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CONSULTANTS: DONALD E. KIENLEN, P.E.

February 18, 2022

SWRCB - DWR '22 FEB 18 PM4:23

Mr. Erik Ekdahl, Deputy Director Division of Water Rights State Water Resources Control Board P.O. Box 2000 Sacramento, CA 95812-2000

Subject: Pleasant Grove-Verona Mutual Water Company

**Petitions for Change Involving Water Transfer** 

Dear Mr. Ekdahl:

On behalf of Pleasant Grove-Verona Mutual Water Company (PGV), enclosed are the following documents relative to 11 Petitions for Change Involving Water Transfer (Joint Petitions) being filed by participating shareholders of PGV (Joint Petitioners) under their individual water rights identified in the table contained in this letter:

- 1. Petitions for Change Involving Water Transfers Form with an Attachment (one original and one copy per petition).
- 2. Environmental Information Form with an Attachment (one original and one copy per petition).
- 3. Check in the amount of \$29,664.75 based on the total amount shown in the table contained in this letter to cover the Petition fees.
- 4. Check in the amount of \$850.00 to cover the fee for the Department of Fish and Wildlife.

Joint Petitioner	Application	License	Proposed Transfer Quantity (Up to Amount, AF)	Petition Fee
E. D. Willey and Son, Inc.	7641A	6389A	4,311.5	\$4,150.75
River Ranch Partnership	7641C	6389C	802.6	\$2,396.30
Doott Calcaidal	7641B	6389B	1,160	\$2,575.00
Brett Scheidel	15606	11001	1,760	\$2,875.00
Nicoli G. Nicholas	7641D1	6389D1	630	\$2,310.00
Nicoli G. Nicholas	15856A	7064A	1,697	\$2,843.50
Maria John Nicholas	7641D2	6389D2	630	\$2,310.00
Kelly Ranch, LLC	15856B	7064B	1,473	\$2,731.50
Murphy Lake	15856C	7064C	2,205	\$3,097.50
Farms	15858	6399	500	\$2,245.00
William L. Spangler	16182	10848	270.4	\$2,130.20
	<b>Total Petition Fe</b>	es Combined	:	\$29,664.75

Each of the water right holders identified above are shareholders within PGV. PGV holds a Sacramento River Settlement Contract (Contract) with the U.S. Bureau of Reclamation, for which the above water rights form a portion of the water supply under the Contract. For this reason, the petitions are being filed jointly and accompanying each petition is a consolidated environmental information form and attachment addressing items related to the Joint Petitions. Additionally, enclosed is a check in the amount of \$850, payable to the Department of Fish & Wildlife (DFW) to cover the relevant fees associated with these Joint Petitions. This single filing fee to DFW is consistent with Public Resources Code Section 10005(e) for a single project.

The Joint Petitions identified above are petitioning to temporarily add points of diversion, points of rediversion, place of use, and purposes of use to the water rights identified above in order to transfer up to a total of 15,139.2 AF for use by participating entities within the San Luis & Delta-Mendota Water Authority (SLDMWA). The table above identifies a total of 15,439.5 AF proposed under the Joint Petitions; however, this is to provide operational flexibility due to unforeseen conditions. The Joint Petitioners propose to make surface water available for transfer through groundwater substitution and crop idling/shifting. As you are aware, time is of the essence to process this Petition for the implementation of the water transfer to the SLDMWA; and we appreciate your attention to this temporary transfer Petition.

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

Sincerely,

MBK ENGINEERS

Angela Bezzone

#### AB/

3825.22/DRAFT LETTER TO ERIK EKDAHL FOR PGV PETITION FOR 2022 WT 2022-02-11

## Enclosures

cc: Brett Scheidel, Pleasant Grove-Verona Mutual Water Company (via e-mail)

Andrea Clark, Downey Brand (via e-mail)

Samuel Boland-Brien, Division of Water Rights (via e-mail)

Anna Fock, Department of Water Resources (via e-mail)

Andy Chu, Department of Water Resources (via e-mail)

Adam Nickels, U.S. Bureau of Reclamation (via e-mail)

Natalie Taylor, U.S. Bureau of Reclamation (via e-mail)

Michelle Snapp, CVRWQCB (via e-mail)

Briana Seapy, Department of Fish and Wildlife (via e-mail)

Bridget Gibbons, Department of Fish and Wildlife (via e-mail)

Board of Supervisors, County of Sutter (via certified mail)

Board of Supervisors, County of Fresno (via certified mail)

Board of Supervisors, County of Kings (via certified mail)

Board of Supervisors, County of Merced (via certified mail)

Board of Supervisors, County of San Joaquin (via certified mail)

Board of Supervisors, County of San Benito (via certified mail)

Board of Supervisors, County of Santa Clara (via certified mail)

Board of Supervisors, County of Stanislaus (via certified mail)

Please indicate County where your project is located here:

Sutter

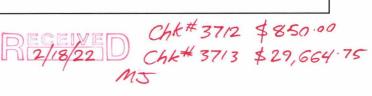
## MAIL FORM AND ATTACHMENTS TO: State Water Resources Control Board DIVISION OF WATER RIGHTS

P.O. Box 2000, Sacramento, CA 95812-2000 Tel: (916) 341-5300 Fax: (916) 341-5400 http://www.waterboards.ca.gov/waterrights SWRCB - DWR '22 FEB 18 PM4:23

## PETITION FOR CHANGE INVOLVING WATER TRANSFERS

Separate petitions are required for each water right. Mark all areas that apply to your proposed change(s). Incomplete forms may not be accepted. Location and area information must be provided on maps in accordance with established requirements. (Cal. Code Regs., tit. 23, § 715 et seq.) Provide attachments if necessary.

requirements. (Cal. Code Regs., tit. 25, § 715 et seq.) Provide attachments il necessary.
Point of Diversion Wat. Code, § 1701  Point of Rediversion Wat. Code, § 1701  Place of Use Wat. Code, § 1701  Purpose of Use Wat. Code, § 1701
Temporary Urgency Wat. Code, § 1435  Temporary Change Wat. Code, § 1725  Long-term Transfer Wat. Code, § 382, 1735  Instream Flow Dedication Wat. Code, § 1707
Application 7641A Permit 4215A License 6389A Statement
I (we) hereby petition for change(s) noted above and described as follows:
Point of Diversion or Rediversion – Provide source name and identify points using both Public Land Survey System descriptions to 1/4-1/4 level and California Coordinate System (NAD 83).  Present: See Attachment No. 1
Proposed: See Attachment No. 1
Place of Use – Identify area using Public Land Survey System descriptions to 1/4-1/4 level; for irrigation, list number of acres irrigated.
Present: See Attachment No. 1
Proposed: See Attachment No. 1
Purpose of Use
Present: Irrigation
Proposed: Irrigation, Municipal, Industrial, Domestic
Instream Flow Dedication – Provide source name and identify points using both Public Land Survey System descriptions to 1/4-1/4 level and California Coordinate System (NAD 83).
Upstream Location: Not Applicable.
Downstream Location:
List the quantities dedicated to instream flow in either:
Will the dedicated flow be diverted for consumptive use at a downstream location? Yes No If yes, provide the source name, location coordinates, and the quantities of flow that will be diverted from the stream.  Proposed New User(s) Provide the names, addresses, and phone numbers for all proposed new user(s) of the water right.
San Luis & Delta-Mendota Water Authority Attn: Frances Mizuno P.O. Box 2157 Los Banos, CA 93635 (209) 832-6200



### Amount of Water to be Transferred

which would have been consumptively used or stored in the absence of the proposed temporary change, and that the above is true and correct to the best of my (our) knowledge and belief.  Dated    Compared   Com	To 4,311.5 acre-feet will be transferred. If the basis of right is direct diversion, the average rate of diversion for the maximum 30-day period of use is Up to 26.4 cubic feet per second or million gallons per day.
transferred or exchanged would have been consumptively used or stored in the absence of the proposed temporary change or long-term transfer?  Have you attached an analysis of any changes to streamflow, water quality, timing of diversion or use, return flows, or effects on legal users from the proposed temporary change or long-term transfer?  Have you attached an analysis that shows the proposed temporary change or long-term transfer?  Have you attached an analysis that shows the proposed temporary change or long-term transfer will not unreasonably affect fish, wildlife, or other instream beneficial uses?  I (wey' have access to the proposed point of diversion or control the proposed place of use by virtue of written agreement written agreement.  If by lease or agreement, state name and address of person(s) from whom access has been obtained.  Not Applicable  Give name and address of any person(s) taking water from the stream between the present point of diversion or rediversion and the proposed change.  See Attachment No. 1  All Right Holders Must Sign Below: I (we) declare under penalty of perjury that this involves only the amount of water which would have been consumptively used or stored in the absence of the proposed temporary change, and that the above is true and correct to the best of my (our) knowledge and belief.  Dated  All Right Holder or Authorized Agent Signature  Right Holder or Environmental Information for Petitions, svaliable at: http://www.waterboards.ca.gov/waterpits/publications, forms/forms/docs/pet_info.pdf	<b>General Information</b> – Provide the following information, if applicable to your proposed change(s).
diversion or use, return flows, or effects on legal users from the proposed temporary change or long-term transfer?  Have you attached an analysis that shows the proposed temporary change or long-term transfer will not unreasonably affect fish, wildlife, or other instream beneficial uses?  I (wey/have access to the proposed point of diversion or control the proposed place of use by virtue of workship lease verbal agreement written agreement written agreement. If by lease or agreement, state name and address of person(s) from whom access has been obtained.  Not Applicable  Give name and address of any person(s) taking water from the stream between the present point of diversion or rediversion and the proposed point of diversion or rediversion, as well as any other person(s) known to you who may be affected by the proposed change.  See Attachment No. 1  All Right Holders Must Sign Below: I (we) declare under penalty of perjury that this involves only the amount of water which would have been consumptively used or stored in the absence of the proposed temporary change, and that the above is true and correct to the best of my (our) knowledge and belief.  Dated  All Right Holder or Authorized Agent Signature  Right Holder or Environmental Information for Petitions, available at: http://www.waterboards.ca.gov/wateringths/publications, forms/forms/docs/pet_info.pdf	transferred or exchanged would have been consumptively used or stored in the
I (we) have access to the proposed point of diversion or control the proposed place of use by virtue of workship   lease   verbal agreement   written agreement	diversion or use, return flows, or effects on legal users from the proposed temporary
Sownership   lease   verbal agreement   written agreement   written agreement	Have you attached an analysis that shows the proposed temporary change or long-term transfer will not unreasonably affect fish, wildlife, or other instream beneficial uses?
Give name and address of any person(s) taking water from the stream between the present point of diversion or rediversion and the proposed point of diversion or rediversion, as well as any other person(s) known to you who may be affected by the proposed change.  See Attachment No. 1  All Right Holders Must Sign Below: I (we) declare under penalty of perjury that this involves only the amount of water which would have been consumptively used or stored in the absence of the proposed temporary change, and that the above is true and correct to the best of my (our) knowledge and belief.  Dated  Right Holder or Authorized Agent Signature  Right Holder or Authorized Agent Signature  Right Holder or Authorized Agent Signature  NOTE: All petitions must be accompanied by:  (1) the form Environmental Information for Petitions, available at: http://www.waterboards.ca.gov/waterrights/publications_forms/forms/docs/pet_info.pdf	
Give name and address of any person(s) taking water from the stream between the present point of diversion or rediversion and the proposed point of diversion or rediversion, as well as any other person(s) known to you who may be affected by the proposed change.  See Attachment No. 1  All Right Holders Must Sign Below: I (we) declare under penalty of perjury that this involves only the amount of water which would have been consumptively used or stored in the absence of the proposed temporary change, and that the above is true and correct to the best of my (our) knowledge and belief.  Dated 2/17/2222 at   Right Holder or Authorized Agent Signature Right Holder or Authorized Agent Signature  Fight Holder or Authorized Agent Signature Right Holder or Authorized Agent Signature Fight Holder or Petitions, available at: http://www.waterboards.ca.gov/waterrights/publications_forms/docs/pet_info.pdf	
All Right Holders Must Sign Below: I (we) declare under penalty of perjury that this involves only the amount of water which would have been consumptively used or stored in the absence of the proposed temporary change, and that the above is true and correct to the best of my (our) knowledge and belief.  Dated  All Right Holders Must Sign Below: I (we) declare under penalty of perjury that this involves only the amount of water which would be represented by the proposed temporary change, and that the above is true and correct to the best of my (our) knowledge and belief.  All Petitions a Bianchi  NOTE: All petitions must be accompanied by:  (1) the form Environmental Information for Petitions, available at: http://www.waterboards.ca.gov/waterrights/publications_forms/forms/docs/pet_info.pdf	rediversion and the proposed point of diversion or rediversion, as well as any other person(s) known to you who may be
which would have been consumptively used or stored in the absence of the proposed temporary change, and that the above is true and correct to the best of my (our) knowledge and belief.  Dated    2   17   20 20   at	
Right Holder or Authorized Agent Signature  NOTE: All petitions must be accompanied by:  (1) the form Environmental Information for Petitions, available at:  http://www.waterboards.ca.gov/waterrights/publications_forms/forms/docs/pet_info.pdf	All Right Holders Must Sign Below: I (we) declare under penalty of perjury that this involves only the amount of water
Right Holder or Authorized Agent Signature  Tanice Bianchi  NOTE: All petitions must be accompanied by:  (1) the form Environmental Information for Petitions, available at:  http://www.waterboards.ca.gov/waterrights/publications_forms/forms/docs/pet_info.pdf	
NOTE: All petitions must be accompanied by:  (1) the form Environmental Information for Petitions, available at:  http://www.waterboards.ca.gov/waterrights/publications_forms/forms/docs/pet_info.pdf	Dated 2/17/2022 at
NOTE: All petitions must be accompanied by: (1) the form Environmental Information for Petitions, available at: http://www.waterboards.ca.gov/waterrights/publications_forms/forms/docs/pet_info.pdf	
http://www.waterboards.ca.gov/waterrights/publications_forms/forms/docs/pet_info.pdf	NOTE: All petitions must be accompanied by:
	http://www.waterboards.ca.gov/waterrights/publications_forms/forms/docs/pet_info.pdf
http://www.waterboards.ca.gov/waterrights/water_issues/programs/fees/  Department of Fish and Wildlife fee of \$850 (Pub. Resources Code. \$ 10005)	(2) Division of Water Rights fee, per the Water Rights Fee Schedule, available at:

## Attachment No. 1 to Petition for Change Involving Water Transfers License 6389A (Application 7641A) held by E. D. Willey & Son, Inc.

## **GENERAL**

The purpose of this Petition for Change Involving Water Transfers (Petition) is to: (1) add Shasta Dam as a point of diversion, (2) add the State Water Project's (SWP) Harvey O. Banks Pumping Plant and the Central Valley Project's (CVP) CW "Bill" Jones Pumping Plant as points of diversion and points of rediversion, (3) add San Luis Reservoir as a point of rediversion, (4) add a portion of the service area of the CVP as an additional place of use, and (5) add municipal, industrial, and domestic purposes of use under E.D. Willey & Son, Inc., et al's (Petitioner) License 6389A (Application 7641A). The Petitioner is a shareholder of the Pleasant Grove-Verona Mutual Water Company (PGV). PGV holds Contract No. 14-06-200-5520A-R-1 (Contract) with the U.S. Bureau of Reclamation (Reclamation). The water rights held by the Petitioner and the other shareholders of PGV serve as the basis for the Base Supply under PGV's Contract. This Petition is one of 11 petitions (Joint Petitions) being filed by participating shareholders of PGV (Joint Petitioners) pursuant to their individual water rights. The Joint Petitions include the following:

Joint Petitioner	Application	License	Proposed Transfer Quantity (Up to Amount, AF)
E. D. Willey and Son, Inc.	7641A	6389A	4,311.5
River Ranch Partnership	7641C	6389C	802.6
D=44 C-1 -111	7641B	6389B	1,160
Brett Scheidel	15606	11001	1,760
NE - P. C. NE 1 - 1 -	7641D1	6389D1	630
Nicoli G. Nicholas	15856A	7064A	1,697
Maria John Nicholas	7641D2	6389D2	630
Kelly Ranch, LLC	15856B	7064B	1,473
M L L L F	15856C	7064C	2,205*
Murphy Lake Farms	15858	6399	500*
William L. Spangler	16182	10848	270.4

This Petition is being filed to facilitate a temporary transfer (2022 Water Transfer) of up to a total of 4,311.5 acre-feet (AF) of surface water proposed to be made available from the Petitioner as early as April (upon approval of this Petition) through September 2022. This

<sup>\*</sup> Proposed upper limit quantities identified for each water right, limited to a combined quantity of up to 2,404.7 AF under Licenses 6399 and 7064C.

proposed transfer quantity will be made available by groundwater substitution (up to 2,000 AF<sup>†</sup> prior to subtracting streamflow depletion loss) and by crop idling/shifting (up to 2,600 AF†) in order to provide an additional water supply for irrigation, municipal, industrial, and domestic purposes. Groundwater substitution involves the use of groundwater pumped to produce crops within PGV in exchange for a like amount of surface water that will remain instream for diversion at the proposed additional points of diversion. The quantity of surface water to be made available for transfer by crop idling/shifting involves only the consumptive use savings as a result of actions within PGV's boundaries. Water made available for transfer will remain instream for diversion at the proposed additional points of diversion, or when necessary, temporarily retained in Shasta Reservoir for rediversion at the proposed additional points of rediversion. The quantity made available under this Petition will be limited to actions consistent with the terms and conditions of this license. At this time, the quantity of surface water to be made available by groundwater substitution versus crop idling/shifting is unknown. The split between water being made available by each mechanism will be determined after executing a Purchase Agreement with SLDMWA. As discussed further below, the quantity proposed to be made available by the Petitioner will be reviewed and approved by the U.S. Bureau of Reclamation (Reclamation) and the Department of Water Resources (DWR).

Absent the proposed temporary transfer, PGV would divert the entire quantity of surface water proposed for transfer from the Sacramento River pursuant to its water right in accordance with its Sacramento River Settlement Contract with the U.S. Bureau of Reclamation (Reclamation). Annual water right reports submitted to the Division of Water Rights (Division) for License 6389A, covering the period of 2016-2020 which are years of full water supply under the Settlement Contract, demonstrate that the Petitioner typically diverts and uses more surface water under that license than the amount proposed for the 2022 Water Transfer. The Petitioner accounts for its surface water diversions and use under its water rights, including License 6389A, in accordance with accounting methods relied upon by the Division considering several factors associated with each water right. Those factors include, but are not limited to, water right priorities, seasons of diversion, direct diversion rates, places of use, points of diversion, annual diversion limitations, and other relevant terms and conditions associated with each of the Petitioner's water rights. For example, diversions are accounted in order of water right priority starting with the senior water right that has the same authorized diversion season as when the diversion occurred, and identifying a diversion quantity that is the lesser of the diversion or the authorized rate of direct diversion. In the case that the diversion rate is greater than the authorized direct diversion rate, then the diversions over the authorized rate are accounted for under the water right with the next priority date using the same methodology. Because the proposed project involves the transfer of water under PGV's Contract, these petitions are being filed jointly and should be treated as a single project. PGV has been authorized to act on behalf of the Joint Petitioners, each of which is filing similar petitions in order to facilitate the proposed transfer. Under the Joint Petitions, PGV is proposing a temporary transfer of up to 15,139.2 AF

<sup>&</sup>lt;sup>†</sup> PGV is currently coordinating with growers to determine the volume of water to be transferred by groundwater substitution and crop idling/shifting. The quantities above are up-to limits for each transfer mechanism and total 4,600 AF; however, the Petitioner will not transfer more than 4,311.5 AF. These initial up-to limits are included to allow for flexibility. PGV will submit a Proposal for review by Reclamation and the Department of Water Resources which will include refined volumes and meet other requirements explained further below.

to SLDMWA. Absent the proposed temporary transfer, PGV and the Joint Petitioners would divert the entire quantity proposed for transfer from surface water sources pursuant to their water rights and the Contract with Reclamation.

## POINT OF DIVERSION OR REDIVERSION

## **POINT OF DIVERSION**

## Present Point of Diversion:

Petitioner's authorized point of diversion under License 6389A are located as follows:

	Located Within‡				_
<b>Description</b>	1/4, 1/4	Sec	<u>T</u>	<u>R</u>	
North nine hundred (900) feet and west one thousand seven hundred (1700) feet from SE corner of Section 23, T11N, R3E.	SW, SE	23	11N	3E	

## Proposed Additional Points of Diversion:

No change in the present points of diversion is proposed. Petitioner proposes to add the following points of diversion:

### Shasta Dam

S39°58'13" W, 1,626.41 feet from E¼ Corner of Section 15, T33N, R5W, MDB&M, being within the NE¼ of SE¼ of said Section 15, in Shasta County. This proposed additional point of diversion is identified on maps filed with the 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  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of Projected Section 20, T1S, R4E, MDB&M. This proposed additional point of diversion is identified on maps filed with the Division under Application 5630.

## 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 diversion is identified on maps filed with the Division under Application 5626.

<sup>‡</sup> All references to Township and Range are to the MDB&M.

## **POINT OF REDIVERSION**

## Present Points of Rediversion:

Petitioner's authorized points of rediversion under License 6389A are listed below:

	Located Within†				
<b>Description</b>	1/4, 1/4	Sec	<u>T</u>	<u>R</u>	
North 47° 49' 20" West 4,044.56 feet from SE corner of Section 8, T11N, R4E.	SE, NW	8	11N	4E	
North 51° 06' 20" West 4,081.1 feet from SE corner of Section 8, T11N, R4E.	NE, SW	8	11N	4E	

## Proposed Additional Points of Rediversion:

No change in the present points of rediversion is proposed. Petitioner proposes to add the following points of rediversion, which will assist in the temporary retention of transfer water for later use by the participating entities within SLDMWA during periods that coincide with demands or other operational constraints:

## 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, R1S, R4E, MDB&M. This proposed additional point of rediversion is identified on maps filed with the Division under Application 5630.

## 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 NW ¼ of SW ¼ of Projected Section 29, T1S, R4E, MDB&M. This proposed additional point of rediversion is identified on maps filed with the Division under Application 5626.

## San Luis Reservoir

N 1,845,103 ft., E 6,393,569 ft., California Coordinate System Zone 3, NAD 83, being within the SW ¼ of SE ¼ of Projected Section 15, T10S, R8E, MDB&M. This proposed additional point of rediversion is identified on maps filed with the Division under Application 5630.

## PLACE OF USE

#### Present:

The present place of use is 1,483 acres net within a gross area of 1,885.17 acres within Sections 7, 8, and 18, T11N, R4E, MDB&M; Sections 1 and 12, T11N, R3E, MDB&M; Section 31, T12N, R4E, MDB&M; and Section 36, T12N, R3E, MDB&M, as shown on petition map filed with the State Water Resources Control Board, Division of Water Rights.

## Proposed:

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

## **GENERAL INFORMATION**

Surface water will be made available for transfer from PGV by groundwater substitution and by crop idling/shifting, consistent with the current Draft Technical Information for Preparing Water Transfer Proposals, dated December 2019 (Draft Technical Information) published by the Department of Water Resources (DWR) and 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, instream beneficial uses, and the overall economy and environment. PGV will submit a proposal to DWR and Reclamation for a water transfer to participating entities within the SLDMWA during 2022, which includes detailed information relative to historical groundwater pumping, groundwater well characteristics, groundwater monitoring and reporting elements, historical cropping data, and associated maps. DWR and Reclamation will conduct an extensive review of these documents in order to ensure that the quantity of water proposed to be made available by PGV meets the relevant criteria to demonstrate a reduction in surface water use will occur as a result of the proposed temporary transfer. Absent the proposed temporary transfer to SLDMWA, groundwater would not be pumped by the Petitioner for groundwater substitution and crops would not be idled/shifted to make surface water available for SLDMWA; thus, the Petitioner would have diverted surface water to meet its irrigation demands. The Petitioner will provide the Division with a copy of the executed agreements between PGV and Reclamation and/or DWR identifying the terms and conditions for the 2022 Water Transfer to document that the relevant findings are made by those agencies, in accordance with the Draft Technical Information and other requirements. Those executed agreements will identify an up-to transfer quantity to be made available by crop idling/shifting and/or groundwater substitution, which will be less than or equal to the quantities identified in the Joint Petitions.

Only wells which have been approved by DWR and Reclamation will be used for the proposed temporary transfer. In accordance with Water Code Section 1745.10, the Petitioner does not believe the proposed transfer to SLDMWA by groundwater substitution will result in an overdraft of the underlying groundwater basin. As a condition of participation in the proposed temporary transfer, PGV has developed groundwater monitoring, reporting, and mitigation plans to ensure the proposed transfer does not result in any unreasonable and adverse effects, such as impacts to other legal users of water, land subsidence, groundwaterdependent vegetation, and groundwater quality. As described above, the requirements of the monitoring program and mitigation plan are outlined in the Draft Technical Information and will be implemented by the Petitioner accordingly. The monitoring program also includes recurring review of groundwater level monitoring data obtained prior to, during, and following periods when surface water is made available by the Petitioner for the proposed water transfer, in accordance with the Draft Technical Information. To account for anticipated streamflow depletion, DWR and Reclamation will apply a factor of 13% to the amount of groundwater pumped pursuant to the Petitioner's proposed groundwater substitution transfer in accordance with the Draft Technical Information. Evaluation and approval by DWR and Reclamation of the groundwater monitoring, reporting, and mitigation plans will be obtained for PGV's groundwater substitution program. Further, PGV is providing notification to the Reclamation District No. 1001 Groundwater Sustainability Agency, which is the groundwater sustainability agency formed pursuant to the Sustainable Groundwater Management Act that covers the area where groundwater substitution pumping is proposed to occur within PGV. Documentation of PGV's notifications to the Reclamation District No. 1001 Groundwater Sustainability Agency (GSA), including a determination from the GSA that the proposed 2022 Water Transfer is consistent with the Groundwater Sustainability Plan, will be provided to DWR and Reclamation, in accordance with the Draft Technical Information.

