AUTOMATICALLY REVERT TO THE ORIGINAL OWNER 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: June 29, 2012 at Sacramento , California


Signature(s)
Darren Cordova, MBK Engineers

(91)
Tele

NOTE: This petition shall be accompanied by all information required by the Water Code, W.C. Section 1725 et. seq, and the fees before the State Water Board will accompany 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 a proof of service to the Department of Fish and Game and to the board of supervisors of the county in which 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. If the fee is made payable to the Department of Fish and Game must accompany this petition. The fee schedule is required for each water right.

**Attachment
to Petition for Temporary Transfer
License 2685 (Application 1224)
held by Merced Irrigation District**

GENERAL

The purpose of this Petition for Temporary Transfer is to: (1) add the Central Valley Project's (CVP) CW "Bill" Jones Pumping Plant, the State Water Project's (SWP) Harvey O. Banks Pumping Plant, Banta-Carbona Irrigation District's Pumping Plant, and Patterson Irrigation District's Pumping Plant as additional points of rediversion, and (2) add the service area of the CVP as an additional place of use under Merced Irrigation District's (Merced) License 2685 (Application 1224) for the release of up to 10,000 AF of surface water for use within the Westlands Water District (Westlands). The releases by Merced for the proposed water transfer would occur during a period of up to one year following approval of this petition. Merced proposes to add the four points of rediversion listed above in order provide flexibility in the location at which the proposed releases are rediverted in the case that capacity or other limitations reduce the availability of one or more of these existing facilities. Westlands is coordinating with Patterson Irrigation District for the use of its facilities, which are the preferable diversion and conveyance facilities for the water transferred from Merced. Westlands will coordinate with the operators for each of the other facilities, as necessary. Surface water will be made available by Merced for the proposed temporary water transfer through releases from Lake McClure (New Exchequer Dam) that would have been stored in absence of the proposed transfer. Releases from Lake McClure would be increased during the proposed temporary water transfer as compared with the condition absent the transfer. The proposed water transfer involves refill of the reservoir, which normally occurs during periods of high runoff; and Merced is willing to accept refill criteria to assure no adverse impact occurs to downstream water right holders. Absent the proposed temporary transfer, Merced would retain the entire quantity proposed for transfer in storage pursuant to its water right.

POINT OF DIVERSION OR REDIVERSION

POINTS OF DIVERSION

Present:

No changes in Merced's present points of diversion are proposed. Merced's authorized points of diversion under License 2685 are listed below:

New Exchequer Dam (Lake McClure)

The point of diversion to storage of such water is located South thirty-eight degrees, no minutes West (S 38° 0' W), thirty eight hundred (3,800) feet from the NE corner of Section 13, T4S, R15E, MBD&M, being within the NW ¼ of SE ¼ of said Section 13 in Mariposa County.

Merced Falls Diversion Dam for Northside Canal

Point of direct diversion and redirection of stored water from Merced River for Northside Canal is located North sixty eight degrees, no minutes West (N 68° 0' W) twenty seven hundred fifty (2,750) feet from the SE corner of Section 4, T5S, R15E, MDB&M., being within the SW ¼ of SE ¼ of Section 7 in Merced County.

Crocker-Huffman Diversion Dam for Main Canal

Point of direct diversion and redirection of stored water from Merced River for Main Canal is located North forty seven degrees, thirty minutes East (N 47° 30'E) twenty eight hundred thirty (2,830) feet from the SW corner of Section 7, T5S, R15E, MDB&M, being within the NE ¼ of SW ¼ of said Section 7 in Merced County.

Mariposa Town Planning Area

Point of direct diversion from Merced River for Mariposa Town Planning Area Main is located at a point North 48°34'35" West 1,113 feet from SE corner of Section 9, within the SE ¼ of the SE ¼ of Section 9, T4S, R18E, MDB&M in Mariposa County.

Proposed:

No change in the present points of diversion is proposed.

POINTS OF REDIVERSION

Present:

No changes in Merced's present points of redirection are proposed. Merced's authorized points of redirection under License 2685 are listed below:

Merced Falls Diversion Dam for Northside Canal

Point of direct diversion and redirection of stored water from Merced River for Northside Canal is located North sixty eight degrees, no minutes West (N 68° 0' W) twenty seven hundred fifty (2,750) feet from the SE corner of Section 4, T5S, R15E, MDB&M., being within the SW ¼ of SE ¼ of Section 7 in Merced County.