As indicated above, PGV conducts water transfers in accordance with the Draft Technical Information and other relevant requirements. The monitoring requirements associated with PGV's proposed groundwater substitution water transfer will be incorporated to agreements with DWR and Reclamation. Following the proposed water transfer, PGV will prepare a monitoring report summarizing the results. In PGV's previous groundwater substitution transfers, some of which involved similar quantities compared to the quantity proposed in this Petition, the groundwater basin in and around PGV recovered from the effects of the transfer the following spring. We expect the hydrologic data to show a similar recovery pattern for the proposed 2022 Water Transfer.

Crop idling/shifting water transfers involve surface water made available for transfer by reducing the consumptive use of surface water applied for irrigation. As indicated above, PGV is preparing a water transfer proposal for submittal to DWR and Reclamation to provide the information required pursuant to the Draft Technical Information, which includes supporting documentation to determine the quantity of surface water to be made available by crop idling/shifting. Details regarding specific fields and crops to be idled/shifted for the transfer are currently being decided by growers within PGV. In order to make 2,600 AF of surface water available for transfer, a maximum of 866.67 acres of rice will be idled for the proposed 2022 Water Transfer based on the current evapotranspiration of applied water rate for rice identified

by DWR and Reclamation (3.0 AF/acre, which for 866.67 acres of rice results in a quantity of 2,600AF). The acreages of crops irrigated under License 6389A during prior years are shown in water right reports filed with the Division. For reference, during recent years, the irrigated acreage of rice has been approximately 1,419 acres and the irrigated acreage of other crops has been approximately 446.7 acres. Following determination of specific fields participating in the proposed transfer, including the associated crop history for those fields, PGV will submit a proposal for the 2022 Water Transfer to DWR and Reclamation; and those agencies will evaluate the fields proposed to be idled/shifted for the temporary transfer. Evaluation and approval by DWR and Reclamation of the lands to be idled/shifted and verification of the quantity of surface water made available will ensure the proposed transfer does not result in any unreasonable and adverse impacts to the environment or third parties. In accordance with the Draft Technical Information and the *Final Long-Term Water Transfers Environmental Impact Statement/Environmental Impact Report* (Final EIS/EIR), PGV's crop idling/shifting will incorporate relevant mitigation measures that minimize impacts on threatened species, including the Giant Garter Snake.

As a result of the proposed temporary transfer, the flow in the Sacramento River downstream of the Petitioner's present points of diversion will increase by up to 4,089 AF§ over what would have occurred absent the proposed transfer. These increases will occur during the period that surface water is made available by the Petitioner or if possible, during the following months thereafter through releases by Reclamation for conveyance to SLDMWA. If excess capacity is available in Shasta Reservoir, the Delta is in balanced conditions, and regulatory requirements are being met, Reclamation may temporarily hold the quantity of surface water made available by the Petitioner, until export capacity at the SWP's Banks Pumping Plant or the CVP's Jones Pumping Plant is available, which is typically during July, August, or September. This "backing up" of transfer water would decrease releases from Shasta Reservoir early in the irrigation season, such as during May and June, and increase releases later in the season when conditions and operations permit, such as possibly during October or November. Reclamation would only consider operations to facilitate and accommodate "backing up" of transfer water if those operations avoid temperature impacts, and possibly aid with overall temperature management, consistent with the Final EIS/R and other relevant requirements. In fact, this temporary retention of water in Shasta Reservoir, as a result of surface water made available by the Petitioner, may provide an incidental benefit for fisheries during the early portion of the irrigation season as a result of the temporary retention of transfer water in Shasta Reservoir that would not have existed absent the transfer. The benefits associated with potential temporary retention of transfer water in Shasta Reservoir are considered by Reclamation through its planning efforts during late spring, generally following decisions by growers regarding quantities planned to be made available for transfer as indicated in water transfer proposals. Shasta Reservoir would continue to be operated in accordance with regulatory requirements, such as flow and temperature requirements established by various agencies including the U.S. Fish and Wildlife Service, National Oceanic and Atmospheric Administration's National Marine Fisheries Service,

<sup>§</sup> This is the maximum volume assuming that 2,600 AF is made available via crop idling/shifting and 1,711.5AF is made available via groundwater substitution (1,489 AF after subtracting the 13% streamflow depletion factor).

Federal Energy Regulatory Commission, and State Water Resources Control Board, for the protection of downstream resources. During the period when it is possible for the increased flows in the Sacramento River to reach the proposed downstream additional points of diversion for the proposed transfer, these flows will be a small percentage of the total flow and will be water that would be diverted by the Petitioner absent this proposed transfer. The Petitioner's reduced diversions will provide additional flows during the proposed transfer period, up to a maximum of approximately 26.4 cfs. Therefore, there will be no injury to other legal water users, water quality, or return flows; in fact, these increased flows may provide incidental benefits for fisheries and wildlife and may result in a positive effect to the water users between the present points of diversion and the proposed downstream additional points of diversion.

See files of the State Water Resources Control Board for more information regarding other legal water users, which may include the Delta water users, the Central Valley Project, and the SWP. Discussions with the Department of Fish and Wildlife (DFW) staff regarding the Petition occurred on February 14, 2022, in order to discuss the proposed water transfer, including the overall process/review of the Petition and associated documentation by DFW and other agencies. DFW staff provided no additional comments relative to crop idling/shifting. The Central Valley Regional Water Quality Control Board (CVRWQCB) has also been contacted and were provided information regarding the proposed temporary water transfer. DFW and CVRWQCB have been provided a copy of this Petition for review. Specifically, copies of this Petition have been provided to Briana Seapy (916-508-3345) and Bridget Gibbons (916-767-3993) of DFW and Michelle Snapp (916-464-4824) of the CVRWQCB for review and comment.

# State of California State Water Resources Control Board DIVISION OF WATER RIGHTS P.O. Box 2000. Sacramento. CA 95812-2000

Tel: (916) 341-5300 Fax: (916) 341-5400 http://www.waterboards.ca.gov/waterrights

## **ENVIRONMENTAL INFORMATION FOR PETITIONS**

This form is required for all 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.

## DESCRIPTION OF PROPOSED CHANGES OR WORK REMAINING TO BE COMPLETED

For a petition for 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	
nsert the attachment number here, if applicable:	

Page 1 of 4

## Coordination with Regional Water Quality Control Board

For change petitions only, you must request consultation with the Regional			Date o	f Request
Water Quality Control Board regarding the potential effects of your proposed change on water quality and other instream beneficial uses. (Cal. Code Regs., tit. 23, § 794.) In order to determine the appropriate office for consultation, see: http://www.waterboards.ca.gov/waterboards_map.shtml. Provide the date you submitted your request for consultation here, then provide the following information.		02/14/2022		4/2022
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?	,	0	Yes	No
Will a waste discharge permit be required for the project?		0	Yes	O No
If necessary, provide additional information below:				-
Michelle Snapp (916-464-4824) of the Central Valley Regional Water Quality Control Board was contact temporary water transfer; and no comments were provided at this time. A copy of this petition has been submittal of this petition to the Division of Water Rights.				
Insert the attachment number here, if applicable: 1				
Local Permits				
For temporary transfers only, you must contact the board of supervisors for	the		Date o	f Contact
county(ies) both for where you currently store or use water and where you to transfer the water. (Wat. Code § 1726.) Provide the date you submitted	propose	2/18/2022		8/2022
your request for consultation here.				
<u>For change petitions only</u> , you should contact your local planning or public information below.	works de	partr	ment an	d provide the
Person Contacted: Not Applicable. Date of Contact	:			
Department: Phone Number:				
County Zoning Designation:				
Are any county permits required for your project? If yes, indicate type below	v. C	) Ye	es (	O No
Grading Permit Use Permit Watercourse	Ot	ostru	ction Pe	ermit
Change of Zoning General Plan Change Other (e	xplain be	low)		
If applicable, have you obtained any of the permits listed above? If yes, pro	vide copi	es.	$O^{\vee}$	es O No
If necessary, provide additional information below:				
Not Applicable.				
Insert the attachment number here, if applicable:				

# **Federal and State Permits** Check any additional agencies that may require permits or other approvals for your project: Regional Water Quality Control Board Department of Fish and Game Dept of Water Resources, Division of Safety of Dams California Coastal Commission State Reclamation Board U.S. Army Corps of Engineers U.S. Forest Service Bureau of Land Management Federal Energy Regulatory Commission Natural Resources Conservation Service Have you obtained any of the permits listed above? If yes, provide copies. No Yes For each agency from which a permit is required, provide the following information: Permit Type Person(s) Contacted Contact Date Phone Number Agency Not Applicable If necessary, provide additional information below: Not Applicable. Insert the attachment number here, if applicable: **Construction or Grading Activity** Does the project involve any construction or grading-related activity that has significantly Yes altered or would significantly alter the bed, bank or riparian habitat of any stream or lake? If necessary, provide additional information below: Not Applicable.

Insert the attachment number here, if applicable:

Archeology		
Has an archeological report been prepared for this project? If yes, provide a copy.	OYes	O No
Will another public agency be preparing an archeological report?	<b>○</b> Yes	O No
Do you know of any archeological or historic sites in the area? If yes, explain below.	OYes	O No
If necessary, provide additional information below:		
Not Applicable.  Insert the attachment number here, if applicable:		
moert the attachment number here, if applicable.		
<b>Photographs</b> See Attachment No. 1.		
<u>For all petitions other than time extensions</u> , attach complete sets of color photographs labeled, showing the vegetation that exists at the following three locations:	, clearly date	ed and
Along the stream channel immediately downstream from each point of diversion	n	
Along the stream channel immediately upstream from each point of diversion		
At the place where water subject to this water right will be used		
Maps See Attachment No. 1.		
For all petitions other than time extensions, attach maps labeled in accordance with the applicable features, both present and proposed, including but not limited to: point of directiversion, distribution of storage reservoirs, point of discharge of treated wastewater location of instream flow dedication reach. (Cal. Code Regs., tit. 23, §§ 715 et seq., 79)	iversion, poir r, place of us	nt of
Pursuant to California Code of Regulations, title 23, section 794, petitions for change may not be accepted.	submitted wi	thout maps
All Water Right Holders Must Sign This Form:  I (we) hereby certify that the statements I (we) have furnished above and in the attach the best of my (our) ability and that the facts, statements, and information presented a best of my (our) knowledge. Dated  Out to be the first factor of the fact	re true and o	
On behalf of PGVMWC  Water Right Holder or Authorized Agent Signature  Water Right Holder or Authorized Agent Signature		
Water Right Holder or Authorized Agent Signature Water Right Holder or Authorized Water Right Holder or Authorized Right Holder or Authorized Water Right Holder or Authorized Water Right Holder or Authorized Right Holder or Authorized Water Right Holder Wa	rized Agent	Signature
<ul> <li>NOTE:         <ul> <li>Petitions for Change may not be accepted unless you include proof that a copy of the petition Department of Fish and Game. (Cal. Code Regs., tit. 23, § 794.)</li> </ul> </li> <li>Petitions for Temporary Transfer may not be accepted unless you include proof that a copy on the Department of Fish and Game and the board of supervisors for the county(ies) where water and the county(ies) where you propose to transfer the water. (Wat. Code § 1726.)</li> </ul>	of the petition	was served

## Attachment No. 1

## to Environmental Information for Petitions for Change Involving Water Transfers Filed by Joint Petitioners within Pleasant Grove-Verona MWC

## **DESCRIPTION OF PROPOSED CHANGES**

The Pleasant Grove-Verona Mutual Water Company (PGV) is proposing a temporary water transfer to San Luis & Delta-Mendota Water Authority (SLDMWA) in 2022. To facilitate this transfer, the Joint Petitioners are petitioning to temporarily add points of diversion, points of rediversion a place of use, and purposes of use to the water rights summarized below in order to transfer up to 15,139.2 AF for use by participating entities within SLDMWA by groundwater substitution and by crop idling/shifting. Shasta Dam is proposed to be added as a point of diversion; the State Water Project's (SWP) Banks Pumping Plant and the Central Valley Project's (CVP) CW "Bill" Jones Pumping Plant are proposed to be added as points of diversion and points of rediversion; San Luis Reservoir is proposed to be added as a point of rediversion; and a portion of the service area of the CVP is proposed to be added as a place of use. The purposes of use proposed to be added are municipal, industrial, and domestic, in addition to the existing purpose of use for irrigation. These proposed additions would authorize the transfer of water to SLDMWA in order to provide an additional water supply during the current drier hydrologic conditions. There are no changes to the Petitioner's existing points of diversion, place of use, or purpose of use.

The Petitioner is a shareholder of PGV which holds Contract No. 14-06-200-5520A-R-1 (Contract) with the U.S. Bureau of Reclamation (Reclamation). The water rights held by the Joint Petitioners and the other shareholders of PGV serve as the basis for the Base Supply under PGV's Contract. This Petition is one of 11 petitions (Joint Petitions) being filed by participating shareholders of PGV (Joint Petitioners) pursuant to their individual water rights. The Joint Petitions include the following:

Joint Petitioner	Application	License	Proposed Transfer Quantity (Up to Amount, AF)
E. D. Willey and Son, Inc.	7641A	6389A	4,311.5
River Ranch Partnership	7641C	6389C	802.6
D	7641B	6389B	1,160
Brett Scheidel	15606	11001	1,760
N' L' C N' 1 - 1	7641D1	6389D1	630
Nicoli G. Nicholas	15856A	7064A	1,697
Maria John Nicholas	7641D2	6389D2	630
Kelly Ranch, LLC	15856B	7064B	1,473
Marala I. I. F	15856C	7064C	2,205*
Murphy Lake Farms	15858	6399	500*
William L. Spangler	16182	10848	270.4

Because the proposed project involves the transfer of water under PGV's Contract these petitions are being filed jointly and should be treated as a single project. PGV has been authorized to act on behalf of the Joint Petitioners, each of which is filing similar petitions in order to facilitate the proposed transfer. Thus, this consolidated environmental information form accompanies each petition for the water rights listed above. The quantities shown in the table above are up to amounts for each Petitioner. PGV will coordinate with the Joint Petitioners to assure the maximum quantity to be transferred under the Joint Petitions will not exceed 15,139.2 AF†.

The quantity of surface water proposed to be made available by groundwater substitution involves the use of groundwater pumped upon overlying lands in exchange for a like amount of surface water that will remain instream for diversion at the proposed additional points of diversion. The quantity of surface water proposed to be made available for transfer by crop idling/shifting involves only the consumptive use savings as a result of actions within PGV's boundaries. These proposed quantities would be made available by the Petitioner during May

February 2022

<sup>\*</sup> Proposed upper limit quantities identified for each water right, limited to a combined quantity of up to 2,404.7 AF under Licenses 6399 and 7064C.

<sup>†</sup> PGV is currently coordinating with growers to determine the volume of water to be transferred by groundwater substitution and crop idling/shifting. The quantities identified in each of the Petitions are up-to limits for each transfer mechanism and total 20,764 AF (12,055 AF by groundwater substitution and 8,709 AF by crop idling/shifting); however, the Company will not transfer more than 15,139.2 AF. These initial up-to limits are included to allow for flexibility. The Company will submit a Proposal for review by Reclamation and the Department of Water Resources which will include refined volumes and meet other requirements explained further below.

through September 2022. Water made available for transfer will remain instream for diversion at the proposed additional points of diversion, or when necessary, temporarily retained in Shasta Reservoir for rediversion at the proposed additional points of rediversion. The quantity made available under this Petition will be limited to actions consistent with the terms and conditions of this license. At this time, the quantity of surface water to be made available by groundwater substitution versus crop idling/shifting is unknown. The split between water being made available by each mechanism will be determined after executing a Purchase Agreement with SLDMWA. Absent the proposed temporary transfer, surface water would be diverted to meet the irrigation demands of the Joint Petitioners and in accordance with its Sacramento River Settlement Contract with the U.S. Bureau of Reclamation (Reclamatiom). The proposed temporary transfer does not involve any construction or other physical changes to the Petitioners's facilities.

Petitions for temporary transfer of water pursuant to Water Code Section 1725 are exempt from the California Environmental Quality Act (CEQA). Reclamation and SLDMWA have prepared a *Final Long-Term Water Transfers Environmental Impact Statement/Environmental Impact Report* (Final EIS/EIR), dated September 2019, pursuant to the requirements under the National Environmental Policy Act (NEPA) and CEQA. A copy of the Final EIS/EIR, dated September 2019, is available at: <a href="https://www.usbr.gov/mp/nepa/nepa\_project\_details.php?Project\_ID=18361">https://www.usbr.gov/mp/nepa/nepa\_project\_details.php?Project\_ID=18361</a>> Based on the requirements associated with the Final EIS/EIR, and in accordance with the Draft Technical Information for Preparing Water Transfer Proposals, dated December 2019 published by the Department of Water Resources and Reclamation, the Petitioner will implement the relevant, applicable measures for the proposed 2022 Water Transfer.

## **PHOTOGRAPHS**

The present points of diversion and the proposed additional points of diversion and rediversion include existing facilities that are well known and documented with the Division of Water Rights (Division). In addition, the present and proposed places of use are also well known and documented with the Division. Therefore, for these reasons, the Petitioner respectfully requests that said documentation be made a part of the record for the petition.

#### **MAPS**

The present points of diversion and place of use are shown on a map filed with the Division. The proposed additional point of diversion for the SWP's Banks Pumping Plant and the proposed additional point of rediversion for San Luis Reservoir are shown on maps filed with the Division for Application 5630. The proposed additional point of diversion for the CVP's Jones Pumping Plant is shown on maps filed with the Division for Application 5626. The proposed additional place of use is a portion of the CVP service area, as shown on Map 214-208 – 12581 on file with the Division under Application 5626. The Petitioner respectfully requests that said maps be made a part of the record for the petition.

# Please indicate County where your project is located here:

Sutter	

## MAIL FORM AND ATTACHMENTS TO: State Water Resources Control Board DIVISION OF WATER RIGHTS

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

Tel: (916) 341-5300 Fax: (916) 341-5400 http://www.waterboards.ca.gov/waterrights

## PETITION FOR CHANGE INVOLVING WATER TRANSFERS

Separate petitions are required for each water right. Mark all areas that apply to your proposed change(s). Incomplete forms may not be accepted. Location and area information must be provided on maps in accordance with established requirements. (Cal. Code Regs., tit. 23, § 715 et seq.) Provide attachments if necessary.

Point of Diversion Wat. Code, § 1701  Point of Rediversion Wat. Code, § 1701  Purpose of Use Wat. Code, § 1701  Purpose of Use Wat. Code, § 1701
Temporary Urgency Wat. Code, § 1435  Temporary Change Wat. Code, § 1725  Temporary Change Wat. Code, § 382, 1735  Instream Flow Dedication Wat. Code, § 1707
Application 7641C Permit 4215 License 6389C Statement
I (we) hereby petition for change(s) noted above and described as follows:
Point of Diversion or Rediversion – Provide source name and identify points using both Public Land Survey System descriptions to 1/4-1/4 level and California Coordinate System (NAD 83).  Present: See Attachment No. 1
Proposed: See Attachment No. 1
Place of Use – Identify area using Public Land Survey System descriptions to 1/4-1/4 level; for irrigation, list number of acres irrigated.  Present: See Attachment No. 1
Proposed: See Attachment No. 1
Purpose of Use
Present: Irrigation
Proposed: Irrigation, Domestic, Industrial, Municipal
Instream Flow Dedication – Provide source name and identify points using both Public Land Survey System descriptions to 1/4-1/4 level and California Coordinate System (NAD 83).  Upstream Location:
Downstream Location:
List the quantities dedicated to instream flow in either:
Will the dedicated flow be diverted for consumptive use at a downstream location? Yes No If yes, provide the source name, location coordinates, and the quantities of flow that will be diverted from the stream.  Proposed New User(s) Provide the names, addresses, and phone numbers for all proposed new user(s) of the water right.  San Luis & Delta-Mendota Water Authority Attn: Frances Mizuno P.O. Box 2157 Los Banos, CA 93635 (200) 823 6200
(209) 832-6200

## Amount of Water to be Transferred

Upto 802.6 acre-feet will be transferred. If the basis of right is direct diversion, the average rate of diversion for the maximum 30-day period of use is  Up to 7.7 cubic feet per second or million gallons per day.
General Information – Provide the following information, if applicable to your proposed change(s).
Have you attached an analysis which documents that the amount of water to be transferred or exchanged would have been consumptively used or stored in the absence of the proposed temporary change or long-term transfer?
Have you attached an analysis of any changes to streamflow, water quality, timing of diversion or use, return flows, or effects on legal users from the proposed temporary change or long-term transfer?
Have you attached an analysis that shows the proposed temporary change or longterm transfer will not unreasonably affect fish, wildlife, or other instream beneficial uses?
I (we) have access to the proposed point of diversion or control the proposed place of use by virtue of:  ownership lease verbal agreement written agreement
If by lease or agreement, state name and address of person(s) from whom access has been obtained.
Give name and address of any person(s) taking water from the stream between the present point of diversion or rediversion and the proposed point of diversion or rediversion, as well as any other person(s) known to you who may be
affected by the proposed change.
See Attachment No. 1
All Right Holders Must Sign Below: I (we) declare under penalty of perjury that this involves only the amount of water
which would have been consumptively used or stored in the absence of the proposed temporary change, and that the above is true and correct to the best of my (our) knowledge and belief.
Dated 214122 at Pleusent Grove, CA
Right Holder or Authorized Agent Signature  Right Holder or Authorized Agent Signature
NOTE: All petitions must be accompanied by:
<ul> <li>(1) the form Environmental Information for Petitions, available at:         <ul> <li>http://www.waterboards.ca.gov/waterrights/publications_forms/forms/docs/pet_info.pdf</li> </ul> </li> <li>(2) Division of Water Rights fee, per the Water Rights Fee Schedule, available at:         <ul> <li>http://www.waterboards.ca.gov/waterrights/water_issues/programs/fees/</li> </ul> </li> <li>(3) Department of Fish and Wildlife fee of \$850 (Pub. Resources Code. § 10005)</li> </ul>

## Attachment No. 1 to Petition for Change Involving Water Transfers License 6389C (Application 7641C) held by River Ranch Partnership

## **GENERAL**

The purpose of this Petition for Change Involving Water Transfers (Petition) is to: (1) add Shasta Dam as a point of diversion, (2) add the State Water Project's (SWP) Harvey O. Banks Pumping Plant and the Central Valley Project's (CVP) CW "Bill" Jones Pumping Plant as points of diversion and points of rediversion, (3) add San Luis Reservoir as a point of rediversion, (4) add a portion of the service area of the CVP as an additional place of use, and (5) add municipal, industrial, and domestic purposes of use under River Ranch Partnership's (Petitioner) License 6389C (Application 7641C). The Petitioner is a shareholder of the Pleasant Grove-Verona Mutual Water Company (PGV). PGV holds Contract No. 14-06-200-5520A-R-1 (Contract) with the U.S. Bureau of Reclamation (Reclamation). The water rights held by the Petitioner and the other shareholders of PGV serve as the basis for the Base Supply under PGV's Contract. This Petition is one of 11 petitions (Joint Petitions) being filed by participating shareholders of PGV (Joint Petitioners) pursuant to their individual water rights. The Joint Petitions include the following:

Joint Petitioner	Application	License	Proposed Transfer Quantity (Up to Amount, AF)
E. D. Willey and Son, Inc.	7641A	6389A	4,311.5
River Ranch Partnership	7641C	6389C	802.6
D C-1.:111	7641B	6389B	1,160
Brett Scheidel	15606	11001	1,760
NESSEC NESSES	7641D1	6389D1	630
Nicoli G. Nicholas	15856A	7064A	1,697
Maria John Nicholas	7641D2	6389D2	630
Kelly Ranch, LLC	15856B	7064B	1,473
Manual and Labor Campa	15856C	7064C	2,205*
Murphy Lake Farms	15858	6399	500*
William L. Spanger	16182	10848	270.4

This Petition is being filed to facilitate a temporary transfer (2022 Water Transfer) of up to a total of 802.6 acre-feet (AF) of surface water proposed to be made available from the Petitioner May through September 2022. This proposed transfer quantity will be made available

Page 1 of 7

<sup>\*</sup> Proposed upper limit quantities identified for each water right, limited to a combined quantity of up to 2,404.7 AF under Licenses 6399 and 7064C.

by crop idling/shifting in order to provide an additional water supply for irrigation, municipal, industrial, and domestic purposes. The quantity of surface water to be made available for transfer by crop idling/shifting involves only the consumptive use savings as a result of actions within PGV's boundaries. Water made available for transfer will remain instream for diversion at the proposed additional points of rediversion, or when necessary, temporarily retained in Shasta Reservoir for diversion at the proposed additional points of rediversion. The quantity made available under this Petition will be limited to actions consistent with the terms and conditions of this license. As discussed further below, the quantity proposed to be made available by the Petitioner will be reviewed and approved by the U.S. Bureau of Reclamation (Reclamation) and the Department of Water Resources (DWR).

Absent the proposed temporary transfer, PGV would divert the entire quantity of surface water proposed for transfer from the Sacramento River pursuant to its water right in accordance with its Sacramento River Settlement Contract with the U.S. Bureau of Reclamation (Reclamation). Annual water right reports submitted to the Division of Water Rights (Division) for License 6389C, covering the period of 2016-2020 which are years of full water supply under the Settlement Contract, demonstrate that the Petitioner typically diverts and uses more surface water under that license than the amount proposed for the 2022 Water Transfer. The Petitioner accounts for its surface water diversions and use under its water rights, including License 6389C, in accordance with accounting methods relied upon by the Division considering several factors associated with each water right. Those factors include, but are not limited to, water right priorities, seasons of diversion, direct diversion rates, places of use, points of diversion, annual diversion limitations, and other relevant terms and conditions associated with each of the Petitioner's water rights. For example, diversions are accounted in order of water right priority starting with the senior water right that has the same authorized diversion season as when the diversion occurred, and identifying a diversion quantity that is the lesser of the diversion or the authorized rate of direct diversion. In the case that the diversion rate is greater than the authorized direct diversion rate, then the diversions over the authorized rate are accounted for under the water right with the next priority date using the same methodology. Because the proposed project involves the transfer of water under PGV's Contract, these petitions are being filed jointly and should be treated as a single project. PGV has been authorized to act on behalf of the Joint Petitioners, each of which is filing similar petitions in order to facilitate the proposed transfer. Under the Joint Petitions, PGV is proposing a temporary transfer of up to 15,139.2 AF to SLDMWA. Absent the proposed temporary transfer, PGV and the Joint Petitioners would divert the entire quantity proposed for transfer from surface water sources pursuant to their water rights and the Contract with Reclamation.

## POINT OF DIVERSION OR REDIVERSION

## **POINT OF DIVERSION**

Present Point of Diversion:

No change in the present point of diversion is proposed. Petitioner's authorized point of diversion under License 6389C is located as follows:

	Located Within†				
<u>Description</u>	1/4, 1/4	Sec	$\underline{\mathbf{T}}$	<u>R</u>	
North 900 feet and west 1,700 feet from SE corner of					
Section 23	SW, SE	23	11N	3E	

## Proposed Additional Points of Diversion:

No change in the present points of diversion is proposed. Petitioner proposes to add the following points of diversion:

## Shasta Dam

S39°58'13" W, 1,626.41 feet from E½ Corner of Section 15, T33N, R5W, MDB&M, being within the NE½ of SE½ of said Section 15, in Shasta County. This proposed additional point of diversion is identified on maps filed with the 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 diversion is identified on maps filed with the Division under Application 5630.

## 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 diversion is identified on maps filed with the Division under Application 5626.

## **POINT OF REDIVERSION**

### Present Point of Rediversion:

No change in the present point of rediversion is proposed. Petitioner's authorized point of rediversion under License 6389C is listed below:

	Located Within 7				
<b>Description</b>	1/4, 1/4	Sec	<u>T</u>	<u>R</u>	
South 49° 11' east 3,460 feet from NW corner of Section 8	SE, NW	8	11N	4E	

<sup>†</sup> All references to Township and Range are to the MDB&M.

T - - - 4 - J XX/241-2-- 4

## Proposed Additional Points of Rediversion:

The Petitioner proposes to add the following points of rediversion, which will assist in the temporary retention of transfer water for later use by the participating entities within SLDMWA during periods that coincide with demands or other operational constraints:

## 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, R1S, R4E, MDB&M. This proposed additional point of rediversion is identified on maps filed with the Division under Application 5630.

## 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 NW ¼ of SW ¼ of Projected Section 29, T1S, R4E, MDB&M. This proposed additional point of rediversion is identified on maps filed with the Division under Application 5626.

### San Luis Reservoir

N 1,845,103 ft., E 6,393,569 ft., California Coordinate System Zone 3, NAD 83, being within the SW ¼ of SE ¼ of Projected Section 15, T10S, R8E, MDB&M. This proposed additional point of rediversion is identified on maps filed with the Division under Application 5630.

### PLACE OF USE

## Present:

The present place of use is 519 acres net within a gross area of 547.24 acres located within Sections 6 and 7, T11N, R4E, MDB&M, as shown on map filed with State Water Board.

## Proposed:

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

## **GENERAL INFORMATION**

Surface water will be made available for transfer from PGV by crop idling/shifting, consistent with the current Draft Technical Information for Preparing Water Transfer Proposals, dated December 2019 (Draft Technical Information) published by the Department of Water Resources (DWR) and 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, instream beneficial uses, and the overall economy and environment. PGV will submit a proposal to DWR and Reclamation for a water transfer to participating entities within the SLDMWA during 2022, which includes detailed information relative to reporting elements, historical cropping data, and associated maps. DWR and Reclamation will conduct an extensive review of these documents in order to ensure that the quantity of water proposed to be made available by PGV meets the relevant criteria to demonstrate a reduction in surface water use will occur as a result of the proposed temporary transfer. Absent the proposed temporary transfer to SLDMWA, crops would not be idled/shifted to make surface water available for SLDMWA; thus, the Petitioner would have diverted surface water to meet its irrigation demands. The Petitioner will provide the Division with a copy of the executed agreements between PGV and Reclamation and/or DWR identifying the terms and conditions for the 2022 Water Transfer to document that the relevant findings are made by those agencies, in accordance with the Draft Technical Information and other requirements. Those executed agreements will identify an up-to transfer quantity to be made available by crop idling/shifting and/or groundwater substitution, which will be less than or equal to the quantities identified in the Joint Petitions.

Crop idling/shifting water transfers involve surface water made available for transfer by reducing the consumptive use of surface water applied for irrigation. As indicated above, PGV is preparing a water transfer proposal for submittal to DWR and Reclamation to provide the information required pursuant to the Draft Technical Information, which includes supporting documentation to determine the quantity of surface water to be made available by crop idling/shifting Details regarding specific fields and crops to be idled/shifted for the transfer are currently being decided by growers within PGV. In order to make 802.6 AF of surface water available for transfer, a maximum of 267.5 acres of rice will be idled for the proposed 2022 Water Transfer based on the current evapotranspiration of applied water rate for rice identified by DWR and Reclamation (3.0 AF/acre, which for 267.5 acres of rice results in a quantity of 802.6 AF). The acreages of crops irrigated under License 6389C during prior years are shown in water right reports filed with the Division. For reference, during recent years, the irrigated acreage of rice has been approximately 284.4 acres. Following determination of specific fields participating in the proposed transfer, including the associated crop history for those fields, PGV will submit a proposal for the 2022 Water Transfer to DWR and Reclamation; and those agencies will evaluate the fields proposed to be idled/shifted for the temporary transfer. Evaluation and approval by DWR and Reclamation of the lands to be idled/shifted and verification of the quantity of surface water made available will ensure the proposed transfer does not result in any unreasonable and adverse impacts to the environment or third parties. In accordance with the Draft Technical Information and the Final Long-Term Water Transfers Environmental Impact Statement/Environmental Impact Report (Final EIS/EIR), PGV's crop

idling/shifting will incorporate relevant mitigation measures that minimize impacts on threatened species, including the Giant Garter Snake.

As a result of the proposed temporary transfer, the flow in the Sacramento River downstream of the Petitioner's present points of diversion will increase by up to 802.6 AF over what would have occurred absent the proposed transfer. These increases will occur during the period that surface water is made available by the Petitioner or if possible, during the following months thereafter through releases by Reclamation for conveyance to SLDMWA. If excess capacity is available in Shasta Reservoir, the Delta is in balanced conditions, and regulatory requirements are being met, Reclamation may temporarily hold the quantity of surface water made available by the Petitioner, until export capacity at the SWP's Banks Pumping Plant or the CVP's Jones Pumping Plant is available, which is typically during July, August, or September. This "backing up" of transfer water would decrease releases from Shasta Reservoir early in the irrigation season, such as during May and June, and increase releases later in the season when conditions and operations permit, such as possible during October or November. Reclamation would only consider operations to facilitate and accommodate "backing up" of transfer water if those operations avoid temperature impacts, and possibly aid with overall temperature management, consistent with the Final EIS/R. In fact, this temporary retention of water in Shasta Reservoir, as a result of surface water made available by the Petitioner, may provide an incidental benefit for fisheries during the early portion of the irrigation season as a result of the temporary retention of transfer water in Shasta Reservoir that would not have existed absent that transfer. The benefits associated with the potential temporary retention of transfer water in Shasta Reservoir are considered by Reclamation through its planning efforts during late spring, generally following decisions by growers regarding quantities planned to be made available for transfer as indicated in water transfer proposals. Shasta Reservoir would continue to be operated in accordance with regulatory requirements, such as flow and temperature requirements established by various agencies including the U.S. Fish and Wildlife Service, National Oceanic and Atmospheric Administration's National Marine Fisheries Service, Federal Energy Regulatory Commission, and State Water Resources Control Board, for the protection of downstream resources. During the period when it is possible for the increased flows in the Sacramento River to reach the proposed downstream additional points of diversion for the proposed transfer, these flows will be a small percentage of the total flow and will be water that would be diverted by the Petitioner absent this proposed transfer. The Petitioner's reduced diversions will provide additional flows during the proposed transfer period, up to a maximum of approximately 7.7 cfs. Therefore, there will be no injury to other legal water users, water quality, or return flows; in fact, these increased flows may provide incidental benefits for fisheries and wildlife and may result in a positive effect to the water users between the present points of diversion and the proposed downstream additional points of diversion.

See files of the State Water Resources Control Board for more information regarding other legal water users, which may include the Delta water users, the Central Valley Project, and the SWP. Discussions with the Department of Fish and Wildlife (DFW) staff regarding the Petition occurred on February 14, 2022, in order to discuss the proposed water transfer, including the overall process/review of the Petition and associated documentation by DFW and other

River Ranch Partnership License 6389C Attachment No. 1 to Petition for Change Involving Water Transfers

agencies. DFW staff provided no additional comments relative to crop idling/shifting. The Central Valley Regional Water Quality Control Board (CVRWQCB) has also been contacted and were provided information regarding the proposed temporary water transfer. DFW and CVRWQCB have been provided a copy of this Petition for review. Specifically, copies of this Petition have been provided to Briana Seapy (916-508-3345) and Bridget Gibbons (916-767-3993) of DFW and Michelle Snapp (916-464-4824) of the CVRWQCB for review and comment.

## State of California State Water Resources Control Board **DIVISION OF WATER RIGHTS** P.O. Box 2000, Sacramento, CA 95812-2000

Tel: (916) 341-5300 Fax: (916) 341-5400 http://www.waterboards.ca.gov/waterrights

## **ENVIRONMENTAL INFORMATION FOR PETITIONS**

This form is required for all 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.

#### DESCRIPTION OF PROPOSED CHANGES OR WORK REMAINING TO BE COMPLETED

For a petition for 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	
Insert the attachment number here if applicable.	4

. ... . ... .

## Coordination with Regional Water Quality Control Board

For change petitions only, you must request consultation with the Regional  Water Quality Control Board regarding the potential effects of your proposed	Date of Request				
change on water quality and other instream beneficial uses. (Cal. Code Regs., tit. 23, § 794.) In order to determine the appropriate office for consultation, see: http://www.waterboards.ca.gov/waterboards_map.shtml. Provide the date you submitted your request for consultation here, then provide the following information.					
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?	)				
Will a waste discharge permit be required for the project?  Yes  No	)				
If necessary, provide additional information below:					
Michelle Snapp (916-464-4824) of the Central Valley Regional Water Quality Control Board was contacted in order to discuss the proposed temporary water transfer; and no comments were provided at this time. A copy of this petition has been provided to Ms. Snapp concurrently with the submittal of this petition to the Division of Water Rights.	ne				
Insert the attachment number here, if applicable: 1					
Local Permits					
For temporary transfers only, you must contact the board of supervisors for the Date of Contact					
county(ies) both for where you currently store or use water and where you propose	$\neg$				
to transfer the water. (Wat. Code § 1726.) Provide the date you submitted					
your request for consultation here.					
<u>For change petitions only</u> , you should contact your local planning or public works department and provide information below.	:he				
Person Contacted: Not Applicable. Date of Contact:					
Department: Phone Number:					
County Zoning Designation:					
Are any county permits required for your project? If yes, indicate type below.  Yes No					
Grading Permit Use Permit Watercourse Obstruction Permit					
Change of Zoning General Plan Change Other (explain below)					
If applicable, have you obtained any of the permits listed above? If yes, provide copies.					
If necessary, provide additional information below:					
Not Applicable.					
Insert the attachment number here, if applicable:					

# **Federal and State Permits** Check any additional agencies that may require permits or other approvals for your project: Regional Water Quality Control Board Department of Fish and Game Dept of Water Resources, Division of Safety of Dams California Coastal Commission State Reclamation Board U.S. Army Corps of Engineers U.S. Forest Service Federal Energy Regulatory Commission **Bureau of Land Management** Natural Resources Conservation Service Have you obtained any of the permits listed above? If yes, provide copies. Yes No For each agency from which a permit is required, provide the following information: Phone Number Permit Type Person(s) Contacted Contact Date Agency Not Applicable. If necessary, provide additional information below: Not Applicable. Insert the attachment number here, if applicable: **Construction or Grading Activity** Does the project involve any construction or grading-related activity that has significantly Yes altered or would significantly alter the bed, bank or riparian habitat of any stream or lake? If necessary, provide additional information below: Not Applicable.

Does the project involve any construction or grading-related activity that has significantly altered or would significantly alter the bed, bank or riparian habitat of any stream or lake?

If necessary, provide additional information below:

Not Applicable.

Insert the attachment number here, if applicable:

Archeology		
Has an archeological report been prepared for this project? If yes, provide a copy.	OYes	O No
Will another public agency be preparing an archeological report?	OYes	○ No
Do you know of any archeological or historic sites in the area? If yes, explain below.	OYes	O No
If necessary, provide additional information below:  Not Applicable.		
Insert the attachment number here, if applicable:		
Photographs See Attachment No. 1.  For all petitions other than time extensions, attach complete sets of color photographs	, clearly dat	ed and
labeled, showing the vegetation that exists at the following three locations:  Along the stream channel immediately downstream from each point of diversion  Along the stream channel immediately upstream from each point of diversion  At the place where water subject to this water right will be used	'n	
Maps See Attachment No. 1.  For all petitions other than time extensions, attach maps labeled in accordance with the applicable features, both present and proposed, including but not limited to: point of discretiversion, distribution of storage reservoirs, point of discharge of treated wastewater location of instream flow dedication reach. (Cal. Code Regs., tit. 23, §§ 715 et seq., 79)	version, point, place of us	nt of
Pursuant to California Code of Regulations, title 23, section 794, petitions for change smay not be accepted.	submitted wi	thout maps
All Water Right Holders Must Sign This Form:  I (we) hereby certify that the statements I (we) have furnished above and in the attach the best of my (our) ability and that the facts, statements, and information presented a best of my (our) knowledge. Dated  On behalf of  On behalf of	re true and	
Kyle Knutson PGVMWC  Water Right Holder or Authorized Agent Signature Water Right Holder or Authorized Water Right Holder or Authorized Right Ri	rized Agent	Signature
<ul> <li>NOTE:         <ul> <li>Petitions for Change may not be accepted unless you include proof that a copy of the petition Department of Fish and Game. (Cal. Code Regs., tit. 23, § 794.)</li> </ul> </li> <li>Petitions for Temporary Transfer may not be accepted unless you include proof that a copy on the Department of Fish and Game and the board of supervisors for the county(ies) where water and the county(ies) where you propose to transfer the water. (Wat. Code § 1726.)</li> </ul>	of the petition	was served

## Attachment No. 1

## to Environmental Information for Petitions for Change Involving Water Transfers Filed by Joint Petitioners within Pleasant Grove-Verona MWC

## **DESCRIPTION OF PROPOSED CHANGES**

The Pleasant Grove-Verona Mutual Water Company (PGV) is proposing a temporary water transfer to San Luis & Delta-Mendota Water Authority (SLDMWA) in 2022. To facilitate this transfer, the Joint Petitioners are petitioning to temporarily add points of diversion, points of rediversion a place of use, and purposes of use to the water rights summarized below in order to transfer up to 15,139.2 AF for use by participating entities within SLDMWA by groundwater substitution and by crop idling/shifting. Shasta Dam is proposed to be added as a point of diversion; the State Water Project's (SWP) Banks Pumping Plant and the Central Valley Project's (CVP) CW "Bill" Jones Pumping Plant are proposed to be added as points of diversion and points of rediversion; San Luis Reservoir is proposed to be added as a point of rediversion; and a portion of the service area of the CVP is proposed to be added as a place of use. The purposes of use proposed to be added are municipal, industrial, and domestic, in addition to the existing purpose of use for irrigation. These proposed additions would authorize the transfer of water to SLDMWA in order to provide an additional water supply during the current drier hydrologic conditions. There are no changes to the Petitioner's existing points of diversion, place of use, or purpose of use.

The Petitioner is a shareholder of PGV which holds Contract No. 14-06-200-5520A-R-1 (Contract) with the U.S. Bureau of Reclamation (Reclamation). The water rights held by the Joint Petitioners and the other shareholders of PGV serve as the basis for the Base Supply under PGV's Contract. This Petition is one of 11 petitions (Joint Petitions) being filed by participating shareholders of PGV (Joint Petitioners) pursuant to their individual water rights. The Joint Petitions include the following:

Joint Petitioner	Application	License	Proposed Transfer Quantity (Up to Amount, AF)
E. D. Willey and Son, Inc.	7641A	6389A	4,311.5
River Ranch Partnership	7641C	6389C	802.6
D C	7641B	6389B	1,160
Brett Scheidel	15606	11001	1,760
M. I. C. M. I. I.	7641D1	6389D1	630
Nicoli G. Nicholas	15856A	7064A	1,697
Maria John Nicholas	7641D2	6389D2	630
Kelly Ranch, LLC	15856B	7064B	1,473
M. L. L. L. F	15856C	7064C	2,205*
Murphy Lake Farms	15858	6399	500*
William L. Spangler	16182	10848	270.4

Because the proposed project involves the transfer of water under PGV's Contract these petitions are being filed jointly and should be treated as a single project. PGV has been authorized to act on behalf of the Joint Petitioners, each of which is filing similar petitions in order to facilitate the proposed transfer. Thus, this consolidated environmental information form accompanies each petition for the water rights listed above. The quantities shown in the table above are up to amounts for each Petitioner. PGV will coordinate with the Joint Petitioners to assure the maximum quantity to be transferred under the Joint Petitions will not exceed 15,139.2 AF†.

The quantity of surface water proposed to be made available by groundwater substitution involves the use of groundwater pumped upon overlying lands in exchange for a like amount of surface water that will remain instream for diversion at the proposed additional points of diversion. The quantity of surface water proposed to be made available for transfer by crop idling/shifting involves only the consumptive use savings as a result of actions within PGV's boundaries. These proposed quantities would be made available by the Petitioner during May

February 2022

<sup>\*</sup> Proposed upper limit quantities identified for each water right, limited to a combined quantity of up to 2,404.7 AF under Licenses 6399 and 7064C.

<sup>†</sup> PGV is currently coordinating with growers to determine the volume of water to be transferred by groundwater substitution and crop idling/shifting. The quantities identified in each of the Petitions are up-to limits for each transfer mechanism and total 20,764 AF (12,055 AF by groundwater substitution and 8,709 AF by crop idling/shifting); however, the Company will not transfer more than 15,139.2 AF. These initial up-to limits are included to allow for flexibility. The Company will submit a Proposal for review by Reclamation and the Department of Water Resources which will include refined volumes and meet other requirements explained further below.

through September 2022. Water made available for transfer will remain instream for diversion at the proposed additional points of diversion, or when necessary, temporarily retained in Shasta Reservoir for rediversion at the proposed additional points of rediversion. The quantity made available under this Petition will be limited to actions consistent with the terms and conditions of this license. At this time, the quantity of surface water to be made available by groundwater substitution versus crop idling/shifting is unknown. The split between water being made available by each mechanism will be determined after executing a Purchase Agreement with SLDMWA. Absent the proposed temporary transfer, surface water would be diverted to meet the irrigation demands of the Joint Petitioners and in accordance with its Sacramento River Settlement Contract with the U.S. Bureau of Reclamation (Reclamatiom). The proposed temporary transfer does not involve any construction or other physical changes to the Petitioners's facilities.

Petitions for temporary transfer of water pursuant to Water Code Section 1725 are exempt from the California Environmental Quality Act (CEQA). Reclamation and SLDMWA have prepared a *Final Long-Term Water Transfers Environmental Impact Statement/Environmental Impact Report* (Final EIS/EIR), dated September 2019, pursuant to the requirements under the National Environmental Policy Act (NEPA) and CEQA. A copy of the Final EIS/EIR, dated September 2019, is available at: <a href="https://www.usbr.gov/mp/nepa/nepa\_project\_details.php?Project\_ID=18361">https://www.usbr.gov/mp/nepa/nepa\_project\_details.php?Project\_ID=18361</a>> Based on the requirements associated with the Final EIS/EIR, and in accordance with the Draft Technical Information for Preparing Water Transfer Proposals, dated December 2019 published by the Department of Water Resources and Reclamation, the Petitioner will implement the relevant, applicable measures for the proposed 2022 Water Transfer.

## **PHOTOGRAPHS**

The present points of diversion and the proposed additional points of diversion and rediversion include existing facilities that are well known and documented with the Division of Water Rights (Division). In addition, the present and proposed places of use are also well known and documented with the Division. Therefore, for these reasons, the Petitioner respectfully requests that said documentation be made a part of the record for the petition.

### **MAPS**

The present points of diversion and place of use are shown on a map filed with the Division. The proposed additional point of diversion for the SWP's Banks Pumping Plant and the proposed additional point of rediversion for San Luis Reservoir are shown on maps filed with the Division for Application 5630. The proposed additional point of diversion for the CVP's Jones Pumping Plant is shown on maps filed with the Division for Application 5626. The proposed additional place of use is a portion of the CVP service area, as shown on Map 214-208 – 12581 on file with the Division under Application 5626. The Petitioner respectfully requests that said maps be made a part of the record for the petition.

Please	indicate	County	where
your p	roject is	located	here:

Sutter	

#### MAIL FORM AND ATTACHMENTS TO: State Water Resources Control Board DIVISION OF WATER RIGHTS

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

Tel: (916) 341-5300 Fax: (916) 341-5400 http://www.waterboards.ca.gov/waterrights

# PETITION FOR CHANGE INVOLVING WATER TRANSFERS

Separate petitions are required for each water right. Mark all areas that apply to your proposed change(s). Incomplete forms may not be accepted. Location and area information must be provided on maps in accordance with established requirements. (Cal. Code Regs., tit. 23, § 715 et seq.) Provide attachments if necessary.

	requir	ements.	. (Cal. Cod	e Regs., tit	23, 9 /	15 et seq.)	Provide a	llachmeni	s ii necess	ary.	
Point of Wat. Co	of Diversion de, § 1701	י 🗵	Point of Wat. Code	Rediversions, § 1701	on [>	Place of Wat. Code	Use , § 1701	X Purpo Wat. C	se of Use ode, § 1701		
	rary Urgen de, § 1435	cy 🔀	Tempor Wat. Cod	rary Chang de, § 1725	je 🗌	Long-tern Wat. Code,			n <b>stream FI</b> Vat. Code, §		ation
Appl	lication	7641	3 F	Permit	4215	Licen	se 63	889B	Statement		
I (we) hereb	y petition for	or chang	ge(s) noted	l above and	d describ	bed as follo	ws:				
Point of Di to 1/4-1/4 level Present:		ia Coord				nd identify po	oints using b	oth Public	Land Surve	y System d	escriptions
Proposed:											
Place of Us	se – Identify	area usii	ng Public La	and Survey S	System o	lescriptions t	o 1/4-1/4 level	; for irrigati	on, list numb	per of acres	irrigated.
Present:	See Attachment	No. 1									
Proposed:	See Attachment	No. 1									
Purpose of	Use										
- · ·	Irrigation										
Proposed:	Irrigation, Munici	ipal, Indust	rial, Domestic								
Instream F	lifornia Coord				nd identify	y points using	both Publi	c Land Sur	vey System	description	s to 1/4-1/4
Upstream L	ocation:	Not Applic	cable.								
Downstream	n Location:										
List the qua Jan	ntities dedic Feb	cated to Mar	instream f Apr	low in eithe May	er: [_] Jun	cubic feet p	er second Aug	or Sep	gallons pe Oct	er day: Nov	Dec
Will the ded If yes, provi									es O No diverted fro	m the stre	am.
Proposed Novide the			, and phon	e numbers	for all p	roposed ne	w user(s) o	of the wate	er right.		
San Luis & Delta Attn: Frances M P.O. Box 2157 Los Banos, CA (209) 832-6200	lizuno	r Authority									

# Amount of Water to be Transferred Upto 1,160 | acre-feet will be transferred. If the basis of right is direct diversion, the average rate of diversion for the maximum 30-day period of use is Up to 9.6 cubic feet per second or million gallons per day. General Information - Provide the following information, if applicable to your proposed change(s). Have you attached an analysis which documents that the amount of water to be O No transferred or exchanged would have been consumptively used or stored in the absence of the proposed temporary change or long-term transfer? Have you attached an analysis of any changes to streamflow, water quality, timing of O No ( Yes diversion or use, return flows, or effects on legal users from the proposed temporary change or long-term transfer? Have you attached an analysis that shows the proposed temporary change or long-Yes O No term transfer will not unreasonably affect fish, wildlife, or other instream beneficial uses? I (we) have access to the proposed point of diversion or control the proposed place of use by virtue of: ownership lease verbal agreement written agreement If by lease or agreement, state name and address of person(s) from whom access has been obtained. Not Applicable Give name and address of any person(s) taking water from the stream between the present point of diversion or rediversion and the proposed point of diversion or rediversion, as well as any other person(s) known to you who may be affected by the proposed change. See Attachment No. 1 All Right Holders Must Sign Below: I (we) declare under penalty of perjury that this involves only the amount of water which would have been consumptively used or stored in the absence of the proposed temporary change, and that the above is true and correct to the best of my (our) knowledge and belief. Dated 02/18/2022 Sacramento, CA at

Right Holder or Authorized Agent Signature

NOTE: All petitions must be accompanied by:

Right Holder or Authorized Agent Signature

Lule Knutson

(1) the form Environmental Information for Petitions, available at:

http://www.waterboards.ca.gov/waterrights/publications\_forms/forms/docs/pet\_info.pdf

(2) Division of Water Rights fee, per the Water Rights Fee Schedule, available at:

http://www.waterboards.ca.gov/waterrights/water\_issues/programs/fees/

(3) Department of Fish and Wildlife fee of \$850 (Pub. Resources Code, § 10005)

# Attachment No. 1 to Petition for Change Involving Water Transfers License 6389B (Application 7641B) held by Brett Scheidel

#### **GENERAL**

The purpose of this Petition for Change Involving Water Transfers (Petition) is to: (1) add Shasta Dam as a point of diversion, (2) add the State Water Project's (SWP) Harvey O. Banks Pumping Plant and the Central Valley Project's (CVP) CW "Bill" Jones Pumping Plant as points of diversion and points of rediversion, (3) add San Luis Reservoir as a point of rediversion, (4) add a portion of the service area of the CVP as an additional place of use, and (5) add municipal, industrial, and domestic purposes of use under Brett Scheidel's (Petitioner) License 6389B (Application 7641B). The Petitioner is a shareholder of the Pleasant Grove-Verona Mutual Water Company (PGV). PGV holds Contract No. 14-06-200-5520A-R-1 (Contract) with the U.S. Bureau of Reclamation (Reclamation). The water rights held by the Petitioner and the other shareholders of PGV serve as the basis for the Base Supply under PGV's Contract. This Petition is one of 11 petitions (Joint Petitions) being filed by participating shareholders of PGV (Joint Petitioners) pursuant to their individual water rights. The Joint Petitions include the following:

Joint Petitioner	Application	License	Proposed Transfer Quantity (Up to Amount, AF)
E. D. Willey and Son, Inc.	7641A	6389A	4,311.5
River Ranch Partnership	7641C	6389C	802.6
D # 0.1.111	7641B	6389B	1,160
Brett Scheidel	15606	11001	1,760
NE E C NE L L	7641D1	6389D1	630
Nicoli G. Nicholas	15856A	7064A	1,697
Maria John Nicholas	7641D2	6389D2	630
Kelly Ranch, LLC	15856B	7064B	1,473
Maria I. I. E	15856C	7064C	2,205*
Murphy Lake Farms	15858	6399	500*
William L. Spangler	16182	10848	270.4

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<sup>\*</sup> Proposed upper limit quantities identified for each water right, limited to a combined quantity of up to 2,404.7 AF under Licenses 6399 and 7064C.