Crocker-Huffman Diversion Dam for Main Canal

Point of direct diversion and redirection of stored water from Merced River for Main Canal is located North forty seven degrees, thirty minutes East (N 47° 30'E) twenty eight hundred thirty (2,830) feet from the SW corner of Section 7, T5S, R15E, MDB&M, being within the NE ¼ of SW ¼ of said Section 7 in Merced County.

Duck Slough (formerly El Nido Irrigation District)

Point of redirection located on Duck Slough at a point 100 feet North and 50 feet East of ¼ Cor. Sections 10 and 11, T8S, R14E, within the SW ¼ of the NW ¼ Section 11, T8S,

R14E, MDB&M in Merced County. This point of redirection is associated with the former place of use for El Nido Irrigation District described below and in Licenses 6032 and 9429 (Applications 8238 and 18774), formerly held by El Nido Irrigation District and hereby transferred to Merced Irrigation District.

Proposed Additional Points of Rediversion:

No change in the present points of redirection is proposed. Merced proposes to add the following points of redirection:

CW "Bill" Jones Pumping Plant

N 2,121,505 ft., E 6,255,368 ft., California Coordinate System Zone 3, NAD 83, being within the NE ¼ of SW ¼ of Projected Section 29, T1S, R4E, MDB&M. This proposed additional point of redirection is identified on maps filed with the Division of Water Rights (Division) under Application 5626.

Banks Pumping Plant via the Clifton Court Forebay

N 2,126,440 ft., E 6,256,425 ft., California Coordinate System Zone 3, NAD 83, being within the NW ¼ of SE ¼ of Projected Section 20, T1S, R4E, MDB&M. This proposed additional point of redirection is identified on maps filed with the Division under Application 5630.

Banta-Carbona Irrigation District's Pumping Plant at the San Joaquin River

North twenty-one degrees thirty minutes east (N21° 30'E) four thousand nine hundred (4,900) feet from corner common to Sections 33 and 34, T2S, R6E, MDB&M, and Sections 3 and 4 T3S, R6E, MDB&M, being within Rancho El Pescadero, a Mexican Grant. This proposed additional point of redirection is identified on maps filed with the Division under Banta-Carbona Irrigation District's Licenses 5404 and 5476 (Applications 1933 and 5248, respectively).

Patterson Irrigation District's Pumping Plant at the San Joaquin River

N 2,004,032 ft., E 6,392,658 ft., California Coordinate System Zone 3, NAD 83, being within the NW ¼ of SW ¼ of Projected Section 15, T5S, R8E, MDB&M. This proposed additional point of redirection is identified on the map accompanying this petition for temporary transfer.

PLACE OF USE

Present:

Domestic and irrigation purposes on 164,395 gross acreage within the boundaries of Merced Irrigation District as shown on map of District filed with the Division of Water Rights December 11, 1942.

Municipal use to 1,900 acres known as the Mariposa Town Planning Area, located within portions of projected Sections 9, 10, 11, 14, 15, 16, 22, 23, 24, 25, 26, and 36, T5S, R18E, MDB&M, as shown on a map on file with the State Water Resources Control Board dated May 1, 1995.

Irrigation purposes on 9,418.6 acres within the boundaries of El Nido Irrigation District as shown on map of El Nido Irrigation District filed with the Division of Water Rights for Application 8238. El Nido Irrigation District has been consolidated with Merced.

Proposed:

No change in the present place of use is proposed. Merced proposes to add the service area of the CVP as an additional place of use in order to facilitate the temporary water transfer to Westlands. The service area of the CVP is shown on Map 214-208 – 12581 on file with the Division under Application 5626.