This Petition is being filed to facilitate a temporary transfer (2022 Water Transfer) of up to a total of 1,160 acre-feet (AF) of surface water proposed to be made available from the Petitioner as early as April (upon approval of this Petition) through September 2022. This proposed transfer quantity will be made available by groundwater substitution (up to 1,160 AF<sup>†</sup> prior to subtracting streamflow depletion loss) and by crop idling/shifting (up to 500 AF†) in order to provide an additional water supply for irrigation, municipal, industrial, and domestic purposes. Groundwater substitution involves the use of groundwater pumped to produce crops within PGV in exchange for a like amount of surface water that will remain instream for diversion at the proposed additional points of diversion. The quantity of surface water to be made available for transfer by crop idling/shifting involves only the consumptive use savings as a result of actions within PGV's boundaries. Water made available for transfer will remain instream for diversion at the proposed additional points of diversion, or when necessary, temporarily retained in Shasta Reservoir for rediversion at the proposed additional points of rediversion. The quantity made available under this Petition will be limited to actions consistent with the terms and conditions of this License. At this time, the quantity of surface water to be made available by groundwater substitution versus crop idling/shifting is unknown. The split between water being made available by each mechanism will be determined after executing a Purchase Agreement with SLDMWA. As discussed further below, the quantity proposed to be made available by the Petitioner will be reviewed and approved by the U.S. Bureau of Reclamation (Reclamation) and the Department of Water Resources (DWR).

Absent the proposed temporary transfer, PGV would divert the entire quantity of surface water proposed for transfer from the Sacramento River pursuant to its water right in accordance with its Sacramento River Settlement Contract with the U.S. Bureau of Reclamation (Reclamation). Annual water right reports submitted to the Division of Water Rights (Division) for License 6389B, covering the period of 2016-2020 which are years of full water supply under the Settlement Contract, demonstrate that the Petitioner typically diverts and uses more surface water under that license than the amount proposed for the 2022 Water Transfer. The Petitioner accounts for its surface water diversions and use under its water rights, including License 6389B, in accordance with accounting methods relied upon by the Division considering several factors associated with each water right. Those factors include, but are not limited to, water right priorities, seasons of diversion, direct diversion rates, places of use, points of diversion, annual diversion limitations, and other relevant terms and conditions associated with each of the Petitioner's water rights. For example, diversions are accounted in order of water right priority starting with the senior water right that has the same authorized diversion season as when the diversion occurred, and identifying a diversion quantity that is the lesser of the diversion or the authorized rate of direct diversion. In the case that the diversion rate is greater than the authorized direct diversion rate, then the diversions over the authorized rate are accounted for under the water right with the next priority date using the same methodology. Because the proposed project involves the transfer of water under PGV's Contract, these petitions are being

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<sup>&</sup>lt;sup>†</sup> PGV is currently coordinating with growers to determine the volume of water to be transferred by groundwater substitution and crop idling/shifting. The quantities above are up-to limits for each transfer mechanism and total 1,660 AF; however, PGV will not transfer more than 1,160 AF. These initial up-to limits are included to allow for flexibility. PGV will submit a Proposal for review by Reclamation and the Department of Water Resources which will include refined volumes and meet other requirements explained further below.

filed jointly and should be treated as a single project. PGV has been authorized to act on behalf of the Joint Petitioners, each of which is filing similar petitions in order to facilitate the proposed transfer. Under the Joint Petitions, PGV is proposing a temporary transfer of up to 15,139.2 acre-feet to the Authority. Absent the proposed temporary transfer, PGV and the Joint Petitioners would divert the entire quantity proposed for transfer from surface water sources pursuant to their water rights and the Contract with Reclamation.

#### **POINT OF DIVERSION OR REDIVERSION**

#### Present Point of Diversion:

No change in the present point of diversion is proposed. Petitioner's authorized point of diversion under License 6389B is located on the Sacramento in Sutter County, tributary to the Suisun Bay as follows:

	Located Within‡				
<b>Description</b>	1/4, 1/4	Sec	<u>T</u>	<u>R</u>	
North 900 feet and west 1,700 feet from the SE corner of Section 23, T11N, R3E.	SW, SE	23	11N	3E	

#### Proposed Additional Points of Diversion:

No change in the present point of diversion is proposed. Petitioner proposes to add the following points of diversion:

#### Shasta Dam

S39°58'13" W, 1,626.41 feet from E½ Corner of Section 15, T33N, R5W, MDB&M, being within the NE½ of SE½ of said Section 15, in Shasta County. This proposed additional point of diversion is identified on maps filed with the Division under Application 5626.

#### 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 diversion is identified on maps filed with the 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

<sup>‡</sup> All references to Township and Range are to the MDB&M.

additional point of diversion is identified on maps filed with the Division under Application 5630.

#### **POINT OF REDIVERSION**

#### Present Points of Rediversion:

	Located Within§				
<b>Description</b>	1/4, 1/4	Sec	<u>T</u>	<u>R</u>	
South 49°11' east 3,460 feet from the NW corner of	SE, NW	8	11N	4E	

#### Proposed Additional Points of Rediversion:

Petitioner proposes to add the following points of rediversion, which will assist in the temporary retention of transfer water for later use by the participating entities within SLDMWA during periods that coincide with demands or other operational constraints:

#### 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, R1S, R4E, MDB&M. This proposed additional point of rediversion is identified on maps filed with the Division under Application 5630.

#### 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 NW ¼ of SW ¼ of Projected Section 29, T1S, R4E, MDB&M. This proposed additional point of rediversion is identified on maps filed with the Division under Application 5626.

#### San Luis Reservoir

N 1,845,103 ft., E 6,393,569 ft., California Coordinate System Zone 3, NAD 83, being within the SW ¼ of SE ¼ of Projected Section 15, T10S, R8E, MDB&M. This proposed additional point of rediversion is identified on maps filed with the Division under Application 5630.

<sup>§</sup> All references to Township and Range are to the MDB&M.

#### PLACE OF USE

#### Present:

The present place of use is 610 acres net, within a gross area of 683.80 acres, within Sections 5, 6, 7, and 8, T11N, R4E, MDB&M, as shown on map filed with the State Water Rights Board.

#### Proposed:

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

#### **GENERAL INFORMATION**

Surface water will be made available for transfer from PGV by groundwater substitution and by crop idling/shifting, consistent with the current Draft Technical Information for Preparing Water Transfer Proposals, dated December 2019 (Draft Technical Information) published by the Department of Water Resources (DWR) and 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, instream beneficial uses, and the overall economy and environment. PGV will submit a proposal to DWR and Reclamation for a water transfer to participating entities within the SLDMWA during 2022, which includes detailed information relative to historical groundwater pumping, groundwater well characteristics, groundwater monitoring and reporting elements, historical cropping data, and associated maps. DWR and Reclamation will conduct an extensive review of these documents in order to ensure that the quantity of water proposed to be made available by PGV meets the relevant criteria to demonstrate a reduction in surface water use will occur as a result of the proposed temporary transfer. Absent the proposed temporary transfer to SLDMWA, groundwater would not be pumped by the Petitioner for groundwater substitution and crops would not be idled/shifted to make surface water available for SLDMWA; thus, the Petitioner would have diverted surface water to meet its irrigation demands. The Petitioner will provide the Division with a copy of the executed agreements between PGV and Reclamation and/or DWR identifying the terms and conditions for the 2022 Water Transfer to document that the relevant findings are made by those agencies, in accordance with the Draft Technical Information and other requirements. Those executed agreements will identify an up-to transfer quantity to be made available by crop idling/shifting and/or groundwater substitution, which will be less than or equal to the quantities identified in the Joint Petitions.

Only wells which have been approved by DWR and Reclamation will be used for the proposed temporary transfer. In accordance with Water Code Section 1745.10, the Petitioner does not believe the proposed transfer to SLDMWA by groundwater substitution will result in

an overdraft of the underlying groundwater basin. As a condition of participation in the proposed temporary transfer, PGV has developed groundwater monitoring, reporting, and mitigation plans to ensure the proposed transfer does not result in any unreasonable and adverse effects, such as impacts to other legal users of water, land subsidence, groundwaterdependent vegetation, and groundwater quality. As described above, the requirements of the monitoring program and mitigation plan are outlined in the Draft Technical Information and will be implemented by the Petitioner accordingly. The monitoring program also includes recurring review of groundwater level monitoring data obtained prior to, during, and following periods when surface water is made available by the Petitioner for the proposed water transfer, in accordance with the Draft Technical Information. To account for anticipated streamflow depletion, DWR and Reclamation will apply a factor of 13% to the amount of groundwater pumped pursuant to the Petitioner's proposed groundwater substitution transfer in accordance with the Draft Technical Information. Evaluation and approval by DWR and Reclamation of the groundwater monitoring, reporting, and mitigation plans will be obtained for PGV's groundwater substitution program. Further, PGV is providing notification to the Reclamation District No. 1001 Groundwater Sustainability Agency, which is the groundwater sustainability agency formed pursuant to the Sustainable Groundwater Management Act that covers the area where groundwater substitution pumping is proposed to occur within PGV. Documentation of PGV's notifications to the Reclamation District No. 1001 Groundwater Sustainability Agency (GSA), including a determination from the GSA that the proposed 2022 Water Transfer is consistent with the Groundwater Sustainability Plan, will be provided to DWR and Reclamation, in accordance with the Draft Technical Information.

As indicated above, PGV conducts water transfers in accordance with the Draft Technical Information and other relevant requirements. The monitoring requirements associated with PGV's proposed groundwater substitution water transfer will be incorporated to agreements with DWR and Reclamation. Following the proposed water transfer, PGV will prepare a monitoring report summarizing the results. In PGV's previous groundwater substitution transfers, some of which involved similar quantities compared to the quantity proposed in this Petition, the groundwater basin in and around PGV recovered from the effects of the transfer the following spring. We expect the hydrologic data to show a similar recovery pattern for the proposed 2022 Water Transfer.

Crop idling/shifting water transfers involve surface water made available for transfer by reducing the consumptive use of surface water applied for irrigation. As indicated above, PGV is preparing a water transfer proposal for submittal to DWR and Reclamation to provide the information required pursuant to the Draft Technical Information, which includes supporting documentation to determine the quantity of surface water to be made available by crop idling/shifting. Details regarding specific fields and crops to be idled/shifted for the transfer are currently being decided by growers within PGV. In order to make 500 AF of surface water available for transfer, a maximum of 167 acres of rice will be idled for the proposed 2022 Water Transfer based on the current evapotranspiration of applied water rate for rice identified by DWR and Reclamation (3.0 AF/acre, which for 167 acres of rice results in a quantity of 500 AF). The acreages of crops irrigated under License 6389B during prior years are shown in water right reports filed with the Division. For reference, during recent years, the irrigated acreage of rice

has been approximately 610 acres. Following determination of specific fields participating in the proposed transfer, including the associated crop history for those fields, PGV will submit a proposal for the 2022 Water Transfer to DWR and Reclamation; and those agencies will evaluate the fields proposed to be idled/shifted for the temporary transfer. Evaluation and approval by DWR and Reclamation of the lands to be idled/shifted and verification of the quantity of surface water made available will ensure the proposed transfer does not result in any unreasonable and adverse impacts to the environment or third parties. In accordance with the Draft Technical Information and the *Final Long-Term Water Transfers Environmental Impact Statement/Environmental Impact Report* (Final EIS/EIR, PGV's crop idling/shifting will incorporate relevant mitigation measures that minimize impacts on threatened species, including the Giant Garter Snake.

As a result of the proposed temporary transfer, the flow in the Sacramento River downstream of the Petitioner's present points of diversion will increase by up to 1,074.2 AF\*\* over what would have occurred absent the proposed transfer. These increases will occur during the period that surface water is made available by the Petitioner or if possible, during the following months thereafter through releases by Reclamation for conveyance to SLDMWA. If excess capacity is available in Shasta Reservoir, the Delta is in balanced conditions, and regulatory requirements are being met, Reclamation may temporarily hold the quantity of surface water made available by the Petitioner, until export capacity at the SWP's Banks Pumping Plant or the CVP's Jones Pumping Plant is available, which is typically during July, August, or September. This "backing up" of transfer water would decrease releases from Shasta Reservoir early in the irrigation season, such as during May and June, and increase releases later in the season when conditions and operations permit, such as possible during October or November. Reclamation would only consider operations to facilitate and accommodate "backing up" of transfer water if those operations avoid temperature impacts, and possibly aid with overall temperature management, consistent with the Final EIS/R. In fact, this temporary retention of water in Shasta Reservoir, as a result of surface water made available by the Petitioner, may provide an incidental benefit for fisheries during the early portion of the irrigation season as a result of the temporary retention of transfer water in Shasta Reservoir that would not have existed absent that transfer. The benefits associated with the potential temporary retention of transfer water in Shasta Reservoir are considered by Reclamation through its planning efforts during late spring, generally following decisions by growers regarding quantities planned to be made available for transfer as indicated in water transfer proposals. Shasta Reservoir would continue to be operated in accordance with regulatory requirements, such as flow and temperature requirements established by various agencies including the U.S. Fish and Wildlife Service, National Oceanic and Atmospheric Administration's National Marine Fisheries Service, Federal Energy Regulatory Commission, and State Water Resources Control Board, for the protection of downstream resources. During the period when it is possible for the increased flows in the Sacramento River to reach the proposed downstream additional points of diversion for the proposed transfer, these flows will be a small percentage of the total flow and will be water that would

<sup>\*\*</sup> This is the maximum volume assuming that 500 AF is made available via crop idling/shifting and 660 AF is made available via groundwater substitution (574.2 AF after subtracting the 13% streamflow depletion factor).

be diverted by the Petitioner absent this proposed transfer. The Petitioner's reduced diversions will provide additional flows during the proposed transfer period, up to a maximum of approximately 9.6 cfs. Therefore, there will be no injury to other legal water users, water quality, or return flows; in fact, these increased flows may provide incidental benefits for fisheries and wildlife and may result in a positive effect to the water users between the present points of diversion and the proposed downstream additional points of diversion.

See files of the State Water Resources Control Board for more information regarding other legal water users, which may include the Delta water users, the Central Valley Project, and the SWP. Discussions with the Department of Fish and Wildlife (DFW) staff regarding the Petition occurred on February 14, 2022 in order to discuss the proposed water transfer, including the overall process/review of the Petition and associated documentation by DFW and other agencies. DFW staff provided no additional comments relative to crop idling/shifting. The Central Valley Regional Water Quality Control Board (CVRWQCB) has also been contacted and were provided information regarding the proposed temporary water transfer. DFW and CVRWQCB have been provided a copy of this Petition for review. Specifically, copies of this Petition have been provided to Briana Seapy (916-508-3345) and Bridget Gibbons (916-767-3993) of DFW and Michelle Snapp (916-464-4824) of the CVRWQCB for review and comment.

# State of California State Water Resources Control Board **DIVISION OF WATER RIGHTS** P.O. Box 2000, Sacramento, CA 95812-2000

Tel: (916) 341-5300 Fax: (916) 341-5400 http://www.waterboards.ca.gov/waterrights

# **ENVIRONMENTAL INFORMATION FOR PETITIONS**

This form is required for all 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.

#### DESCRIPTION OF PROPOSED CHANGES OR WORK REMAINING TO BE COMPLETED

For a petition for 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
Insert the attachment number here, if applicable:

# Coordination with Regional Water Quality Control Board

For change petitions only, you must request consultation with the Regional	Date of Request				
Water Quality Control Board regarding the potential effects of your proposed change on water quality and other instream beneficial uses. (Cal. Code Regs., tit. 23, § 794.) In order to determine the appropriate office for consultation, see: http://www.waterboards.ca.gov/waterboards_map.shtml. Provide the date you submitted your request for consultation here, then provide the following information.	02/14/2022				
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?	0	Yes	O No		
Will a waste discharge permit be required for the project?	0	Yes	O No		
If necessary, provide additional information below:					
Michelle Snapp (916-464-4824) of the Central Valley Regional Water Quality Control Board was contacted in order to discuss the proposed temporary water transfer; and no comments were provided at this time. A copy of this petition has been provided to Ms. Snapp concurrently with the submittal of this petition to the Division of Water Rights.					
Insert the attachment number here, if applicable: 1			-		
Local Permits					
For temporary transfers only, you must contact the board of supervisors for the		Date o	f Contact		
county(ies) both for where you currently store or use water and where you propose to transfer the water. (Wat. Code § 1726.) Provide the date you submitted your request for consultation here.	2/18/2022		8/2022		
For change petitions only, you should contact your local planning or public works de information below.	epart	ment an	d provide the		
Person Contacted: Not Applicable. Date of Contact:					
Department: Phone Number:					
County Zoning Designation:					
Are any county permits required for your project? If yes, indicate type below.	) Ye	es (	O No		
Grading Permit Use Permit Watercourse C	bstru	ction Pe	ermit		
Change of Zoning General Plan Change Other (explain be	elow)				
If applicable, have you obtained any of the permits listed above? If yes, provide cop	ies.	$O^{Y}$	es No		
If necessary, provide additional information below:					
Not Applicable.					
Insert the attachment number here, if applicable:					

# Check any additional agencies that may require permits or other approvals for your project: Regional Water Quality Control Board Department of Fish and Game Dept of Water Resources, Division of Safety of Dams California Coastal Commission U.S. Forest Service State Reclamation Board U.S. Army Corps of Engineers Bureau of Land Management Federal Energy Regulatory Commission Natural Resources Conservation Service Have you obtained any of the permits listed above? If yes, provide copies. No Yes For each agency from which a permit is required, provide the following information: Contact Date Phone Number Permit Type Person(s) Contacted Agency Not Applicable If necessary, provide additional information below: Not Applicable. Insert the attachment number here, if applicable: **Construction or Grading Activity** Does the project involve any construction or grading-related activity that has significantly Yes altered or would significantly alter the bed, bank or riparian habitat of any stream or lake? If necessary, provide additional information below: Not Applicable. Insert the attachment number here, if applicable:

**Federal and State Permits** 

Archeology		
Has an archeological report been prepared for this project? If yes, provide a copy.	OYes	O No
Will another public agency be preparing an archeological report?	OYes	O No
Do you know of any archeological or historic sites in the area? If yes, explain below.	OYes	O No
If necessary, provide additional information below:		1
Not Applicable.		
Insert the attachment number here, if applicable:		
Photographs See Attachment No. 1.		
For all petitions other than time extensions, attach complete sets of color photographs labeled, showing the vegetation that exists at the following three locations:	s, clearly dat	ed and
Along the stream channel immediately downstream from each point of diversion	n	
Along the stream channel immediately upstream from each point of diversion		
At the place where water subject to this water right will be used		
Maps See Attachment No. 1.		
For all petitions other than time extensions, attach maps labeled in accordance with the applicable features, both present and proposed, including but not limited to: point of directiversion, distribution of storage reservoirs, point of discharge of treated wastewate location of instream flow dedication reach. (Cal. Code Regs., tit. 23, §§ 715 et seq., 79)	iversion, poi r, place of us	nt of
Pursuant to California Code of Regulations, title 23, section 794, petitions for change may not be accepted.	submitted w	ithout maps
All Water Right Holders Must Sign This Form:  I (we) hereby certify that the statements I (we) have furnished above and in the attach the best of my (our) ability and that the facts, statements, and information presented a best of my (our) knowledge. Dated  O2/18/2022  at Sacramento, C	re true and	
On behalf of  Kyle Knutson PGVMWC  Water Right Holder or Authorized Agent Signature Water Right Holder or Authorized Agent Signature		
Water Right Holder or Authorized Agent Signature Water Right Holder or Authorized Water Right Holder or Authorized Agent Signature	rized Agent	Signature
NOTE:  • Petitions for Change may not be accepted unless you include proof that a copy of the petition Department of Fish and Game. (Cal. Code Regs., tit. 23, § 794.)  • Petitions for Temporary Transfer may not be accepted unless you include proof that a copy on the Department of Fish and Game and the board of supervisors for the county(ies) where water and the county(ies) where you propose to transfer the water. (Wat. Code § 1726.)	of the petition	was served

### Attachment No. 1

# to Environmental Information for Petitions for Change Involving Water Transfers Filed by Joint Petitioners within Pleasant Grove-Verona MWC

#### **DESCRIPTION OF PROPOSED CHANGES**

The Pleasant Grove-Verona Mutual Water Company (PGV) is proposing a temporary water transfer to San Luis & Delta-Mendota Water Authority (SLDMWA) in 2022. To facilitate this transfer, the Joint Petitioners are petitioning to temporarily add points of diversion, points of rediversion a place of use, and purposes of use to the water rights summarized below in order to transfer up to 15,139.2 AF for use by participating entities within SLDMWA by groundwater substitution and by crop idling/shifting. Shasta Dam is proposed to be added as a point of diversion; the State Water Project's (SWP) Banks Pumping Plant and the Central Valley Project's (CVP) CW "Bill" Jones Pumping Plant are proposed to be added as points of diversion and points of rediversion; San Luis Reservoir is proposed to be added as a point of rediversion; and a portion of the service area of the CVP is proposed to be added as a place of use. The purposes of use proposed to be added are municipal, industrial, and domestic, in addition to the existing purpose of use for irrigation. These proposed additions would authorize the transfer of water to SLDMWA in order to provide an additional water supply during the current drier hydrologic conditions. There are no changes to the Petitioner's existing points of diversion, place of use, or purpose of use.

The Petitioner is a shareholder of PGV which holds Contract No. 14-06-200-5520A-R-1 (Contract) with the U.S. Bureau of Reclamation (Reclamation). The water rights held by the Joint Petitioners and the other shareholders of PGV serve as the basis for the Base Supply under PGV's Contract. This Petition is one of 11 petitions (Joint Petitions) being filed by participating shareholders of PGV (Joint Petitioners) pursuant to their individual water rights. The Joint Petitions include the following:

Joint Petitioner	Application	License	Proposed Transfer Quantity (Up to Amount, AF)
E. D. Willey and Son, Inc.	7641A	6389A	4,311.5
River Ranch Partnership	7641C	6389C	802.6
Brett Scheidel	7641B	6389B	1,160
Brett Scheider	15606	11001	1,760
NE P.C. NE I I	7641D1	6389D1	630
Nicoli G. Nicholas	15856A	7064A	1,697
Maria John Nicholas	7641D2	6389D2	630
Kelly Ranch, LLC	15856B	7064B	1,473
Manuelan I alas Fama	15856C	7064C	2,205*
Murphy Lake Farms	15858	6399	500*
William L. Spangler	16182	10848	270.4

Because the proposed project involves the transfer of water under PGV's Contract these petitions are being filed jointly and should be treated as a single project. PGV has been authorized to act on behalf of the Joint Petitioners, each of which is filing similar petitions in order to facilitate the proposed transfer. Thus, this consolidated environmental information form accompanies each petition for the water rights listed above. The quantities shown in the table above are up to amounts for each Petitioner. PGV will coordinate with the Joint Petitioners to assure the maximum quantity to be transferred under the Joint Petitions will not exceed 15,139.2 AF†.

The quantity of surface water proposed to be made available by groundwater substitution involves the use of groundwater pumped upon overlying lands in exchange for a like amount of surface water that will remain instream for diversion at the proposed additional points of diversion. The quantity of surface water proposed to be made available for transfer by crop idling/shifting involves only the consumptive use savings as a result of actions within PGV's boundaries. These proposed quantities would be made available by the Petitioner during May

February 2022

<sup>\*</sup> Proposed upper limit quantities identified for each water right, limited to a combined quantity of up to 2,404.7 AF under Licenses 6399 and 7064C.

<sup>†</sup> PGV is currently coordinating with growers to determine the volume of water to be transferred by groundwater substitution and crop idling/shifting. The quantities identified in each of the Petitions are up-to limits for each transfer mechanism and total 20,764 AF (12,055 AF by groundwater substitution and 8,709 AF by crop idling/shifting); however, the Company will not transfer more than 15,139.2 AF. These initial up-to limits are included to allow for flexibility. The Company will submit a Proposal for review by Reclamation and the Department of Water Resources which will include refined volumes and meet other requirements explained further below.

through September 2022. Water made available for transfer will remain instream for diversion at the proposed additional points of diversion, or when necessary, temporarily retained in Shasta Reservoir for rediversion at the proposed additional points of rediversion. The quantity made available under this Petition will be limited to actions consistent with the terms and conditions of this license. At this time, the quantity of surface water to be made available by groundwater substitution versus crop idling/shifting is unknown. The split between water being made available by each mechanism will be determined after executing a Purchase Agreement with SLDMWA. Absent the proposed temporary transfer, surface water would be diverted to meet the irrigation demands of the Joint Petitioners and in accordance with its Sacramento River Settlement Contract with the U.S. Bureau of Reclamation (Reclamatiom). The proposed temporary transfer does not involve any construction or other physical changes to the Petitioners's facilities.

Petitions for temporary transfer of water pursuant to Water Code Section 1725 are exempt from the California Environmental Quality Act (CEQA). Reclamation and SLDMWA have prepared a *Final Long-Term Water Transfers Environmental Impact Statement/Environmental Impact Report* (Final EIS/EIR), dated September 2019, pursuant to the requirements under the National Environmental Policy Act (NEPA) and CEQA. A copy of the Final EIS/EIR, dated September 2019, is available at: <a href="https://www.usbr.gov/mp/nepa/nepa\_project\_details.php?Project\_ID=18361">https://www.usbr.gov/mp/nepa/nepa\_project\_details.php?Project\_ID=18361</a>> Based on the requirements associated with the Final EIS/EIR, and in accordance with the Draft Technical Information for Preparing Water Transfer Proposals, dated December 2019 published by the Department of Water Resources and Reclamation, the Petitioner will implement the relevant, applicable measures for the proposed 2022 Water Transfer.

#### **PHOTOGRAPHS**

The present points of diversion and the proposed additional points of diversion and rediversion include existing facilities that are well known and documented with the Division of Water Rights (Division). In addition, the present and proposed places of use are also well known and documented with the Division. Therefore, for these reasons, the Petitioner respectfully requests that said documentation be made a part of the record for the petition.

#### **MAPS**

The present points of diversion and place of use are shown on a map filed with the Division. The proposed additional point of diversion for the SWP's Banks Pumping Plant and the proposed additional point of rediversion for San Luis Reservoir are shown on maps filed with the Division for Application 5630. The proposed additional point of diversion for the CVP's Jones Pumping Plant is shown on maps filed with the Division for Application 5626. The proposed additional place of use is a portion of the CVP service area, as shown on Map 214-208 – 12581 on file with the Division under Application 5626. The Petitioner respectfully requests that said maps be made a part of the record for the petition.

Please	indicate	County	where
your p	roject is	located	here:

Su	utter	

#### MAIL FORM AND ATTACHMENTS TO: State Water Resources Control Board DIVISION OF WATER RIGHTS

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

Tel: (916) 341-5300 Fax: (916) 341-5400 http://www.waterboards.ca.gov/waterrights

# PETITION FOR CHANGE INVOLVING WATER TRANSFERS

Separate petitions are required for each water right. Mark all areas that apply to your proposed change(s). Incomplete forms may not be accepted. Location and area information must be provided on maps in accordance with established requirements. (Cal. Code Regs., tit. 23, § 715 et seq.) Provide attachments if necessary.

1011110 1110			Cal. Code Reg							abilioriod
Point of Wat. Co	of Diversion	on ⊠ F	Point of Rediv Wat. Code, § 170	ersion	Place of Use Wat. Code, § 1	<sub>701</sub> 🗵	Purpos Wat. Co	e of Use de, § 1701		
	rary Urge ode, § 1435	ncy 🖂	Temporary Cl Wat. Code, § 17	nange L 25 N	ong-term Tra /at. Code, §§ 3	<b>ansfer</b> 882, 1735	☐ Ins	stream Flo at. Code, §	w Dedica 1707	ation
Арр	lication [	15606	Permit	9750	License	1100	)1	Statement		
I (we) hereb	by petition	for change	(s) noted above	e and describe	d as follows:					
to 1/4-1/4 level		nia Coordina	<b>ion</b> – Provide so ate System (NAI		identify points	using both	n Public L	and Survey	System de	escriptions
Proposed:	See Attachmer	nt No. 1								
D	<b>se</b> – Identify See Attachmer		Public Land Sui	vey System des	criptions to 1/4-	·¼ level; fo	r irrigatio	n, list numb	er of acres	irrigated.
Proposed:	See Attachmer	nt No. 1								
Purpose of	f Use									
Present:	Irrigation									
Proposed:	Irrigation, Muni	cipal, Industrial	, Domestic							
level and Ca	lifornia Coo		ovide source nan em (NAD 83).	ne and identify p	oints using bo	th Public L	and Surv	ey System o	description	s to 1/4-1/4
Upstream L	ocation:	Not applicab	le							
Downstrear	n Location	:								
List the qua Jan	intities ded Feb	icated to in Mar	stream flow in Apr Ma		bic feet per s	second or Aug	Sep !	gallons per Oct	day: Nov	Dec
			7,51	J						
If yes, provi Proposed I	de the sou New User(	rce name, s)	ed for consump location coordi	nates, and the	quantities of	flow that	will be di		n the strea	am.
San Luis & Delt Attn: Frances M P.O. Box 2157 Los Banos, CA (209) 832-6200	a-Mendota Wa Ilizuno		,			( ) = : -		0		

# Amount of Water to be Transferred Upto 1.760 acre-feet will be transferred. If the basis of right is direct diversion, the average rate of diversion for the maximum 30-day period of use is Up to 14.5 cubic feet per second or million gallons per day. General Information – Provide the following information, if applicable to your proposed change(s). Have you attached an analysis which documents that the amount of water to be O No Yes transferred or exchanged would have been consumptively used or stored in the absence of the proposed temporary change or long-term transfer? Have you attached an analysis of any changes to streamflow, water quality, timing of O No diversion or use, return flows, or effects on legal users from the proposed temporary change or long-term transfer? Have you attached an analysis that shows the proposed temporary change or long-Yes term transfer will not unreasonably affect fish, wildlife, or other instream beneficial uses? I (we) have access to the proposed point of diversion or control the proposed place of use by virtue of: written agreement ownership lease verbal agreement If by lease or agreement, state name and address of person(s) from whom access has been obtained. Not Applicable Give name and address of any person(s) taking water from the stream between the present point of diversion or rediversion and the proposed point of diversion or rediversion, as well as any other person(s) known to you who may be affected by the proposed change See Attachment No. 1 All Right Holders Must Sign Below: I (we) declare under penalty of perjury that this involves only the amount of water which would have been consumptively used or stored in the absence of the proposed temporary change, and that the above is true and correct to the best of my (our) knowledge and belief. Dated 02/18/2022 Sacramento, CA at Kyle Knutson

Right Holder or Authorized Agent Signature

NOTE: All petitions must be accompanied by:

Right Holder or Authorized Agent Signature

(1) the form Environmental Information for Petitions, available at:

http://www.waterboards.ca.gov/waterrights/publications\_forms/forms/docs/pet\_info.pdf

(2) Division of Water Rights fee, per the Water Rights Fee Schedule, available at: http://www.waterboards.ca.gov/waterrights/water\_issues/programs/fees/

(3) Department of Fish and Wildlife fee of \$850 (Pub. Resources Code, § 10005)

# Attachment No. 1 to Petition for Change Involving Water Transfers License 11001 (Application 15606) held by Brett Scheidel

#### **GENERAL**

The purpose of this Petition for Change Involving Water Transfers (Petition) is to: (1) add Shasta Dam as a point of diversion, (2) add the State Water Project's (SWP) Harvey O. Banks Pumping Plant and the Central Valley Project's (CVP) CW "Bill" Jones Pumping Plant as points of diversion and points of rediversion, (3) add San Luis Reservoir as a point of rediversion, (4) add a portion of the service area of the CVP as an additional place of use, and (5) add municipal, industrial, and domestic purposes of use under Brett Scheidel's (Petitioner) License 11001 (Application 15606). The Petitioner is a shareholder of the Pleasant Grove-Verona Mutual Water Company (PGV). PGV holds Contract No. 14-06-200-5520A-R-1 (Contract) with the U.S. Bureau of Reclamation (Reclamation). The water rights held by the Petitioner and the other shareholders of PGV serve as the basis for the Base Supply under PGV's Contract. This Petition is one of 11 petitions (Joint Petitions) being filed by participating shareholders of PGV (Joint Petitioners) pursuant to their individual water rights. The Joint Petitions include the following:

Joint Petitioner	Application License		Proposed Transfer Quantity (Up to Amount, AF)		
E. D. Willey and Son, Inc.	7641A	6389A	4,311.5		
River Ranch Partnership	7641C	6389C	802.6		
D 4 C 1 . 1 . 1	7641B	6389B	1,160		
Brett Scheidel	15606	11001	1,760		
Niceli C. Nickeles	7641D1	6389D1	630		
Nicoli G. Nicholas	15856A	7064A	1,697		
Maria John Nicholas	7641D2	6389D2	630		
Kelly Ranch, LLC	15856B	7064B	1,473		
Manufacture Francisco	15856C	7064C	2,205*		
Murphy Lake Farms	15858	6399	500*		
William L. Spangler	16182	10848	270.4		

This Petition is being filed to facilitate a temporary transfer (2022 Water Transfer) of up to

<sup>\*</sup> Proposed upper limit quantities identified for each water right, limited to a combined quantity of up to 2,404.7 AF under Licenses 6399 and 7064C.

a total of 1,760 acre-feet (AF) of surface water proposed to be made available from the Petitioner as early as April (upon approval of this Petition) through September 2022. This proposed transfer quantity will be made available by groundwater substitution (up to 1.760 AF<sup>†</sup> prior to subtracting streamflow depletion loss) and by crop idling/shifting (up to 500 AF†)in order to provide an additional water supply for irrigation, municipal, industrial, and domestic purposes. Groundwater substitution involves the use of groundwater pumped to produce crops within PGV in exchange for a like amount of surface water that will remain instream for diversion at the proposed additional points of diversion. The quantity of surface water to be made available for transfer by crop idling/shifting involves only the consumptive use savings as a result of actions within PGV's boundaries. Water made available for transfer will remain instream for diversion at the proposed additional points of diversion, or when necessary, temporarily retained in Shasta Reservoir for rediversion at the proposed additional points of rediversion. The quantity made available under this Petition will be limited to actions consistent with the terms and conditions of this License. At this time, the quantity of surface water to be made available by groundwater substitution versus crop idling/shifting is unknown. The split between water being made available by each mechanism will be determined after executing a Purchase Agreement with SLDMWA. As discussed further below, the quantity proposed to be made available by the Petitioner will be reviewed and approved by the U.S. Bureau of Reclamation (Reclamation) and the Department of Water Resources (DWR).

Absent the proposed temporary transfer, PGV would divert the entire quantity of surface water proposed for transfer from the Sacramento River pursuant to its water right in accordance with its Sacramento River Settlement Contract with the U.S. Bureau of Reclamation (Reclamation). Annual water right reports submitted to the Division of Water Rights (Division) for License 11001, covering the period of 2016-2020 which are years of full water supply under the Settlement Contract, demonstrate that the Petitioner typically diverts and uses more surface water under that license than the amount proposed for the 2022 Water Transfer. The Petitioner accounts for its surface water diversions and use under its water rights, including License 11001, in accordance with accounting methods relied upon by the Division considering several factors associated with each water right. Those factors include, but are not limited to, water right priorities, seasons of diversion, direct diversion rates, places of use, points of diversion, annual diversion limitations, and other relevant terms and conditions associated with each of the Petitioner's water rights. For example, diversions are accounted in order of water right priority starting with the senior water right that has the same authorized diversion season as when the diversion occurred, and identifying a diversion quantity that is the lesser of the diversion or the authorized rate of direct diversion. In the case that the diversion rate is greater than the authorized direct diversion rate, then the diversions over the authorized rate are accounted for under the water right with the next priority date using the same methodology. Because the proposed project involves the transfer of water under PGV's Contract, these petitions are being filed jointly and should be treated as a single project. PGV has been authorized to act on behalf

<sup>&</sup>lt;sup>†</sup> PGV is currently coordinating with growers to determine the volume of water to be transferred by groundwater substitution and crop idling/shifting. The quantities above are up-to limits for each transfer mechanism and total 2,260 AF; however, PGV will not transfer more than 500 AF. These initial up-to limits are included to allow for flexibility. PGV will submit a Proposal for review by Reclamation and the Department of Water Resources which will include refined volumes and meet other requirements explained further below.

of the Joint Petitioners, each of which is filing similar petitions in order to facilitate the proposed transfer. Under the Joint Petitions, PGV is proposing a temporary transfer of up to 15,139.2 AF to SLDMWA. Absent the proposed temporary transfer, PGV and the Joint Petitioners would divert the entire quantity proposed for transfer from surface water sources pursuant to their water rights and the Contract with Reclamation.

## POINT OF DIVERSION OR REDIVERSION

#### Present Point of Diversion:

No change in the present point of diversion is proposed. Petitioner's authorized point of diversion under License 11001 is located on the Natomas Cross Canal in Sutter County, tributary to the Sacramento River as follows:

	Located Within‡					
<u>Description</u>	1/4, 1/4	Sec	<u>T</u>	<u>R</u>		
South 49° 11' East 3,460 feet from the NW corner of Section 8, T11N, R4E.	SE, NW	8	11N	4E		

## Proposed Additional Points of Diversion:

No change in the present point of diversion is proposed. Petitioner proposes to add the following points of diversion:

#### Shasta Dam

S39°58'13" W, 1,626.41 feet from E¼ Corner of Section 15, T33N, R5W, MDB&M, being within the NE¼ of SE¼ of said Section 15, in Shasta County. This proposed additional point of diversion is identified on maps filed with the Division under Application 5626.

#### 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 diversion is identified on maps filed with the 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 diversion is identified on maps filed with the Division under Application 5630.

<sup>‡</sup> All references to Township and Range are to the MDB&M.

#### **POINT OF REDIVERSION**

#### Present Points of Rediversion:

Petitioner has no Point(s) of Rediversion under License 11001.

#### Proposed Additional Points of Rediversion:

Petitioner proposes to add the following points of rediversion, which will assist in the temporary retention of transfer water for later use by the participating entities within SLDMWA during periods that coincide with demands or other operational constraints:

#### 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, R1S, R4E, MDB&M. This proposed additional point of rediversion is identified on maps filed with the Division under Application 5630.

#### 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 NW ¼ of SW ¼ of Projected Section 29, T1S, R4E, MDB&M. This proposed additional point of rediversion is identified on maps filed with the Division under Application 5626.

#### San Luis Reservoir

N 1,845,103 ft., E 6,393,569 ft., California Coordinate System Zone 3, NAD 83, being within the SW ¼ of SE ¼ of Projected Section 15, T10S, R8E, MDB&M. This proposed additional point of rediversion is identified on maps filed with the Division under Application 5630.

#### **PLACE OF USE**

#### Present:

The present place of use is 580 acres net, within a gross area of 635.7 acres, being within Sections 31 and 32, T12N, R4E, MDB&M, and Section 6, T11N, R4E, MDB&M, as shown on a map filed with the State Water Resources Control Board.

#### Proposed:

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

#### **GENERAL INFORMATION**

Surface water will be made available for transfer from PGV by groundwater substitution and by crop idling/shifting, consistent with the current Draft Technical Information for Preparing Water Transfer Proposals, dated December 2019 (Draft Technical Information) published by the Department of Water Resources (DWR) and 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, instream beneficial uses, and the overall economy and environment. PGV will submit a proposal to DWR and Reclamation for a water transfer to participating entities within the SLDMWA during 2022, which includes detailed information relative to historical groundwater pumping, groundwater well characteristics, groundwater monitoring and reporting elements, historical cropping data, and associated maps. DWR and Reclamation will conduct an extensive review of these documents in order to ensure that the quantity of water proposed to be made available by PGV meets the relevant criteria to demonstrate a reduction in surface water use will occur as a result of the proposed temporary transfer. Absent the proposed temporary transfer to SLDMWA, groundwater would not be pumped by the Petitioner for groundwater substitution and crops would not be idled/shifted to make surface water available for SLDMWA; thus, the Petitioner would have diverted surface water to meet its irrigation demands. The Petitioner will provide the Division with a copy of the executed agreements between PGV and Reclamation and/or DWR identifying the terms and conditions for the 2022 Water Transfer to document that the relevant findings are made by those agencies, in accordance with the Draft Technical Information and other requirements. Those executed agreements will identify an up-to transfer quantity to be made available by crop idling/shifting and/or groundwater substitution, which will be less than or equal to the quantities identified in the Joint Petitions.

Only wells which have been approved by DWR and Reclamation will be used for the proposed temporary transfer. In accordance with Water Code Section 1745.10, the Petitioner does not believe the proposed transfer to SLDMWA by groundwater substitution will result in an overdraft of the underlying groundwater basin. As a condition of participation in the proposed temporary transfer, PGV has developed groundwater monitoring, reporting, and mitigation plans to ensure the proposed transfer does not result in any unreasonable and adverse effects, such as impacts to other legal users of water, land subsidence, groundwaterdependent vegetation, and groundwater quality. As described above, the requirements of the monitoring program and mitigation plan are outlined in the Draft Technical Information and will be implemented by the Petitioner accordingly. The monitoring program also includes recurring review of groundwater level monitoring data obtained prior to, during, and following periods when surface water is made available by the Petitioner for the proposed water transfer, in accordance with the Draft Technical Information. To account for anticipated streamflow depletion, DWR and Reclamation will apply a factor of 13% to the amount of groundwater pumped pursuant to the Petitioner's proposed groundwater substitution transfer in accordance with the Draft Technical Information. Evaluation and approval by DWR and Reclamation of the groundwater monitoring, reporting, and mitigation plans will be obtained for PGV's groundwater substitution program. Further, PGV is providing notification to the Reclamation District No. 1001 Groundwater Sustainability Agency, which is the groundwater

sustainability agency formed pursuant to the Sustainable Groundwater Management Act that covers the area where groundwater substitution pumping is proposed to occur within PGV. Documentation of PGV's notifications to the Reclamation District No. 1001 Groundwater Sustainability Agency (GSA), including a determination from the GSA that the proposed 2022 Water Transfer is consistent with the Groundwater Sustainability Plan, will be provided to DWR and Reclamation, in accordance with the Draft Technical Information.

As indicated above, PGV conducts water transfers in accordance with the Draft Technical Information and other relevant requirements. The monitoring requirements associated with PGV's proposed groundwater substitution water transfer will be incorporated to agreements with DWR and Reclamation. Following the proposed water transfer, PGV will prepare a monitoring report summarizing the results. In PGV's previous groundwater substitution transfers, some of which involved similar quantities compared to the quantity proposed in this Petition, the groundwater basin in and around PGV recovered from the effects of the transfer the following spring. We expect the hydrologic data to show a similar recovery pattern for the proposed 2022 Water Transfer.

Crop idling/shifting water transfers involve surface water made available for transfer by reducing the consumptive use of surface water applied for irrigation. As indicated above, PGV is preparing a water transfer proposal for submittal to DWR and Reclamation to provide the information required pursuant to the Draft Technical Information, which includes supporting documentation to determine the quantity of surface water to be made available by crop idling/shifting. Details regarding specific fields and crops to be idled/shifted for the transfer are currently being decided by growers within PGV. In order to make 500 AF of surface water available for transfer, a maximum of 167 acres of rice will be idled for the proposed 2022 Water Transfer based on the current evapotranspiration of applied water rate for rice identified by DWR and Reclamation (3.0 AF/acre, which for 167 acres of rice results in a quantity of 500 AF). However, growers are evaluating the potential idling of other crops including alfalfa. If crops other than rice are included in the transfer, then the participating acreage will be in proportion to the evapotranspiration of applied water for crops as defined in the Draft Technical Information. The acreages of crops irrigated under License 11001 during prior years are shown in water right reports filed with the Division. For reference, during recent years, the irrigated acreage of rice has been approximately 526 acres and the irrigated acreage of other crops has been approximately 39 acres. Following determination of specific fields participating in the proposed transfer, including the associated crop history for those fields, PGV will submit a proposal for the 2022 Water Transfer to DWR and Reclamation; and those agencies will evaluate the fields proposed to be idled/shifted for the temporary transfer. Evaluation and approval by DWR and Reclamation of the lands to be idled/shifted and verification of the quantity of surface water made available will ensure the proposed transfer does not result in any unreasonable and adverse impacts to the environment or third parties. In accordance with the Draft Technical Information and the Final Long-Term Water Transfers Environmental Impact Statement/Environmental Impact Report (Final EIS/EIR), PGV's crop idling/shifting will incorporate relevant mitigation measures that minimize impacts on threatened species, including the Giant Garter Snake.

As a result of the proposed temporary transfer, the flow in the Sacramento River downstream of the Petitioner's present points of diversion will increase by up to 1,596.2AF§ over what would have occurred absent the proposed transfer. These increases will occur during the period that surface water is made available by the Petitioner or if possible, during the following months thereafter through releases by Reclamation for conveyance to SLDMWA. If excess capacity is available in Shasta Reservoir, the Delta is in balanced conditions, and regulatory requirements are being met. Reclamation may temporarily hold the quantity of surface water made available by the Petitioner, until export capacity at the SWP's Banks Pumping Plant or the CVP's Jones Pumping Plant is available, which is typically during July, August, or September. This "backing up" of transfer water would decrease releases from Shasta Reservoir early in the irrigation season, such as during May and June, and increase releases later in the season when conditions and operations permit, such as possible during October or November. Reclamation would only consider operations to facilitate and accommodate "backing up" of transfer water if those operations avoid temperature impacts, and possibly aid with overall temperature management, consistent with the Final EIS/R. In fact, this temporary retention of water in Shasta Reservoir, as a result of surface water made available by the Petitioner, may provide an incidental benefit for fisheries during the early portion of the irrigation season as a result of the temporary retention of transfer water in Shasta Reservoir that would not have existed absent that transfer. The benefits associated with the potential temporary retention of transfer water in Shasta Reservoir are considered by Reclamation through its planning efforts during late spring, generally following decisions by growers regarding quantities planned to be made available for transfer as indicated in water transfer proposals. Shasta Reservoir would continue to be operated in accordance with regulatory requirements, such as flow and temperature requirements established by various agencies including the U.S. Fish and Wildlife Service, National Oceanic and Atmospheric Administration's National Marine Fisheries Service, Federal Energy Regulatory Commission, and State Water Resources Control Board, for the protection of downstream resources. During the period when it is possible for the increased flows in the Sacramento River to reach the proposed downstream additional points of diversion for the proposed transfer, these flows will be a small percentage of the total flow and will be water that would be diverted by the Petitioner absent this proposed transfer. The Petitioner's reduced diversions will provide additional flows during the proposed transfer period, up to a maximum of approximately 14.54 cfs. Therefore, there will be no injury to other legal water users, water quality, or return flows; in fact, these increased flows may provide incidental benefits for fisheries and wildlife and may result in a positive effect to the water users between the present points of diversion and the proposed downstream additional points of diversion.

See files of the State Water Resources Control Board for more information regarding other legal water users, which may include the Delta water users, the Central Valley Project, and the SWP. Discussions with the Department of Fish and Wildlife (DFW) staff regarding the Petition occurred on February 14, 2022, in order to discuss the proposed water transfer, including the overall process/review of the Petition and associated documentation by DFW and other

<sup>§</sup> This is the maximum volume assuming that 500 AF is made available via crop idling/shifting and 1,260 AF is made available via groundwater substitution (1,096.2 AF after subtracting the 13% streamflow depletion factor).

## Brett Scheidel License 11001 Attachment to Petition for Change Involving Water Transfers

agencies. DFW staff provided no additional comments relative to crop idling/shifting. The Central Valley Regional Water Quality Control Board (CVRWQCB) has also been contacted and were provided information regarding the proposed temporary water transfer. DFW and CVRWQCB have been provided a copy of this Petition for review. Specifically, copies of this Petition have been provided to Briana Seapy (916-508-3345) and Bridget Gibbons (916-767-3993) of DFW and Michelle Snapp (916-464-4824) of the CVRWQCB for review and comment.

# State of California State Water Resources Control Board DIVISION OF WATER RIGHTS P.O. Box 2000, Sacramento, CA 95812-2000

Tel: (916) 341-5300 Fax: (916) 341-5400 http://www.waterboards.ca.gov/waterrights

## **ENVIRONMENTAL INFORMATION FOR PETITIONS**

This form is required for all 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.

#### DESCRIPTION OF PROPOSED CHANGES OR WORK REMAINING TO BE COMPLETED

For a petition for 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
nsert the attachment number here, if applicable: 1

Page 1 of 4

# Coordination with Regional Water Quality Control Board

For change petitions only, you must request consultation with the Regional	Date of Request			
Water Quality Control Board regarding the potential effects of your proposed change on water quality and other instream beneficial uses. (Cal. Code Regs., tit. 23, § 794.) In order to determine the appropriate office for consultation, see: http://www.waterboards.ca.gov/waterboards_map.shtml. Provide the date you submitted your request for consultation here, then provide the following information.		02/14/2022		
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?	0	Yes	○ No	
Will a waste discharge permit be required for the project?	0	Yes	O No	
If necessary, provide additional information below:				
Michelle Snapp (916-464-4824) of the Central Valley Regional Water Quality Control Board was contacted in ordet emporary water transfer; and no comments were provided at this time. A copy of this petition has been provided to submittal of this petition to the Division of Water Rights.				
Insert the attachment number here, if applicable: 1				
Local Permits				
For temporary transfers only, you must contact the board of supervisors for the		Date of	Contact	
county(ies) both for where you currently store or use water and where you propose to transfer the water. (Wat. Code § 1726.) Provide the date you submitted your request for consultation here.		2/18/2022		
<u>For change petitions only</u> , you should contact your local planning or public works de information below.	epart	ment and	d provide the	
Person Contacted: Not Applicable. Date of Contact:				
Department: Phone Number:				
County Zoning Designation:				
Are any county permits required for your project? If yes, indicate type below.	) Y	es (	ON C	
Grading Permit Use Permit Watercourse O	bstru	iction Pe	rmit	
Change of Zoning General Plan Change Other (explain be	elow)			
If applicable, have you obtained any of the permits listed above? If yes, provide cop	ies.	O Ye	es O No	
If necessary, provide additional information below:				
Not Applicable.				
Insert the attachment number here, if applicable:				

# **Federal and State Permits** Check any additional agencies that may require permits or other approvals for your project: Regional Water Quality Control Board Department of Fish and Game California Coastal Commission Dept of Water Resources, Division of Safety of Dams State Reclamation Board U.S. Army Corps of Engineers U.S. Forest Service Federal Energy Regulatory Commission Bureau of Land Management Natural Resources Conservation Service Have you obtained any of the permits listed above? If yes, provide copies. Yes No For each agency from which a permit is required, provide the following information: Contact Date Phone Number Permit Type Person(s) Contacted Agency Not Applicable. If necessary, provide additional information below: Not Applicable. Insert the attachment number here, if applicable: Construction or Grading Activity Does the project involve any construction or grading-related activity that has significantly altered or would significantly alter the bed, bank or riparian habitat of any stream or lake? If necessary, provide additional information below: Not Applicable.