RESPONSES TO NUMBERED ITEMS ON PETITION:

**1b, 2b, 2c,
3a, & 3b.**

As a result of this proposed temporary transfer, the flow in the Merced River will increase by up to 10,000 AF during the period of the transfer over what would have occurred absent the proposed transfer. Merced is proposing to add the CVP's Jones Pumping Plant, the SWP's Banks Pumping Plant, Banta-Carbona Irrigation District's Pumping Plant, and Patterson Irrigation District's Pumping Plant as additional points of rediversion. These points of rediversion are identified in order to provide flexibility in the location at which the proposed releases are rediverted in the case that capacity or other limitations reduce the availability of one or more of these existing facilities. The proposed quantity of water for transfer may be rediverted at the CVP's existing Jones Pumping Plant and/or the SWP's existing Banks Pumping Plant located in the Delta and conveyed through existing facilities to Westlands. In addition, the proposed quantity of water for transfer may be rediverted at Banta-Carbona Irrigation District's existing pumping plant and/or Patterson Irrigation District's existing pumping plant, which are located along the San Joaquin River, and conveyed through their respective existing facilities to the CVP's Delta-Mendota Canal for delivery to Westlands. Westlands is coordinating with Patterson Irrigation District for the use of its facilities, which are the preferable diversion and conveyance facilities for the water transferred from Merced. Westlands will coordinate with the operators for each of the other facilities, as necessary. The proposed transfer will result in an increase in the flow between Merced's present point of diversion at New Exchequer Dam and the proposed additional point(s) of rediversion at which the proposed releases are rediverted. There will be no injury to other legal water users, water quality, or return flows; in fact, the increased flows may result in instream benefits below Merced's points of rediversion during the period of the releases,

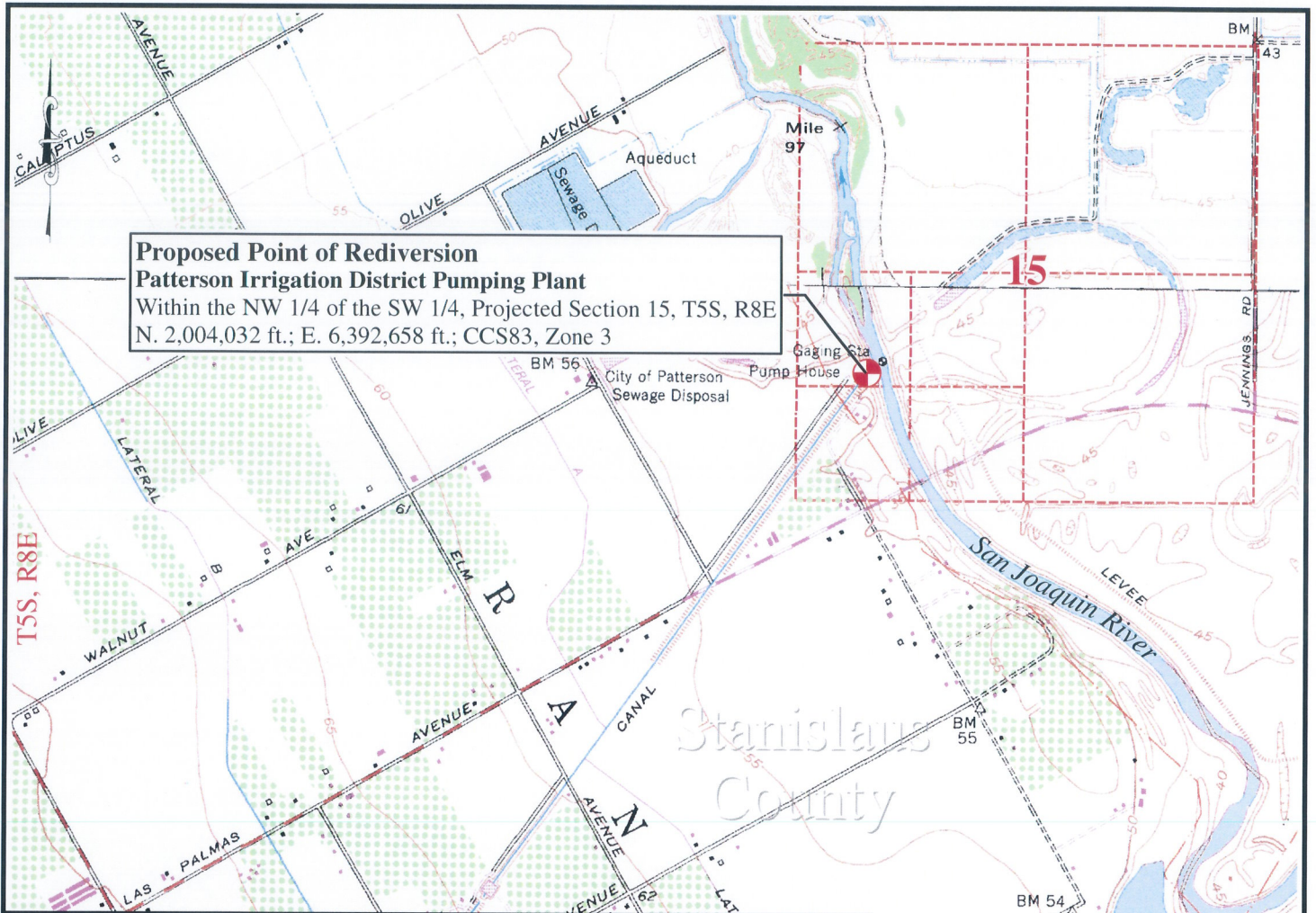
which are proposed to occur within a one-year period following approval of this petition.