Insert the attachment number here, if applicable:

Archeology						
Has an archeological report been prepared for this project? If yes, provide a copy.	○ Yes	O No				
Will another public agency be preparing an archeological report?  OYes  No						
Do you know of any archeological or historic sites in the area? If yes, explain below.	OYes	O No				
If necessary, provide additional information below:  Not Applicable.						
Insert the attachment number here, if applicable:						
<b>Photographs</b> See Attachment No. 1.						
<u>For all petitions other than time extensions</u> , attach complete sets of color photographs labeled, showing the vegetation that exists at the following three locations:	, clearly date	ed and				
Along the stream channel immediately downstream from each point of diversic	n					
Along the stream channel immediately upstream from each point of diversion						
At the place where water subject to this water right will be used						
Maps See Attachment No. 1.						
For all petitions other than time extensions, attach maps labeled in accordance with the applicable features, both present and proposed, including but not limited to: point of directiversion, distribution of storage reservoirs, point of discharge of treated wastewater location of instream flow dedication reach. (Cal. Code Regs., tit. 23, §§ 715 et seq., 75)	iversion, poin r, place of us	nt of				
Pursuant to California Code of Regulations, title 23, section 794, petitions for change may not be accepted.	submitted wi	thout maps				
All Water Right Holders Must Sign This Form:  I (we) hereby certify that the statements I (we) have furnished above and in the attach the best of my (our) ability and that the facts, statements, and information presented a best of my (our) knowledge. Dated  O2/18/2022  at Sacramento, C.	re true and					
On behalf of PGVMWC  Water Right Holder or Authorized Agent Signature  Water Right Holder or Authorized Agent Signature						
Water Right Holder or Authorized Agent Signature Water Right Holder or Authorized Water Right Holder or Authorized Right Holder or Authorized Water Right Holder Water Right Hol	rized Agent	Signature				
<ul> <li>NOTE:         <ul> <li>Petitions for Change may not be accepted unless you include proof that a copy of the petition Department of Fish and Game. (Cal. Code Regs., tit. 23, § 794.)</li> </ul> </li> <li>Petitions for Temporary Transfer may not be accepted unless you include proof that a copy on the Department of Fish and Game and the board of supervisors for the county(ies) where water and the county(ies) where you propose to transfer the water. (Wat. Code § 1726.)</li> </ul>	of the petition	was served				

#### Attachment No. 1

# to Environmental Information for Petitions for Change Involving Water Transfers Filed by Joint Petitioners within Pleasant Grove-Verona MWC

#### **DESCRIPTION OF PROPOSED CHANGES**

The Pleasant Grove-Verona Mutual Water Company (PGV) is proposing a temporary water transfer to San Luis & Delta-Mendota Water Authority (SLDMWA) in 2022. To facilitate this transfer, the Joint Petitioners are petitioning to temporarily add points of diversion, points of rediversion a place of use, and purposes of use to the water rights summarized below in order to transfer up to 15,139.2 AF for use by participating entities within SLDMWA by groundwater substitution and by crop idling/shifting. Shasta Dam is proposed to be added as a point of diversion; the State Water Project's (SWP) Banks Pumping Plant and the Central Valley Project's (CVP) CW "Bill" Jones Pumping Plant are proposed to be added as points of diversion and points of rediversion; San Luis Reservoir is proposed to be added as a point of rediversion; and a portion of the service area of the CVP is proposed to be added as a place of use. The purposes of use proposed to be added are municipal, industrial, and domestic, in addition to the existing purpose of use for irrigation. These proposed additions would authorize the transfer of water to SLDMWA in order to provide an additional water supply during the current drier hydrologic conditions. There are no changes to the Petitioner's existing points of diversion, place of use, or purpose of use.

The Petitioner is a shareholder of PGV which holds Contract No. 14-06-200-5520A-R-1 (Contract) with the U.S. Bureau of Reclamation (Reclamation). The water rights held by the Joint Petitioners and the other shareholders of PGV serve as the basis for the Base Supply under PGV's Contract. This Petition is one of 11 petitions (Joint Petitions) being filed by participating shareholders of PGV (Joint Petitioners) pursuant to their individual water rights. The Joint Petitions include the following:

Joint Petitioner	Application	License	Proposed Transfer Quantity (Up to Amount, AF)
E. D. Willey and Son, Inc.	7641A	6389A	4,311.5
River Ranch Partnership	7641C	6389C	802.6
Brett Scheidel	7641B	6389B	1,160
Brett Scheider	15606	11001	1,760
Niceli C. Nickeler	7641D1	6389D1	630
Nicoli G. Nicholas	15856A	7064A	1,697
Maria John Nicholas	7641D2	6389D2	630
Kelly Ranch, LLC	15856B	7064B	1,473
Manufact Labor Farmer	15856C	7064C	2,205*
Murphy Lake Farms	15858	6399	500*
William L. Spangler	16182	10848	270.4

Because the proposed project involves the transfer of water under PGV's Contract these petitions are being filed jointly and should be treated as a single project. PGV has been authorized to act on behalf of the Joint Petitioners, each of which is filing similar petitions in order to facilitate the proposed transfer. Thus, this consolidated environmental information form accompanies each petition for the water rights listed above. The quantities shown in the table above are up to amounts for each Petitioner. PGV will coordinate with the Joint Petitioners to assure the maximum quantity to be transferred under the Joint Petitions will not exceed 15,139.2 AF†.

The quantity of surface water proposed to be made available by groundwater substitution involves the use of groundwater pumped upon overlying lands in exchange for a like amount of surface water that will remain instream for diversion at the proposed additional points of diversion. The quantity of surface water proposed to be made available for transfer by crop idling/shifting involves only the consumptive use savings as a result of actions within PGV's boundaries. These proposed quantities would be made available by the Petitioner during May

February 2022

<sup>\*</sup> Proposed upper limit quantities identified for each water right, limited to a combined quantity of up to 2,404.7 AF under Licenses 6399 and 7064C.

<sup>†</sup> PGV is currently coordinating with growers to determine the volume of water to be transferred by groundwater substitution and crop idling/shifting. The quantities identified in each of the Petitions are up-to limits for each transfer mechanism and total 20,764 AF (12,055 AF by groundwater substitution and 8,709 AF by crop idling/shifting); however, the Company will not transfer more than 15,139.2 AF. These initial up-to limits are included to allow for flexibility. The Company will submit a Proposal for review by Reclamation and the Department of Water Resources which will include refined volumes and meet other requirements explained further below.

through September 2022. Water made available for transfer will remain instream for diversion at the proposed additional points of diversion, or when necessary, temporarily retained in Shasta Reservoir for rediversion at the proposed additional points of rediversion. The quantity made available under this Petition will be limited to actions consistent with the terms and conditions of this license. At this time, the quantity of surface water to be made available by groundwater substitution versus crop idling/shifting is unknown. The split between water being made available by each mechanism will be determined after executing a Purchase Agreement with SLDMWA. Absent the proposed temporary transfer, surface water would be diverted to meet the irrigation demands of the Joint Petitioners and in accordance with its Sacramento River Settlement Contract with the U.S. Bureau of Reclamation (Reclamatiom). The proposed temporary transfer does not involve any construction or other physical changes to the Petitioners's facilities.

Petitions for temporary transfer of water pursuant to Water Code Section 1725 are exempt from the California Environmental Quality Act (CEQA). Reclamation and SLDMWA have prepared a *Final Long-Term Water Transfers Environmental Impact Statement/Environmental Impact Report* (Final EIS/EIR), dated September 2019, pursuant to the requirements under the National Environmental Policy Act (NEPA) and CEQA. A copy of the Final EIS/EIR, dated September 2019, is available at: <a href="https://www.usbr.gov/mp/nepa/nepa\_project\_details.php?Project\_ID=18361">https://www.usbr.gov/mp/nepa/nepa\_project\_details.php?Project\_ID=18361</a>> Based on the requirements associated with the Final EIS/EIR, and in accordance with the Draft Technical Information for Preparing Water Transfer Proposals, dated December 2019 published by the Department of Water Resources and Reclamation, the Petitioner will implement the relevant, applicable measures for the proposed 2022 Water Transfer.

#### **PHOTOGRAPHS**

The present points of diversion and the proposed additional points of diversion and rediversion include existing facilities that are well known and documented with the Division of Water Rights (Division). In addition, the present and proposed places of use are also well known and documented with the Division. Therefore, for these reasons, the Petitioner respectfully requests that said documentation be made a part of the record for the petition.

#### **MAPS**

The present points of diversion and place of use are shown on a map filed with the Division. The proposed additional point of diversion for the SWP's Banks Pumping Plant and the proposed additional point of rediversion for San Luis Reservoir are shown on maps filed with the Division for Application 5630. The proposed additional point of diversion for the CVP's Jones Pumping Plant is shown on maps filed with the Division for Application 5626. The proposed additional place of use is a portion of the CVP service area, as shown on Map 214-208 – 12581 on file with the Division under Application 5626. The Petitioner respectfully requests that said maps be made a part of the record for the petition.

9164560253

MBK Main Fax Line

03:44:58 p.m.

02-11-2022

6/9

Please Indicate County where your project is located here:

Sutter

MAIL FORM AND ATTACHMENTS TO: State Water Resources Control Board **DIVISION OF WATER RIGHTS** P.O. Box 2000, Sacramento, CA 95812-2000 Tel: (916) 341-5300 Fax: (916) 341-5400 http://www.waterboards.ca.gov/waterrights

# PETITION FOR CHANGE INVOLVING WATER TRANSFERS

Separate petitions are required for each water right. Mark all areas that apply to your proposed change(s). Incomplete

forms ma	ay not be ac requir	cepted. ements.	Location a (Cal. Code	and area i e Regs., ti	t. 23, § 71	15 et seq.)	Provide at	maps in tachments	accordancess	e with esta ary.	iblished
Point of Wat Co	of Diversion ode, § 1701		Point of I Wat. Code	Rediversi , § 1701	on 🗵	Place of t Wat. Code	Jse § 1701	Wat Co	se of Use de, § 1701		
	orary Urgen ode, § 1435	cy 🗵	Tempor Wat Cod	ary Chang e, § 1725		Long-term Nat. Code,			stream Fl at. Code, §	ow Dedica 1707	ation
Арр	lication	7641D1	P	ermit [	4215	Licens	e 638	39D1	Statement		
(we) herel	by petition fo	or change	e(s) noted	above an	d describ	ed as follow	vs:				
	iversion or and Californ					d identify po	ints using b	oth Public I	and Surve	y System de	escriptions
resent:	See Attachment		ale cyster	II LIAND GO	)						
Proposed:	See Attachment	No. 1		***************************************	***************************************						
Place of Us Present:	se - Identify		g Public La	ind Survey	System de	scriptions to	%-¼ level;	for irrigation	n, list numl	per of acres	irrigated.
	See Attachment								<del></del>		
		NO. 1									
resent:	f Use Irrigation	-		···							
resent.	imgation										
roposed:	irrigation, Munic	ipal, Industri	al, Domestic								
	low Dedica				nd identify	points using	both Public	Land Surv	ey System	description	s to 1/4-1/4
pstream L	_ocation:	Not Applica	ble.								
) Downstream	m Location:										
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Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Will the dea	dicated flow	he diver	ed for cor	sumntive	use at a r	lownstream	n Incation?	OYe	s O No		
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	New User(s		and phon	e number:	s for all or	oposed ne	w user(s) o	of the wate	r right.		
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Amount of Water to be Transferred
Up to 630 acre-feet will be transferred. If the basis of right is direct diversion, the average rate of diversion for the maximum 30-day period of use is Up to 2.1 cubic feet per second or million gallons per day.
General Information — Provide the following information, if applicable to your proposed change(s).
Have you attached an analysis which documents that the amount of water to be transferred or exchanged would have been consumptively used or stored in the absence of the proposed temporary change or long-term transfer?
Have you attached an analysis of any changes to streamflow, water quality, timing of diversion or use, return flows, or effects on legal users from the proposed temporary change or long-term transfer?
Have you attached an analysis that shows the proposed temporary change or long- term transfer will not unreasonably affect fish, wildlife, or other instream beneficial uses?
(we) have access to the proposed point of diversion or control the proposed place of use by virtue of:  ownership lease verbal agreement written agreement
f by lease or agreement, state name and address of person(s) from whom access has been obtained.
Give name and address of any person(s) taking water from the stream between the present point of diversion or rediversion and the proposed point of diversion or rediversion, as well as any other person(s) known to you who may be affected by the proposed change.  See Attachment No. 1
All Right Holders Must Sign Below: I (we) declare under penalty of perjury that this involves only the amount of water which would have been consumptively used or stored in the absence of the proposed temporary change, and that the above is true and correct to the best of my (our) knowledge and belief.
Dated FEBRUARY 14, ZUM at SACRAMENTO, O ALIFORNIA
Right Holder or Authorized Agent Signature  Right Holder or Authorized Agent Signature
NOTE: All petitions must be accompanied by:  1) the form Environmental information for Petitions, available at:  http://www.waterboards.ca.gov/waterrights/publications_forms/forms/docs/pet_info.pdf  Division of Water Rights fee, per the Water Rights Fee Schodule, available at:  http://www.waterboards.ca.gov/waterrights/water_issues/programs/fees/  Department of Fish and Wildlife fee of \$850 (Pub. Resources Code, § 10005)

## Attachment No. 1 to Petition for Change Involving Water Transfers License 6389D1 (Application 7641D1) held by Nicoli G. Nicholas

#### **GENERAL**

The purpose of this Petition for Change Involving Water Transfers (Petition) is to: (1) add Shasta Dam as a point of diversion, (2) add the State Water Project's (SWP) Harvey O. Banks Pumping Plant and the Central Valley Project's (CVP) CW "Bill" Jones Pumping Plant as points of diversion and points of rediversion, (3) add San Luis Reservoir as a point of rediversion, (4) add a portion of the service area of the CVP as an additional place of use, and (5) add municipal, industrial, and domestic purposes of use under Nicoli G. Nicholas' (Petitioner) License 6389D1 (Application 7641D1). The Petitioner is a shareholder of the Pleasant Grove-Verona Mutual Water Company (PGV). PGV holds Contract No. 14-06-200-5520A-R-1 (Contract) with the U.S. Bureau of Reclamation (Reclamation). The water rights held by the Petitioner and the other shareholders of PGV serve as the basis for the Base Supply under PGV's Contract. This Petition is one of 11 petitions (Joint Petitions) being filed by participating shareholders of PGV (Joint Petitioners) pursuant to their individual water rights. The Joint Petitions include the following:

Joint Petitioner	Application	License	Proposed Transfer Quantity (Up to Amount, AF)
E. D. Willey and Son, Inc.	7641A	6389A	4,311.5
River Ranch Partnership	7641C	6389C	802.6
D44 C11.1.1	7641B	6389B	1,160
Brett Scheidel	15606	11001	1,760
Niceli C. Nickeles	7641D1	6389D1	630
Nicoli G. Nicholas	15856A	7064A	1,697
Maria John Nicholas	7641D2	6389D2	630
Kelly Ranch, LLC	15856B	7064B	1,473
Manufact des France	15856C	7064C	2,205*
Murphy Lake Farms	15858	6399	500*
William L. Spangler	16182	10848	270.4

This Petition is being filed to facilitate a temporary transfer (2022 Water Transfer) of up to a total of 638 acre-feet (AF) of surface water proposed to be made available from the Petitioner as early as April (upon approval of this Petition) through September 2022. This

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<sup>\*</sup> Proposed upper limit quantities identified for each water right, limited to a combined quantity of up to 2,404.7 AF under Licenses 6399 and 7064C.

proposed transfer quantity will be made available by groundwater substitution (up to 630 AF<sup>†</sup> prior to subtracting streamflow depletion loss) and by crop idling/shifting (up to 57 AF†)in order to provide an additional water supply for irrigation, municipal, industrial, and domestic purposes. Groundwater substitution involves the use of groundwater pumped to produce crops within PGV in exchange for a like amount of surface water that will remain instream for diversion at the proposed additional points of diversion. The quantity of surface water to be made available for transfer by crop idling/shifting involves only the consumptive use savings as a result of actions within PGV's boundaries. Water made available for transfer will remain instream for diversion at the proposed additional points of diversion, or when necessary, temporarily retained in Shasta Reservoir for rediversion at the proposed additional points of rediversion. The quantity made available under this Petition will be limited to actions consistent with the terms and conditions of this license. At this time, the quantity of surface water to be made available by groundwater substitution versus crop idling/shifting is unknown. The split between water being made available by each mechanism will be determined after executing a Purchase Agreement with SLDMWA. As discussed further below, the quantity proposed to be made available by the Petitioner will be reviewed and approved by the U.S. Bureau of Reclamation (Reclamation) and the Department of Water Resources (DWR).

Absent the proposed temporary transfer, PGV would divert the entire quantity of surface water proposed for transfer from the Sacramento River pursuant to its water right in accordance with its Sacramento River Settlement Contract with the U.S. Bureau of Reclamation (Reclamation). Annual water right reports submitted to the Division of Water Rights (Division) for License 6389D1, covering the period of 2016-2020 which are years of full water supply under the Settlement Contract, demonstrate that the Petitioner typically diverts and uses more surface water under that license than the amount proposed for the 2022 Water Transfer. The Petitioner accounts for its surface water diversions and use under its water rights, including License 6389D1, in accordance with accounting methods relied upon by the Division considering several factors associated with each water right. Those factors include, but are not limited to, water right priorities, seasons of diversion, direct diversion rates, places of use, points of diversion, annual diversion limitations, and other relevant terms and conditions associated with each of the Petitioner's water rights. For example, diversions are accounted in order of water right priority starting with the senior water right that has the same authorized diversion season as when the diversion occurred, and identifying a diversion quantity that is the lesser of the diversion or the authorized rate of direct diversion. In the case that the diversion rate is greater than the authorized direct diversion rate, then the diversions over the authorized rate are accounted for under the water right with the next priority date using the same methodology. Because the proposed project involves the transfer of water under PGV's Contract, these petitions are being filed jointly and should be treated as a single project. PGV has been authorized to act on behalf of the Joint Petitioners, each of which is filing similar petitions in order to facilitate the proposed transfer. Under the Joint Petitions, PGV is proposing a temporary

<sup>†</sup> PGV is currently coordinating with growers to determine the volume of water to be transferred by groundwater substitution and crop idling/shifting. The quantities above are up-to limits for each transfer mechanism and total 687 AF; however, the Petitioner will not transfer more than 630 AF under License 6389D1. These initial up-to limits are included to allow for flexibility. PGV will submit a Proposal for review by Reclamation and the Department of Water Resources which will include refined volumes and meet other requirements explained further below.

transfer of up to 15,139.2 AF to SLDMWA. Absent the proposed temporary transfer, PGV and the Joint Petitioners would divert the entire quantity proposed for transfer from surface water sources pursuant to their water rights and the Contract with Reclamation.

#### POINT OF DIVERSION OR REDIVERSION

#### **POINT OF DIVERSION**

#### Present Points of Diversion:

Petitioner's authorized point of diversion under License 6389D1 is located on the Sacramento River in Sutter County, tributary to the Suisun Bay as follows:

	Located Within‡					
<b>Description</b>	1/4, 1/4	<u>Proj.</u> <u>Sec</u>	<u>T</u>	<u>R</u>		
California Coordinate System of 1927, Zone 2, North						
406,000 feet and East 2,113,000 feet	SW, SE	23	11N	3E		

#### Proposed Additional Points of Diversion:

No change in the present points of diversion is proposed. The Petitioner proposes to add the following points of diversion:

#### Shasta Dam

S39°58'13" W, 1,626.41 feet from E¼ Corner of Section 15, T33N, R5W, MDB&M, being within the NE¼ of SE¼ of said Section 15, in Shasta County. This proposed additional point of diversion is identified on maps filed with the 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 diversion is identified on maps filed with the Division under Application 5630.

#### 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 diversion is identified on maps filed with the Division under Application 5626.

<sup>‡</sup> All references to Township and Range are to the MDB&M.

#### **POINT OF REDIVERSION**

#### Present Points of Rediversion:

	Located Within†			
<b>Description</b>	1/4, 1/4	Proj.	<u>T</u>	<u>R</u>
California Coordinate System of 1927, Zone 2, North 409,450 feet and East 2,114,125 feet	NW, NW	<u>Sec</u> 24	11N	3E
California Coordinate System of 1927, Zone 2, North 410,450 feet and East 2,114,125 feet	NE, NE	23	11N	3E
California Coordinate System of 1927, Zone 2, North 410,900 feet and East 2,113,807 feet	SE, SE	14	11N	3E
California Coorinate System of 1927, Zone 2, North 411,920 feet and East 2,113,325 feet	NE, SE	14	11N	3E
California Coordinate System of 1927, Zone 2, North 414,250 feet and East 2,114,200 feet	SE, NE	14	11N	3E

#### Proposed Additional Points of Rediversion:

The Petitioner proposes to add the following points of rediversion, which will assist in the temporary retention of transfer water for later use by the participating entities within SLDMWA during periods that coincide with demands or other operational constraints:

#### 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, R1S, R4E, MDB&M. This proposed additional point of rediversion is identified on maps filed with the Division under Application 5630.

#### 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 NW ¼ of SW ¼ of Projected Section 29, T1S, R4E, MDB&M. This proposed additional point of rediversion is identified on maps filed with the Division under Application 5626.

#### San Luis Reservoir

N 1,845,103 ft., E 6,393,569 ft., California Coordinate System Zone 3, NAD 83, being within the SW ¼ of SE ¼ of Projected Section 15, T10S, R8E, MDB&M. This proposed

additional point of rediversion is identified on maps filed with the Division under Application 5630.

#### PLACE OF USE

#### Present:

The present place of use is 119.3 acres net within a gross area of 776 acres within projected Sections 13, 14, 23, and 24, T11N, R3E, MDB&M, as shown on a map dated March 11, 1988, on file with the SWRCB and identified by County Assessor's office as APN 34-140-006 and 34-190-007.

#### Proposed:

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

#### **GENERAL INFORMATION**

Surface water will be made available for transfer from PGV by groundwater substitution and by crop idling/shifting, consistent with the current Draft Technical Information for Preparing Water Transfer Proposals, dated December 2019 (Draft Technical Information) published by the Department of Water Resources (DWR) and 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, instream beneficial uses, and the overall economy and environment. PGV will submit a proposal to DWR and Reclamation for a water transfer to participating entities within the SLDMWA during 2022, which includes detailed information relative to historical groundwater pumping, groundwater well characteristics, groundwater monitoring and reporting elements, historical cropping data, and associated maps. DWR and Reclamation will conduct an extensive review of these documents in order to ensure that the quantity of water proposed to be made available by PGV meets the relevant criteria to demonstrate a reduction in surface water use will occur as a result of the proposed temporary transfer. Absent the proposed temporary transfer to SLDMWA, groundwater would not be pumped by the Petitioner for groundwater substitution and crops would not be idled/shifted to make surface water available for SLDMWA; thus, the Petitioner would have diverted surface water to meet its irrigation demands. PGV will provide the Division with a copy of the executed agreements with Reclamation and/or DWR identifying the terms and conditions for the 2022 Water Transfer to document that the relevant findings are made by those agencies, in accordance with the Draft Technical Information and other requirements. Those executed agreements will identify an up-to transfer quantity to be made

available by crop idling/shifting and/or groundwater substitution, which will be less than or equal to the quantities identified in this Petition.

Only wells which have been approved by DWR and Reclamation will be used for the proposed temporary transfer. In accordance with Water Code Section 1745.10, the Petitioner does not believe the proposed transfer to SLDMWA by groundwater substitution will result in an overdraft of the underlying groundwater basin. As a condition of participation in the proposed temporary transfer, PGV has developed groundwater monitoring, reporting, and mitigation plans to ensure the proposed transfer does not result in any unreasonable and adverse effects, such as impacts to other legal users of water, land subsidence, groundwaterdependent vegetation, and groundwater quality. As described above, the requirements of the monitoring program and mitigation plan are outlined in the Draft Technical Information and will be implemented by the Petitioner accordingly. The monitoring program also includes recurring review of groundwater level monitoring data obtained prior to, during, and following periods when surface water is made available by the Petitioner for the proposed water transfer, in accordance with the Draft Technical Information. To account for anticipated streamflow depletion, DWR and Reclamation will apply a factor of 13% to the amount of groundwater pumped pursuant to the Petitioner's proposed groundwater substitution transfer in accordance with the Draft Technical Information. Evaluation and approval by DWR and Reclamation of the groundwater monitoring, reporting, and mitigation plans will be obtained for PGV's groundwater substitution program. Further, PGV is providing notification to the Reclamation District No. 1001 Groundwater Sustainability Agency, which is the groundwater sustainability agency formed pursuant to the Sustainable Groundwater Management Act that covers the area where groundwater substitution pumping is proposed to occur within PGV. Documentation of PGV's notifications to the Reclamation District No. 1001 Groundwater Sustainability Agency (GSA), including a determination from the GSA that the proposed 2022 Water Transfer is consistent with the Groundwater Sustainability Plan, will be provided to DWR and Reclamation, in accordance with the Draft Technical Information.

As indicated above, PGV conducts water transfers in accordance with the Draft Technical Information and other relevant requirements. The monitoring requirements associated with PGV's proposed groundwater substitution water transfer will be incorporated to agreements with DWR and Reclamation. Following the proposed water transfer, PGV will prepare a monitoring report summarizing the results. In PGV's previous groundwater substitution transfers, some of which involved similar quantities compared to the quantity proposed in this Petition, the groundwater basin in and around PGV recovered from the effects of the transfer the following spring. We expect the hydrologic data to show a similar recovery pattern for the proposed 2022 Water Transfer.