A potential effect to the downstream flow from the release of water by Merced arises during the subsequent refill of the proposed transfer quantity, up to 10,000 AF. This refill normally occurs during periods of high runoff and periods of low water demand by downstream water right holders. Merced is willing to accept refill criteria to assure no adverse impact occurs. Absent this proposed temporary transfer to Westlands, Merced would retain the entire quantity proposed for transfer in storage pursuant to its water right.

Surface water will be made available for transfer from Merced by reservoir release, consistent with the Draft Technical Information for Water Transfers in 2012 (Draft Technical Information) published by the Department of Water Resources (DWR) and U.S. Bureau of Reclamation (Reclamation). The Draft Technical Information has been developed to address the concerns of DWR and Reclamation relative to the potential impacts that water transfers may have on other legal users. As necessary, Merced will coordinate with DWR and Reclamation for the proposed water transfer to Westlands.

Although there are water users taking water from the stream between Merced's current points of return flow and the points at which Westlands would return water to the system, we have answered question No. 2b as "not applicable." Merced would not transfer water such that it would adversely impact water users within Merced; and Merced will continue the same surface water deliveries to its existing customers with or without the proposed temporary water transfer. Therefore, there will be no change in the return flow pattern from water users within Merced.

- 4.** We have contacted Elizabeth Lee ((916) 464-4787) of the Central Valley Regional Water Quality Control Board; and we are sending Ms. Lee a copy of this petition for review.
- 5a.** We have contacted Julie Means ((559) 243-4014) of the Department of Fish and Game; we are sending Ms. Means a copy of this petition for review.
- 5c & 5d.** The proposed releases identified in this petition are in addition to Merced's existing downstream requirements and commitments; and thus, there will be no adverse downstream effects from the proposed temporary transfer, as identified in responses to questions 1b, 2b, 2c, 3a, and 3b of this petition. The proposed temporary transfer may provide environmental benefits through increased flows downstream of Merced's present points of diversion.



**Proposed Point of Rediversion
Patterson Irrigation District Pumping Plant**
 Within the NW 1/4 of the SW 1/4, Projected Section 15, T5S, R8E
 N. 2,004,032 ft.; E. 6,392,658 ft.; CCS83, Zone 3

Certificate

I, Darren B. Cordova, 1771 Tribute Road, Suite A, Sacramento, California, 95815, hereby certify that this map was prepared under my supervision on June 20, 2012 from information based on the Brush Lake & Crows Landing, California 7.5 minute U.S.G.S. Quadrangles and other information which I believe to be accurate; and that it correctly represents the water courses in the immediate vicinity and the proposed point of rediversion described in the accompanying petition.



Darren B. Cordova

Engineer Certificate No. C 067808
 June 20, 2012 Expires 6/30/13

Sources:
 Background: USGS Quadrangles - Brush Lake, Crows Landing,
 Proposed PORD: Patterson ID
 Projected section lines based on
 official USGS Quadrangles
 References to Township and Range are to M.D.B.&M.