Crop idling/shifting water transfers involve surface water made available for transfer by reducing the consumptive use of surface water applied for irrigation. As indicated above, PGV is preparing a water transfer proposal for submittal to DWR and Reclamation to provide the information required pursuant to the Draft Technical Information, which includes supporting documentation to determine the quantity of surface water to be made available by crop idling/shifting. Details regarding specific fields and crops to be idled/shifted for the transfer are

currently being decided by growers within PGV. In order to make 57 AF of surface water available for transfer, a maximum of 29 acres of alfalfa and 5 acres of tomatoes will be idled for the proposed 2022 Water Transfer based on the current evapotranspiration of applied water rate for alfalfa and tomatoes identified by DWR and Reclamation (1.7 and 1.8 AF/acre, respectively, which for 29 acres of alfalfa and 5 acres of tomatoes results in a quantity of 57 AF). If crops other than alfalfa or tomatoes are included in the transfer, then the participating acreage will be in proportion to the evapotranspiration of applied water for crops as defined in the Draft Technical Information. The acreages of crops irrigated under License 6389D1 during prior years are shown in water right reports filed with the Division. For reference, during recent years, the irrigated acreage of alfalfa has been approximately 29 acres and the irrigated acreage of tomatoes has been approximately 5 acres. Following determination of specific fields participating in the proposed transfer, including the associated crop history for those fields, PGV will submit a proposal for the 2022 Water Transfer to DWR and Reclamation; and those agencies will evaluate the fields proposed to be idled/shifted for the temporary transfer. Evaluation and approval by DWR and Reclamation of the lands to be idled/shifted and verification of the quantity of surface water made available will ensure the proposed transfer does not result in any unreasonable and adverse impacts to the environment or third parties. In accordance with the Draft Technical Information and the Final Long-Term Water Transfers Environmental Impact Statement/Environmental Impact Report (Final EIS/EIR), PGV's crop idling/shifting will incorporate relevant mitigation measures that minimize impacts on threatened species, including the Giant Garter Snake.

As a result of the proposed temporary transfer, the flow in the Sacramento River downstream of the Petitioner's present points of diversion will increase by up to 638 AF§ over what would have occurred absent the proposed transfer. These increases will occur during the period that surface water is made available by the Petitioner or if possible, during the following months thereafter through releases by Reclamation for conveyance to SLDMWA. If excess capacity is available in Shasta Reservoir, the Delta is in balanced conditions, and regulatory requirements are being met, Reclamation may temporarily hold the quantity of surface water made available by the Petitioner, until export capacity at the SWP's Banks Pumping Plant or the CVP's Jones Pumping Plant is available, which is typically during July, August, or September. This "backing up" of transfer water would decrease releases from Shasta Reservoir early in the irrigation season, such as during May and June, and increase releases later in the season when conditions and operations permit, such as possibly during October or November. Reclamation would only consider operations to facilitate and accommodate "backing up" of transfer water if those operations avoid temperature impacts, and possibly aid with overall temperature management, consistent with the Final EIS/R and other relevant requirements. In fact, this temporary retention of water in Shasta Reservoir, as a result of surface water made available by the Petitioner, may provide an incidental benefit for fisheries during the early portion of the irrigation season as a result of the temporary retention of transfer water in Shasta Reservoir that would not have existed absent that transfer. The benefits associated with the potential temporary retention of transfer water in Shasta Reservoir are

<sup>§</sup> This is the maximum volume assuming that 57 AF is made available via crop idling/shifting and 573 AF is made available via groundwater substitution (498.5 AF after subtracting the 13% streamflow depletion factor).

considered by Reclamation through its planning efforts during late spring, generally following decisions by growers regarding quantities planned to be made available for transfer as indicated in water transfer proposals. Shasta Reservoir would continue to be operated in accordance with regulatory requirements, such as flow and temperature requirements established by various agencies including the U.S. Fish and Wildlife Service, National Oceanic and Atmospheric Administration's National Marine Fisheries Service, Federal Energy Regulatory Commission, and State Water Resources Control Board, for the protection of downstream resources. During the period when it is possible for the increased flows in the Sacramento River to reach the proposed downstream additional points of diversion for the proposed transfer, these flows will be a small percentage of the total flow and will be water that would be diverted by the Petitioner absent this proposed transfer. The Petitioner's reduced diversions will provide additional flows during the proposed transfer period, up to a maximum of approximately 2.1 cfs. Therefore, there will be no injury to other legal water users, water quality, or return flows; in fact, these increased flows may provide incidental benefits for fisheries and wildlife and may result in a positive effect to the water users between the present points of diversion and the proposed downstream additional points of diversion.

See files of the State Water Resources Control Board for more information regarding other legal water users, which may include the Delta water users, the Central Valley Project, and the SWP. Discussions with the Department of Fish and Wildlife (DFW) staff regarding the Petition occurred on February 14, 2022, in order to discuss the proposed water transfer, including the overall process/review of the Petition and associated documentation by DFW and other agencies. DFW staff provided no additional comments relative to crop idling/shifting. The Central Valley Regional Water Quality Control Board (CVRWQCB) has also been contacted and were provided information regarding the proposed temporary water transfer. DFW and CVRWQCB have been provided a copy of this Petition for review. Specifically, copies of this Petition have been provided to Briana Seapy (916-508-3345) and Bridget Gibbons (916-767-3993) of DFW and Michelle Snapp (916-464-4824) of the CVRWQCB for review and comment.

# State of California State Water Resources Control Board DIVISION OF WATER RIGHTS P.O. Box 2000, Sacramento, CA 95812-2000

Tel: (916) 341-5300 Fax: (916) 341-5400 http://www.waterboards.ca.gov/waterrights

#### **ENVIRONMENTAL INFORMATION FOR PETITIONS**

This form is required for all 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.

#### DESCRIPTION OF PROPOSED CHANGES OR WORK REMAINING TO BE COMPLETED

For a petition for 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
Insert the attachment number here, if applicable: 1

Page 1 of 4

## Coordination with Regional Water Quality Control Board

For change petitions only, you must request consultation with the Regional Water Quality Control Board regarding the potential effects of your proposed	Date of Request				
change on water quality and other instream beneficial uses. (Cal. Code Regs., tit. 23, § 794.) In order to determine the appropriate office for consultation, see: http://www.waterboards.ca.gov/waterboards_map.shtml. Provide the date you submitted your request for consultation here, then provide the following information.	02/14/2022				
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?	0	Yes	O No		
Will a waste discharge permit be required for the project?	0	Yes	O No		
If necessary, provide additional information below:					
Michelle Snapp (916-464-4824) of the Central Valley Regional Water Quality Control Board was contacted in ord temporary water transfer; and no comments were provided at this time. A copy of this petition has been provided submittal of this petition to the Division of Water Rights.					
Insert the attachment number here, if applicable: 1					
Local Permits					
For temporary transfers only, you must contact the board of supervisors for the		Date of	Contact		
county(ies) both for where you currently store or use water and where you propose to transfer the water. (Wat. Code § 1726.) Provide the date you submitted 2/18/2022 your request for consultation here.					
<u>For change petitions only</u> , you should contact your local planning or public works of information below.	lepart	ment and	d provide the		
Person Contacted: Not Applicable. Date of Contact:					
Department: Phone Number:					
County Zoning Designation:					
Are any county permits required for your project? If yes, indicate type below.	) Y	es (	ON C		
Grading Permit Use Permit Watercourse	Obstru	ction Pe	rmit		
Change of Zoning General Plan Change Other (explain by	pelow)				
If applicable, have you obtained any of the permits listed above? If yes, provide co	pies.	O Ye	es O No		
If necessary, provide additional information below:					
Not Applicable.					
Insert the attachment number here, if applicable:					

# **Federal and State Permits** Check any additional agencies that may require permits or other approvals for your project: Regional Water Quality Control Board Department of Fish and Game Dept of Water Resources, Division of Safety of Dams California Coastal Commission State Reclamation Board U.S. Army Corps of Engineers U.S. Forest Service Bureau of Land Management Federal Energy Regulatory Commission Natural Resources Conservation Service Have you obtained any of the permits listed above? If yes, provide copies. No Yes For each agency from which a permit is required, provide the following information: Permit Type Person(s) Contacted Contact Date Phone Number Agency Not Applicable. If necessary, provide additional information below: Not Applicable. Insert the attachment number here, if applicable: Construction or Grading Activity Does the project involve any construction or grading-related activity that has significantly Yes altered or would significantly alter the bed, bank or riparian habitat of any stream or lake? If necessary, provide additional information below: Not Applicable

Does the project involve any construction or grading-related activity that has significantly altered or would significantly alter the bed, bank or riparian habitat of any stream or lake?

If necessary, provide additional information below:

Not Applicable.

Insert the attachment number here, if applicable:

Archeology		
Has an archeological report been prepared for this project? If yes, provide a copy.	OYes	O No
Will another public agency be preparing an archeological report?	<b>○</b> Yes	O No
Do you know of any archeological or historic sites in the area? If yes, explain below.	OYes	O No
If necessary, provide additional information below:		
Not Applicable.		
Insert the attachment number here, if applicable:		
Photographs See Attachment No. 1.		
<u>For all petitions other than time extensions</u> , attach complete sets of color photographs labeled, showing the vegetation that exists at the following three locations:	, clearly date	ed and
Along the stream channel immediately downstream from each point of diversic	'n	
Along the stream channel immediately upstream from each point of diversion		
At the place where water subject to this water right will be used		
Maps See Attachment No. 1.		
For all petitions other than time extensions, attach maps labeled in accordance with the applicable features, both present and proposed, including but not limited to: point of directiversion, distribution of storage reservoirs, point of discharge of treated wastewater location of instream flow dedication reach. (Cal. Code Regs., tit. 23, §§ 715 et seq., 75)	iversion, point, point, place of us	nt of
Pursuant to California Code of Regulations, title 23, section 794, petitions for change may not be accepted.	submitted wi	thout maps
All Water Right Holders Must Sign This Form:  I (we) hereby certify that the statements I (we) have furnished above and in the attach the best of my (our) ability and that the facts, statements, and information presented a best of my (our) knowledge. Dated  O2/18/2022  at Sacramento, C.	re true and	
On behalf of PGVMWC  Water Right Holder or Authorized Agent Signature  Water Right Holder or Authorized Agent Signature		
Water Right Holder or Authorized Agent Signature Water Right Holder or Authorized Water Right Holder or Authorized Right Holder or Authorized Water Right Holder or Authorized Water Right Holder or Authorized Right Holder or Authorized Water Right Holder Wa	rized Agent	Signature
<ul> <li>NOTE:         <ul> <li>Petitions for Change may not be accepted unless you include proof that a copy of the petition Department of Fish and Game. (Cal. Code Regs., tit. 23, § 794.)</li> </ul> </li> <li>Petitions for Temporary Transfer may not be accepted unless you include proof that a copy on the Department of Fish and Game and the board of supervisors for the county(ies) where water and the county(ies) where you propose to transfer the water. (Wat. Code § 1726.)</li> </ul>	of the petition	was served

#### Attachment No. 1

## to Environmental Information for Petitions for Change Involving Water Transfers Filed by Joint Petitioners within Pleasant Grove-Verona MWC

#### DESCRIPTION OF PROPOSED CHANGES

The Pleasant Grove-Verona Mutual Water Company (PGV) is proposing a temporary water transfer to San Luis & Delta-Mendota Water Authority (SLDMWA) in 2022. To facilitate this transfer, the Joint Petitioners are petitioning to temporarily add points of diversion, points of rediversion a place of use, and purposes of use to the water rights summarized below in order to transfer up to 15,139.2 AF for use by participating entities within SLDMWA by groundwater substitution and by crop idling/shifting. Shasta Dam is proposed to be added as a point of diversion; the State Water Project's (SWP) Banks Pumping Plant and the Central Valley Project's (CVP) CW "Bill" Jones Pumping Plant are proposed to be added as points of diversion and points of rediversion; San Luis Reservoir is proposed to be added as a point of rediversion; and a portion of the service area of the CVP is proposed to be added as a place of use. The purposes of use proposed to be added are municipal, industrial, and domestic, in addition to the existing purpose of use for irrigation. These proposed additions would authorize the transfer of water to SLDMWA in order to provide an additional water supply during the current drier hydrologic conditions. There are no changes to the Petitioner's existing points of diversion, place of use, or purpose of use.

The Petitioner is a shareholder of PGV which holds Contract No. 14-06-200-5520A-R-1 (Contract) with the U.S. Bureau of Reclamation (Reclamation). The water rights held by the Joint Petitioners and the other shareholders of PGV serve as the basis for the Base Supply under PGV's Contract. This Petition is one of 11 petitions (Joint Petitions) being filed by participating shareholders of PGV (Joint Petitioners) pursuant to their individual water rights. The Joint Petitions include the following:

Joint Petitioner	Application	License	Proposed Transfer Quantity (Up to Amount, AF)
E. D. Willey and Son, Inc.	7641A	6389A	4,311.5
River Ranch Partnership	7641C	6389C	802.6
D 4 C -1 -1 1	7641B	6389B	1,160
Brett Scheidel	15606	11001	1,760
NE LEG NE L. I	7641D1	6389D1	630
Nicoli G. Nicholas	15856A	7064A	1,697
Maria John Nicholas	7641D2	6389D2	630
Kelly Ranch, LLC	15856B	7064B	1,473
M I I I F	15856C	7064C	2,205*
Murphy Lake Farms	15858	6399	500*
William L. Spangler	16182	10848	270.4

Because the proposed project involves the transfer of water under PGV's Contract these petitions are being filed jointly and should be treated as a single project. PGV has been authorized to act on behalf of the Joint Petitioners, each of which is filing similar petitions in order to facilitate the proposed transfer. Thus, this consolidated environmental information form accompanies each petition for the water rights listed above. The quantities shown in the table above are up to amounts for each Petitioner. PGV will coordinate with the Joint Petitioners to assure the maximum quantity to be transferred under the Joint Petitions will not exceed 15,139.2 AF†.

The quantity of surface water proposed to be made available by groundwater substitution involves the use of groundwater pumped upon overlying lands in exchange for a like amount of surface water that will remain instream for diversion at the proposed additional points of diversion. The quantity of surface water proposed to be made available for transfer by crop idling/shifting involves only the consumptive use savings as a result of actions within PGV's boundaries. These proposed quantities would be made available by the Petitioner during May

February 2022

<sup>\*</sup> Proposed upper limit quantities identified for each water right, limited to a combined quantity of up to 2,404.7 AF under Licenses 6399 and 7064C.

<sup>†</sup> PGV is currently coordinating with growers to determine the volume of water to be transferred by groundwater substitution and crop idling/shifting. The quantities identified in each of the Petitions are up-to limits for each transfer mechanism and total 20,764 AF (12,055 AF by groundwater substitution and 8,709 AF by crop idling/shifting); however, the Company will not transfer more than 15,139.2 AF. These initial up-to limits are included to allow for flexibility. The Company will submit a Proposal for review by Reclamation and the Department of Water Resources which will include refined volumes and meet other requirements explained further below.

through September 2022. Water made available for transfer will remain instream for diversion at the proposed additional points of diversion, or when necessary, temporarily retained in Shasta Reservoir for rediversion at the proposed additional points of rediversion. The quantity made available under this Petition will be limited to actions consistent with the terms and conditions of this license. At this time, the quantity of surface water to be made available by groundwater substitution versus crop idling/shifting is unknown. The split between water being made available by each mechanism will be determined after executing a Purchase Agreement with SLDMWA. Absent the proposed temporary transfer, surface water would be diverted to meet the irrigation demands of the Joint Petitioners and in accordance with its Sacramento River Settlement Contract with the U.S. Bureau of Reclamation (Reclamatiom). The proposed temporary transfer does not involve any construction or other physical changes to the Petitioners's facilities.

Petitions for temporary transfer of water pursuant to Water Code Section 1725 are exempt from the California Environmental Quality Act (CEQA). Reclamation and SLDMWA have prepared a *Final Long-Term Water Transfers Environmental Impact Statement/Environmental Impact Report* (Final EIS/EIR), dated September 2019, pursuant to the requirements under the National Environmental Policy Act (NEPA) and CEQA. A copy of the Final EIS/EIR, dated September 2019, is available at: <a href="https://www.usbr.gov/mp/nepa/nepa\_project\_details.php?Project\_ID=18361">https://www.usbr.gov/mp/nepa/nepa\_project\_details.php?Project\_ID=18361</a>> Based on the requirements associated with the Final EIS/EIR, and in accordance with the Draft Technical Information for Preparing Water Transfer Proposals, dated December 2019 published by the Department of Water Resources and Reclamation, the Petitioner will implement the relevant, applicable measures for the proposed 2022 Water Transfer.

#### **PHOTOGRAPHS**

The present points of diversion and the proposed additional points of diversion and rediversion include existing facilities that are well known and documented with the Division of Water Rights (Division). In addition, the present and proposed places of use are also well known and documented with the Division. Therefore, for these reasons, the Petitioner respectfully requests that said documentation be made a part of the record for the petition.

#### **MAPS**

The present points of diversion and place of use are shown on a map filed with the Division. The proposed additional point of diversion for the SWP's Banks Pumping Plant and the proposed additional point of rediversion for San Luis Reservoir are shown on maps filed with the Division for Application 5630. The proposed additional point of diversion for the CVP's Jones Pumping Plant is shown on maps filed with the Division for Application 5626. The proposed additional place of use is a portion of the CVP service area, as shown on Map 214-208 – 12581 on file with the Division under Application 5626. The Petitioner respectfully requests that said maps be made a part of the record for the petition.

9164560253

MBK Main Fax Line

03:45:48 p.m. 02-11-2022

8/9

Please Indicate County where your project is located here:

Sutter

MAIL FORM AND ATTACHMENTS TO: State Water Resources Control Board **DIVISION OF WATER RIGHTS** 

P.O. Box 2000, Sacramento, CA 95812-2000 Tel: (916) 341-5300 Fax: (916) 341-5400 http://www.waterboards.ca.gov/waterrights

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9164560253

MBK Main Fax Line

03:46:14 p.m. 02-11-2022 9 /9

Amount of Water to be Transferred
Upto 1,697 acre-feet will be transferred. If the basis of right is direct diversion, the average rate of diversion for the maximum 30-day period of use is  Upto 11.77 cubic feet per second or million gallons per day.
General Information - Provide the following information, if applicable to your proposed change(s).
Have you attached an analysis which documents that the amount of water to be transferred or exchanged would have been consumptively used or stored in the absence of the proposed temporary change or long-term transfer?
Have you attached an analysis of any changes to streamflow, water quality, timing of liversion or use, return flows, or effects on legal users from the proposed temporary change or long-term transfer?
Have you attached an analysis that shows the proposed temporary change or long- term transfer will not unreasonably affect fish, wildlife, or other instream beneficial uses?
(we) have access to the proposed point of diversion or control the proposed place of use by virtue of:  ownership lease verbal agreement written agreement
by lease or agreement, state name and address of person(s) from whom access has been obtained.
Give name and address of any person(s) taking water from the stream between the present point of diversion or rediversion and the proposed point of diversion or rediversion, as well as any other person(s) known to you who may be affected by the proposed change.  See Attachment No. 1
All Right Holders Must Sign Below: I (we) declare under penalty of perjury that this involves only the amount of water which would have been consumptively used or stored in the absence of the proposed temporary change, and that the
above is true and correct to the best of my (our) knowledge and belief.
Dated Francy 14 2022 at SACEAMENTO, CALIFORNIA
Diet Willely
Right Holder or Authorized Agent Signature Right Holder or Authorized Agent Signature
#OTE: All petitions must be accompanied by:  (1) the form Environmental Information for Petitions, available at:  http://www.waterboards.ca.gov/waterrights/publications_forms/forms/docs/pet_info.pdf  (2) Division of Water Rights fee, per the Water Rights Fee Schedule, available at:  http://www.waterboards.ca.gov/waterrights/water_issues/programs/fees/  (3) Department of Fish and Wildlife fee of \$850 (Pub. Resources Code, § 10005)

## Attachment No. 1 to Petition for Change Involving Water Transfers License 7064A (Application 15856A) held by Nicoli G. Nicholas

#### **GENERAL**

The purpose of this Petition for Change Involving Water Transfers (Petition) is to: (1) add Shasta Dam as a point of diversion, (2) add the State Water Project's (SWP) Harvey O. Banks Pumping Plant and the Central Valley Project's (CVP) CW "Bill" Jones Pumping Plant as points of diversion and points of rediversion, (3) add San Luis Reservoir as a point of rediversion, (4) add a portion of the service area of the CVP as an additional place of use, and (5) add municipal, industrial, and domestic purposes of use under Nicoli G. Nicholas' (Petitioner) License 7064A (Application 15856A). The Petitioner is a shareholder of the Pleasant Grove-Verona Mutual Water Company (PGV). PGV holds Contract No. 14-06-200-5520A-R-1 (Contract) with the U.S. Bureau of Reclamation (Reclamation). The water rights held by the Petitioner and the other shareholders of PGV serve as the basis for the Base Supply under PGV's Contract. This Petition is one of 11 petitions (Joint Petitions) being filed by participating shareholders of PGV (Joint Petitioners) pursuant to their individual water rights. The Joint Petitions include the following:

Joint Petitioner	Application	License	Proposed Transfer Quantity (Up to Amount, AF)
E. D. Willey and Son, Inc.	7641A	6389A	4,311.5
River Ranch Partnership	7641C	6389C	802.6
Down Caladal	7641B	6389B	1,160
Brett Scheidel	15606	11001	1,760
	7641D1	6389D1	630
Nicoli G. Nicholas	15856A	7064A	1,697
Maria John Nicholas	7641D2	6389D2	630
Kelly Ranch, LLC	15856B	7064B	1,473
Maria I. I. E	15856C	7064C	2,205*
Murphy Lake Farms	15858	6399	500*
William L. Spangler	16182	10848	270.4

This Petition is being filed to facilitate a temporary transfer (2022 Water Transfer) of up to a total of 1,690 acre-feet (AF) of surface water proposed to be made available from the Petitioner as early as April (upon approval of this Petition) through September 2022. This

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<sup>\*</sup> Proposed upper limit quantities identified for each water right, limited to a combined quantity of up to 2,404.7 AF under Licenses 6399 and 7064C.

proposed transfer quantity will be made available by groundwater substitution (up to 1,697 AF<sup>†</sup> prior to subtracting streamflow depletion loss) and by crop idling/shifting (up to 291.5 AF†)in order to provide an additional water supply for irrigation, municipal, industrial, and domestic purposes. Groundwater substitution involves the use of groundwater pumped to produce crops within PGV in exchange for a like amount of surface water that will remain instream for diversion at the proposed additional points of diversion. The quantity of surface water to be made available for transfer by crop idling/shifting involves only the consumptive use savings as a result of actions within PGV's boundaries. Water made available for transfer will remain instream for diversion at the proposed additional points of diversion, or when necessary, temporarily retained in Shasta Reservoir for rediversion at the proposed additional points of rediversion. The quantity made available under this Petition will be limited to actions consistent with the terms and conditions of this license. At this time, the quantity of surface water to be made available by groundwater substitution versus crop idling/shifting is unknown. The split between water being made available by each mechanism will be determined after executing a Purchase Agreement with SLDMWA. As discussed further below, the quantity proposed to be made available by the Petitioner will be reviewed and approved by the U.S. Bureau of Reclamation (Reclamation) and the Department of Water Resources (DWR).

Absent the proposed temporary transfer, PGV would divert the entire quantity of surface water proposed for transfer from the Sacramento River pursuant to its water right in accordance with its Sacramento River Settlement Contract with the U.S. Bureau of Reclamation (Reclamation). Annual water right reports submitted to the Division of Water Rights (Division) for License 7064A, covering the period of 2016-2020 which are years of full water supply under the Settlement Contract, demonstrate that the Petitioner typically diverts and uses more surface water under that license than the amount proposed for the 2022 Water Transfer. The Petitioner accounts for its surface water diversions and use under its water rights, including License 7064A, in accordance with accounting methods relied upon by the Division considering several factors associated with each water right. Those factors include, but are not limited to, water right priorities, seasons of diversion, direct diversion rates, places of use, points of diversion, annual diversion limitations, and other relevant terms and conditions associated with each of the Petitioner's water rights. For example, diversions are accounted in order of water right priority starting with the senior water right that has the same authorized diversion season as when the diversion occurred, and identifying a diversion quantity that is the lesser of the diversion or the authorized rate of direct diversion. In the case that the diversion rate is greater than the authorized direct diversion rate, then the diversions over the authorized rate are accounted for under the water right with the next priority date using the same methodology. Because the proposed project involves the transfer of water under PGV's Contract, these petitions are being filed jointly and should be treated as a single project. PGV has been authorized to act on behalf of the Joint Petitioners, each of which is filing similar petitions in order to facilitate the proposed

<sup>&</sup>lt;sup>†</sup> PGV is currently coordinating with growers to determine the volume of water to be transferred by groundwater substitution and crop idling/shifting. The quantities above are up-to limits for each transfer mechanism and total 1,988.5 AF; however, the Petitioner will not transfer more than 1,697 AF under License 7064A. These initial up-to limits are included to allow for flexibility. PGV will submit a Proposal for review by Reclamation and the Department of Water Resources which will include refined volumes and meet other requirements explained further below.

transfer. Under the Joint Petitions, PGV is proposing a temporary transfer of up to 15,139.2 AF to SLDMWA. Absent the proposed temporary transfer, PGV and the Joint Petitioners would divert the entire quantity proposed for transfer from surface water sources pursuant to their water rights and the Contract with Reclamation.