MBK
ENGINEERS
 1771 Tribute Road, Suite A
 Sacramento, CA 95815
 Phone: 916-456-4400 - Fax: 916-456-0253

Merced Irrigation District
**Map to Accompany Petition for
 Temporary Transfer Under
 License 2685 (Application 1224)**

SCALE:	1" = 2,000'
JOB NUMBER:	5520.9
DRAWN BY:	MB
DATE:	06/20/2012
SHEET:	1 of 1

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.waterboards.ca.gov/waterrights>

**ENVIRONMENTAL
INFORMATION FOR PETITIONS***

License 2685 (Application 1224)

* Required for all petitions, including change petitions, time extension petitions, wastewater change petitions and instream flow dedication 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.

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.

See Attachment No. 1

2. COUNTY PERMITS NOT APPLICABLE.

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 NOT APPLICABLE.

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:

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: Julie Means (559) 243-4014

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: _____

- b. If NO, check the appropriate box and explain below, if necessary: **SEE ATTACHMENT No. 1.**

- The petitioner is a California public agency and will be preparing the environmental document.*
 I expect that the State Water Board will be preparing the environmental document.**
 I expect that a California public agency other than the State Water Board will be preparing the environmental document.* Public agency: _____

See Attachment No. 1

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

** **Note:** CEQA requires that the State Water Board, 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 State Water Board, Division of Water Rights.

5. WASTE/WASTEWATER NOT APPLICABLE.

- 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

- 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 SEE ATTACHMENT No. 1.

Attach **two 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.

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: June 29, 2012 Signature: Damon D. Cordova

**Attachment No. 1
to Environmental Information for
Petition for Temporary Transfer
License 2685 (Application 1224)
held by Merced Irrigation District**

1. DESCRIPTION OF PROJECT

Merced Irrigation District (Merced) has filed a Petition for Temporary Transfer to: (1) add the Central Valley Project's (CVP) CW "Bill" Jones Pumping Plant, the State Water Project's (SWP) Harvey O. Banks Pumping Plant, Banta-Carbona Irrigation District's Pumping Plant, and Patterson Irrigation District's Pumping Plant as additional points of rediversion, and (2) add the service area of the CVP as an additional place of use under Merced's License 2685 (Application 1224) for the release of up to 10,000 AF of surface water for use within the Westlands Water District (Westlands). The releases by Merced for the proposed water transfer would occur during a period of up to one year following approval of the petition. There is no change to the existing points of diversion or rediversion, place of use, or purposes of use identified in License 2685.

The proposed quantity of water to be made available by Merced involves releases from Lake McClure (New Exchequer Dam) into the Merced River for rediversion at one or more of the proposed additional points of rediversion. Merced proposes to add the four points of rediversion listed above to its License 2685 in order to provide flexibility in the location at which the proposed releases are rediverted in the case that capacity or other limitations reduce the availability of one or more of these existing facilities. The proposed quantity of water transferred will be rediverted and conveyed through existing facilities for delivery to Westlands. As a result of this proposed temporary transfer, the flow between Merced's existing point of diversion at New Exchequer Dam to the proposed additional point(s) of rediversion will increase by up to 10,000 AF during the period of the transfer over what would have occurred absent the proposed transfer. Merced is required to release water pursuant to its other existing downstream requirements and commitments; and Merced will provide the proposed releases over and above these existing requirements and commitments. In addition, Merced will continue to meet its own water needs as without the proposed temporary water transfer; and there will be no changes to the crops produced within Merced's boundaries as a result of the petition for temporary transfer. Absent the proposed temporary transfer, Merced would have retained the 10,000 AF of surface water in storage pursuant to its water right. Merced is willing to accept refill criteria to assure no adverse impact occurs to downstream water right holders. For the reasons identified above, the proposed temporary transfer does not involve any construction or other physical changes to any facilities.

4b. ENVIRONMENTAL DOCUMENTS

Petitions for temporary transfer of water pursuant to Water Code Section 1725 are exempt from the California Environmental Quality Act. The U.S. Bureau of Reclamation is

preparing an Environmental Assessment (EA) for this proposed water transfer pursuant to the requirements under the National Environmental Policy Act. Upon completion of the EA, a copy will be provided to the Division of Water Rights (Division).

7. ENVIRONMENTAL SETTING

There is no proposed point of diversion and the proposed addition to the place of use is well known and documented with the Division. Therefore, for these reasons, no photographs have been provided.

DC/ps

5520.12/ATTACHMENT TO ENV INFO FORM WWD TRANSFER 06.29.2012