### POINT OF DIVERSION OR REDIVERSION

#### **POINT OF DIVERSION**

#### Present Points of Diversion:

Petitioner's authorized points of diversion under License 7064A are located on the Natomas Cross Canal in Sutter County, tributary to the Sacramento River as follows:

	Lo	ocated W	ithin‡		
<b>Description</b>	1/4, 1/4	Proj.	<u>T</u>	<u>R</u>	
California Coordinate System of 1927, Zone 2, North 406,000 feet and East 2,113,000 feet	SW, SE	<u>Sec</u> 23	11N	3E	
California Coordinate System of 1927, Zone 2, North 409,550 feet and East 2,114,809 feet	NE, NW	24	11N	3E	

#### Proposed Additional Points of Diversion:

No change in the present points of diversion is proposed. The Petitioner proposes to add the following points of diversion:

#### Shasta Dam

S39°58'13" W, 1,626.41 feet from E¼ Corner of Section 15, T33N, R5W, MDB&M, being within the NE¼ of SE¼ of said Section 15, in Shasta County. This proposed additional point of diversion is identified on maps filed with the 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 diversion is identified on maps filed with the Division under Application 5630.

<sup>‡</sup> All references to Township and Range are to the MDB&M.

#### 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 diversion is identified on maps filed with the Division under Application 5626.

#### **POINT OF REDIVERSION**

#### Present Points of Rediversion:

	Lo	cated W	ithin†	
<u>Description</u>	1/4, 1/4	<u>Proj.</u>	<u>T</u>	<u>R</u>
California Coordinate System of 1927, Zone 2, North 409,550 feet and East 2,125,114 feet	NE, NE	<u>Sec</u> 23	11N	3E
California Coordinate System of 1927, Zone 2, North 410,900 feet and East 2,113,807 feet	SE, SE	14	11N	3E
California Coordinate System of 1927, Zone 2, North 414,920 feet and East 2,113,325 feet	NE, SE	14	11N	3E
California Coordinate System of 1927, Zone 2, North 414.250 feet and East 2.114.200 feet	SE, NE	14	11N	3E

#### Proposed Additional Points of Rediversion:

No change in the present points of rediversion is proposed. The Petitioner proposes to add the following points of rediversion, which will assist in the temporary retention of transfer water for later use by the participating entities within SLDMWA during periods that coincide with demands or other operational constraints:

#### 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, R1S, R4E, MDB&M. This proposed additional point of rediversion is identified on maps filed with the Division under Application 5630.

#### 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 NW ¼ of SW ¼ of Projected Section 29, T1S, R4E, MDB&M. This proposed additional point of rediversion is identified on maps filed with the Division under Application 5626.

#### San Luis Reservoir

N 1,845,103 ft., E 6,393,569 ft., California Coordinate System Zone 3, NAD 83, being within the SW ¼ of SE ¼ of Projected Section 15, T10S, R8E, MDB&M. This proposed additional point of rediversion is identified on maps filed with the Division under Application 5630.

#### PLACE OF USE

#### Present:

The present place of use is 180 acres within projected section 13, T11N, R3E, MDB&M; 400 acres within projected section 14, T11N, R3E, MDB&M; 173.5 acres within projected section 23, T11N, R3E, MDB&M; 22 acres within projected section 24, T11N, R3E, MDB&M; 776 acres total as shown on a map dated March 11, 1988 on file with the SWRCB and identified by County Assessor's office as APN 34-140-006 and 34-190-007.

#### Proposed:

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

#### **GENERAL INFORMATION**

Surface water will be made available for transfer from PGV by groundwater substitution and by crop idling/shifting, consistent with the current Draft Technical Information for Preparing Water Transfer Proposals, dated December 2019 (Draft Technical Information) published by the Department of Water Resources (DWR) and 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, instream beneficial uses, and the overall economy and environment. PGV will submit a proposal to DWR and Reclamation for a water transfer to participating entities within the SLDMWA during 2022, which includes detailed information relative to historical groundwater pumping, groundwater well characteristics, groundwater monitoring and reporting elements, historical cropping data, and associated maps. DWR and Reclamation will conduct an extensive review of these documents in order to ensure that the quantity of water proposed to be made available by PGV meets the relevant criteria to demonstrate a reduction in surface water use will occur as a result of the proposed temporary transfer. Absent the proposed temporary transfer to SLDMWA, groundwater would not be pumped by the Petitioner for groundwater substitution and crops would not be idled/shifted to make surface water available for SLDMWA; thus, the Petitioner would have diverted surface water to meet its irrigation demands. PGV will provide the Division with a copy of the executed agreements with Reclamation and/or DWR identifying

the terms and conditions for the 2022 Water Transfer to document that the relevant findings are made by those agencies, in accordance with the Draft Technical Information and other requirements. Those executed agreements will identify an up-to transfer quantity to be made available by crop idling/shifting and/or groundwater substitution, which will be less than or equal to the quantities identified in this Petition.

Only wells which have been approved by DWR and Reclamation will be used for the proposed temporary transfer. In accordance with Water Code Section 1745.10, the Petitioner does not believe the proposed transfer to SLDMWA by groundwater substitution will result in an overdraft of the underlying groundwater basin. As a condition of participation in the proposed temporary transfer, PGV has developed groundwater monitoring, reporting, and mitigation plans to ensure the proposed transfer does not result in any unreasonable and adverse effects, such as impacts to other legal users of water, land subsidence, groundwaterdependent vegetation, and groundwater quality. As described above, the requirements of the monitoring program and mitigation plan are outlined in the Draft Technical Information and will be implemented by the Petitioner accordingly. The monitoring program also includes recurring review of groundwater level monitoring data obtained prior to, during, and following periods when surface water is made available by the Petitioner for the proposed water transfer, in accordance with the Draft Technical Information. To account for anticipated streamflow depletion, DWR and Reclamation will apply a factor of 13% to the amount of groundwater pumped pursuant to the Petitioner's proposed groundwater substitution transfer in accordance with the Draft Technical Information. Evaluation and approval by DWR and Reclamation of the groundwater monitoring, reporting, and mitigation plans will be obtained for PGV's groundwater substitution program. Further, PGV is providing notification to the Reclamation District No. 1001 Groundwater Sustainability Agency, which is the groundwater sustainability agency formed pursuant to the Sustainable Groundwater Management Act that covers the area where groundwater substitution pumping is proposed to occur within PGV. Documentation of PGV's notifications to the Reclamation District No. 1001 Groundwater Sustainability Agency (GSA), including a determination from the GSA that the proposed 2022 Water Transfer is consistent with the Groundwater Sustainability Plan, will be provided to DWR and Reclamation, in accordance with the Draft Technical Information.

As indicated above, PGV conducts water transfers in accordance with the Draft Technical Information and other relevant requirements. The monitoring requirements associated with PGV's proposed groundwater substitution water transfer will be incorporated to agreements with DWR and Reclamation. Following the proposed water transfer, PGV will prepare a monitoring report summarizing the results. In PGV's previous groundwater substitution transfers, some of which involved similar quantities compared to the quantity proposed in this Petition, the groundwater basin in and around PGV recovered from the effects of the transfer the following spring. We expect the hydrologic data to show a similar recovery pattern for the proposed 2022 Water Transfer.

Crop idling/shifting water transfers involve surface water made available for transfer by reducing the consumptive use of surface water applied for irrigation. As indicated above, PGV is preparing a water transfer proposal for submittal to DWR and Reclamation to provide the

information required pursuant to the Draft Technical Information, which includes supporting documentation to determine the quantity of surface water to be made available by crop idling/shifting. Details regarding specific fields and crops to be idled/shifted for the transfer are currently being decided by growers within PGV. In order to make 291.5 AF of surface water available for transfer, a maximum of 145 acres of alfalfa and 25 acres of tomatoes will be idled for the proposed 2022 Water Transfer based on the current evapotranspiration of applied water rate for alfalfa and tomatoes identified by DWR and Reclamation (1.7 and 1.8 AF/acre, respectively, which for 145 acres of alfalfa and 25 acres of tomatoes results in a quantity of 291.5 AF). If crops other than alfalfa and tomatoes are included in the transfer, then the participating acreage will be in proportion to the evapotranspiration of applied water for crops as defined in the Draft Technical Information. The acreages of crops irrigated under License 7064A during prior years are shown in water right reports filed with the Division. For reference, during recent years, the irrigated acreage of alfalfa has been approximately 145 acres and the irrigated acreage of tomatoes has been approximately 25 acres. Following determination of specific fields participating in the proposed transfer, including the associated crop history for those fields, PGV will submit a proposal for the 2022 Water Transfer to DWR and Reclamation; and those agencies will evaluate the fields proposed to be idled/shifted for the temporary transfer. Evaluation and approval by DWR and Reclamation of the lands to be idled/shifted and verification of the quantity of surface water made available will ensure the proposed transfer does not result in any unreasonable and adverse impacts to the environment or third parties. In accordance with the Draft Technical Information and the Final Long-Term Water Transfers Environmental Impact Statement/Environmental Impact Report (Final EIS/EIR), PGV's crop idling/shifting will incorporate relevant mitigation measures that minimize impacts on threatened species, including the Giant Garter Snake.

As a result of the proposed temporary transfer, the flow in the Sacramento River downstream of the Petitioner's present points of diversion will increase by up to 1,690 AF§ over what would have occurred absent the proposed transfer. These increases will occur during the period that surface water is made available by the Petitioner or if possible, during the following months thereafter through releases by Reclamation for conveyance to SLDMWA. If excess capacity is available in Shasta Reservoir, the Delta is in balanced conditions, and regulatory requirements are being met, Reclamation may temporarily hold the quantity of surface water made available by the Petitioner, until export capacity at the SWP's Banks Pumping Plant or the CVP's Jones Pumping Plant is available, which is typically during July, August, or September. This "backing up" of transfer water would decrease releases from Shasta Reservoir early in the irrigation season, such as during May and June, and increase releases later in the season when conditions and operations permit, such as possible during October or November. Reclamation would only consider operations to facilitate and accommodate "backing up" of transfer water if those operations avoid temperature impacts, and possibly aid with overall temperature management, consistent with the Final EIS/R. In fact, this temporary retention of water in Shasta Reservoir, as a result of surface water made available by the Petitioner, may provide an incidental benefit for fisheries during

<sup>§</sup> This is the maximum volume assuming that 291.5AF is made available via crop idling/shifting and 1,405.5 AF is made available via groundwater substitution (1,222.8 AF after subtracting the 13% streamflow depletion factor).

the early portion of the irrigation season as a result of the temporary retention of transfer water in Shasta Reservoir that would not have existed absent that transfer. The benefits associated with the potential temporary retention of transfer water in Shasta Reservoir are considered by Reclamation through its planning efforts during late spring, generally following decisions by growers regarding quantities planned to be made available for transfer as indicated in water transfer proposals. Shasta Reservoir would continue to be operated in accordance with regulatory requirements, such as flow and temperature requirements established by various agencies including the U.S. Fish and Wildlife Service, National Oceanic and Atmospheric Administration's National Marine Fisheries Service, Federal Energy Regulatory Commission, and State Water Resources Control Board, for the protection of downstream resources. During the period when it is possible for the increased flows in the Sacramento River to reach the proposed downstream additional points of diversion for the proposed transfer, these flows will be a small percentage of the total flow and will be water that would be diverted by the Petitioner absent this proposed transfer. The Petitioner's reduced diversions will provide additional flows during the proposed transfer period, up to a maximum of approximately 11.77 cfs. Therefore, there will be no injury to other legal water users, water quality, or return flows; in fact, these increased flows may provide incidental benefits for fisheries and wildlife and may result in a positive effect to the water users between the present points of diversion and the proposed downstream additional points of diversion.

See files of the State Water Resources Control Board for more information regarding other legal water users, which may include the Delta water users, the Central Valley Project, and the SWP. Discussions with the Department of Fish and Wildlife (DFW) staff regarding the Petition occurred on February 14, 2022, in order to discuss the proposed water transfer, including the overall process/review of the Petition and associated documentation by DFW and other agencies. DFW staff provided no additional comments relative to crop idling/shifting. The Central Valley Regional Water Quality Control Board (CVRWQCB) has also been contacted and were provided information regarding the proposed temporary water transfer. DFW and CVRWQCB have been provided a copy of this Petition for review. Specifically, copies of this Petition have been provided to Briana Seapy (916-508-3345) and Bridget Gibbons (916-767-3993) of DFW and Michelle Snapp (916-464-4824) of the CVRWQCB for review and comment.

#### State of California State Water Resources Control Board **DIVISION OF WATER RIGHTS** P.O. Box 2000, Sacramento, CA 95812-2000

Tel: (916) 341-5300 Fax: (916) 341-5400 http://www.waterboards.ca.gov/waterrights

#### ENVIRONMENTAL INFORMATION FOR PETITIONS

This form is required for all 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.

#### DESCRIPTION OF PROPOSED CHANGES OR WORK REMAINING TO BE COMPLETED

For a petition for 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.

ee Attachment No. 1
sert the attachment number here, if applicable:

## Coordination with Regional Water Quality Control Board

For change petitions only, you must request consultation with the Regional		Date of Request					
Water Quality Control Board regarding the potential effects of your proposed change on water quality and other instream beneficial uses. (Cal. Code Regs., tit. 23, § 794.) In order to determine the appropriate office for consultation, see: http://www.waterboards.ca.gov/waterboards_map.shtml. Provide the date you submitted your request for consultation here, then provide the following information.		02/14/2022					
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?	0	Yes	O No				
Will a waste discharge permit be required for the project?	0	Yes	O No				
If necessary, provide additional information below:							
Michelle Snapp (916-464-4824) of the Central Valley Regional Water Quality Control Board was contacted in order to discuss the proposed temporary water transfer; and no comments were provided at this time. A copy of this petition has been provided to Ms. Snapp concurrently with the submittal of this petition to the Division of Water Rights.							
Insert the attachment number here, if applicable: 1							
Local Permits							
For temporary transfers only, you must contact the board of supervisors for the		Date of	Contact				
county(ies) both for where you currently store or use water and where you propose to transfer the water. (Wat. Code § 1726.) Provide the date you submitted							
your request for consultation here.  For change petitions only, you should contact your local planning or public works department and provide the information below.							
Person Contacted: Not Applicable.  Date of Contact:							
Department: Phone Number:							
County Zoning Designation:							
Are any county permits required for your project? If yes, indicate type below.	) Ye	es (	ON C				
Grading Permit Use Permit Watercourse	)bstru	ction Pe	rmit				
Change of Zoning General Plan Change Other (explain below)							
If applicable, have you obtained any of the permits listed above? If yes, provide copies.							
If necessary, provide additional information below:							
Not Applicable.							
Insert the attachment number here, if applicable:							

# **Federal and State Permits** Check any additional agencies that may require permits or other approvals for your project: Department of Fish and Game Regional Water Quality Control Board California Coastal Commission Dept of Water Resources, Division of Safety of Dams State Reclamation Board U.S. Army Corps of Engineers U.S. Forest Service **Bureau of Land Management** Federal Energy Regulatory Commission Natural Resources Conservation Service Have you obtained any of the permits listed above? If yes, provide copies. Yes No For each agency from which a permit is required, provide the following information: Permit Type Person(s) Contacted Contact Date Phone Number Agency Not Applicable If necessary, provide additional information below: Not Applicable Insert the attachment number here, if applicable: **Construction or Grading Activity** Does the project involve any construction or grading-related activity that has significantly Yes altered or would significantly alter the bed, bank or riparian habitat of any stream or lake? If necessary, provide additional information below: Not Applicable.

Insert the attachment number here, if applicable:

Archeology		
Has an archeological report been prepared for this project? If yes, provide a copy.	○ Yes	O No
Will another public agency be preparing an archeological report?	<b>○</b> Yes	O No
Do you know of any archeological or historic sites in the area? If yes, explain below.	OYes	O No
If necessary, provide additional information below:		
Not Applicable.  Insert the attachment number here, if applicable:		
insert the attachment number here, if applicable.		
<b>Photographs</b> See Attachment No. 1.		
<u>For all petitions other than time extensions</u> , attach complete sets of color photographs labeled, showing the vegetation that exists at the following three locations:	, clearly date	ed and
Along the stream channel immediately downstream from each point of diversion	'n	
Along the stream channel immediately upstream from each point of diversion		
At the place where water subject to this water right will be used		
Maps See Attachment No. 1.		
For all petitions other than time extensions, attach maps labeled in accordance with the applicable features, both present and proposed, including but not limited to: point of directiversion, distribution of storage reservoirs, point of discharge of treated wastewater location of instream flow dedication reach. (Cal. Code Regs., tit. 23, §§ 715 et seq., 75)	iversion, poin r, place of us	nt of
Pursuant to California Code of Regulations, title 23, section 794, petitions for change may not be accepted.	submitted wi	thout maps
All Water Right Holders Must Sign This Form:  I (we) hereby certify that the statements I (we) have furnished above and in the attach the best of my (our) ability and that the facts, statements, and information presented a best of my (our) knowledge. Dated  O2/18/2022  at Sacramento, Control of the contro	re true and	
On behalf of PGVMWC  Water Right Holder or Authorized Agent Signature  Water Right Holder or Authorized Agent Signature		
Water Right Holder or Authorized Agent Signature Water Right Holder or Authorized Water Right Holder or Authorized Agent Signature	rized Agent	Signature
<ul> <li>NOTE:         <ul> <li>Petitions for Change may not be accepted unless you include proof that a copy of the petition Department of Fish and Game. (Cal. Code Regs., tit. 23, § 794.)</li> </ul> </li> <li>Petitions for Temporary Transfer may not be accepted unless you include proof that a copy on the Department of Fish and Game and the board of supervisors for the county(ies) where water and the county(ies) where you propose to transfer the water. (Wat. Code § 1726.)</li> </ul>	of the petition	was served

#### Attachment No. 1

## to Environmental Information for Petitions for Change Involving Water Transfers Filed by Joint Petitioners within Pleasant Grove-Verona MWC

#### DESCRIPTION OF PROPOSED CHANGES

The Pleasant Grove-Verona Mutual Water Company (PGV) is proposing a temporary water transfer to San Luis & Delta-Mendota Water Authority (SLDMWA) in 2022. To facilitate this transfer, the Joint Petitioners are petitioning to temporarily add points of diversion, points of rediversion a place of use, and purposes of use to the water rights summarized below in order to transfer up to 15,139.2 AF for use by participating entities within SLDMWA by groundwater substitution and by crop idling/shifting. Shasta Dam is proposed to be added as a point of diversion; the State Water Project's (SWP) Banks Pumping Plant and the Central Valley Project's (CVP) CW "Bill" Jones Pumping Plant are proposed to be added as points of diversion and points of rediversion; San Luis Reservoir is proposed to be added as a point of rediversion; and a portion of the service area of the CVP is proposed to be added as a place of use. The purposes of use proposed to be added are municipal, industrial, and domestic, in addition to the existing purpose of use for irrigation. These proposed additions would authorize the transfer of water to SLDMWA in order to provide an additional water supply during the current drier hydrologic conditions. There are no changes to the Petitioner's existing points of diversion, place of use, or purpose of use.

The Petitioner is a shareholder of PGV which holds Contract No. 14-06-200-5520A-R-1 (Contract) with the U.S. Bureau of Reclamation (Reclamation). The water rights held by the Joint Petitioners and the other shareholders of PGV serve as the basis for the Base Supply under PGV's Contract. This Petition is one of 11 petitions (Joint Petitions) being filed by participating shareholders of PGV (Joint Petitioners) pursuant to their individual water rights. The Joint Petitions include the following:

Joint Petitioner	Application	License	Proposed Transfer Quantity (Up to Amount, AF)
E. D. Willey and Son, Inc.	7641A	6389A	4,311.5
River Ranch Partnership	7641C	6389C	802.6
D	7641B	6389B	1,160
Brett Scheidel	15606	11001	1,760
NI - I C NI I - I	7641D1	6389D1	630
Nicoli G. Nicholas	15856A	7064A	1,697
Maria John Nicholas	7641D2	6389D2	630
Kelly Ranch, LLC	15856B	7064B	1,473
Manufact Labor Farm	15856C	7064C	2,205*
Murphy Lake Farms	15858	6399	500*
William L. Spangler	16182	10848	270.4

Because the proposed project involves the transfer of water under PGV's Contract these petitions are being filed jointly and should be treated as a single project. PGV has been authorized to act on behalf of the Joint Petitioners, each of which is filing similar petitions in order to facilitate the proposed transfer. Thus, this consolidated environmental information form accompanies each petition for the water rights listed above. The quantities shown in the table above are up to amounts for each Petitioner. PGV will coordinate with the Joint Petitioners to assure the maximum quantity to be transferred under the Joint Petitions will not exceed 15,139.2 AF†.

The quantity of surface water proposed to be made available by groundwater substitution involves the use of groundwater pumped upon overlying lands in exchange for a like amount of surface water that will remain instream for diversion at the proposed additional points of diversion. The quantity of surface water proposed to be made available for transfer by crop idling/shifting involves only the consumptive use savings as a result of actions within PGV's boundaries. These proposed quantities would be made available by the Petitioner during May

February 2022

<sup>\*</sup> Proposed upper limit quantities identified for each water right, limited to a combined quantity of up to 2,404.7 AF under Licenses 6399 and 7064C.

<sup>†</sup> PGV is currently coordinating with growers to determine the volume of water to be transferred by groundwater substitution and crop idling/shifting. The quantities identified in each of the Petitions are up-to limits for each transfer mechanism and total 20,764 AF (12,055 AF by groundwater substitution and 8,709 AF by crop idling/shifting); however, the Company will not transfer more than 15,139.2 AF. These initial up-to limits are included to allow for flexibility. The Company will submit a Proposal for review by Reclamation and the Department of Water Resources which will include refined volumes and meet other requirements explained further below.

through September 2022. Water made available for transfer will remain instream for diversion at the proposed additional points of diversion, or when necessary, temporarily retained in Shasta Reservoir for rediversion at the proposed additional points of rediversion. The quantity made available under this Petition will be limited to actions consistent with the terms and conditions of this license. At this time, the quantity of surface water to be made available by groundwater substitution versus crop idling/shifting is unknown. The split between water being made available by each mechanism will be determined after executing a Purchase Agreement with SLDMWA. Absent the proposed temporary transfer, surface water would be diverted to meet the irrigation demands of the Joint Petitioners and in accordance with its Sacramento River Settlement Contract with the U.S. Bureau of Reclamation (Reclamatiom). The proposed temporary transfer does not involve any construction or other physical changes to the Petitioners's facilities.

Petitions for temporary transfer of water pursuant to Water Code Section 1725 are exempt from the California Environmental Quality Act (CEQA). Reclamation and SLDMWA have prepared a *Final Long-Term Water Transfers Environmental Impact Statement/Environmental Impact Report* (Final EIS/EIR), dated September 2019, pursuant to the requirements under the National Environmental Policy Act (NEPA) and CEQA. A copy of the Final EIS/EIR, dated September 2019, is available at: <a href="https://www.usbr.gov/mp/nepa/nepa\_project\_details.php?Project\_ID=18361">https://www.usbr.gov/mp/nepa/nepa\_project\_details.php?Project\_ID=18361</a>> Based on the requirements associated with the Final EIS/EIR, and in accordance with the Draft Technical Information for Preparing Water Transfer Proposals, dated December 2019 published by the Department of Water Resources and Reclamation, the Petitioner will implement the relevant, applicable measures for the proposed 2022 Water Transfer.

#### **PHOTOGRAPHS**

The present points of diversion and the proposed additional points of diversion and rediversion include existing facilities that are well known and documented with the Division of Water Rights (Division). In addition, the present and proposed places of use are also well known and documented with the Division. Therefore, for these reasons, the Petitioner respectfully requests that said documentation be made a part of the record for the petition.

#### **MAPS**

The present points of diversion and place of use are shown on a map filed with the Division. The proposed additional point of diversion for the SWP's Banks Pumping Plant and the proposed additional point of rediversion for San Luis Reservoir are shown on maps filed with the Division for Application 5630. The proposed additional point of diversion for the CVP's Jones Pumping Plant is shown on maps filed with the Division for Application 5626. The proposed additional place of use is a portion of the CVP service area, as shown on Map 214-208 – 12581 on file with the Division under Application 5626. The Petitioner respectfully requests that said maps be made a part of the record for the petition.

MBK Main Fax Line

03:43:21 p.m.

02-11-2022

2/9

Please Indicate	County where
your project is	located here:

Sutter

MAIL FORM AND ATTACHMENTS TO: State Water Resources Control Board **DIVISION OF WATER RIGHTS** P.O. Box 2000, Sacramento, CA 95812-2000 Tel: (916) 341-5300 Fax: (916) 341-5400 http://www.waterboards.ca.gov/waterrights

## PETITION FOR CHANGE INVOLVING WATER TRANSFERS

Separate petitions are required for each water right. Mark all areas that apply to your proposed change(s). Incomplete

	forms m	ay not be a requi					on must be 15 et seq.)	Provide a	tachment	s if necess	sary.	ablished
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F	roposed	New User(	s)									
		names, ad		and phon	e number	s for all p	roposed ne	w user(s) o	of the wate	er right.		
F	an Luis & Del dn: Frances I O. Box 2157 os Banos, CA 209) 832-8200	93635	er Authority									
L												

9164560253

MBK Main Fax Line

03:45:24 p.m. 02-11-2022

7/9

Amount of Water to be Transferred						
Up to 630 acre-feet will be transferred. If the basis of right is direct diversion, the average rate of diversion for the maximum 30-day period of use is  Up to 2.1 cubic feet per second or million gallons per day.						
General Information – Provide the following information, if applicable to your proposed change(s).						
Have you attached an analysis which documents that the amount of water to be transferred or exchanged would have been consumptively used or stored in the absence of the proposed temporary change or long-term transfer?						
Have you attached an analysis of any changes to streamflow, water quality, timing of diversion or use, return flows, or effects on legal users from the proposed temporary change or long-term transfer?						
Have you attached an analysis that shows the proposed temporary change or long- term transfer will not unreasonably affect fish, wildlife, or other instream beneficial uses?						
(we) have access to the proposed point of diversion or control the proposed place of use by virtue of:  ownership lease verbal agreement written agreement						
f by lease or agreement, state name and address of person(s) from whom access has been obtained.						
Give name and address of any person(s) taking water from the stream between the present point of diversion or rediversion and the proposed point of diversion or rediversion, as well as any other person(s) known to you who may be affected by the proposed change.  See Attachment No. 1						
All Right Holders Must Sign Below: I (we) declare under penalty of perjury that this involves only the amount of water which would have been consumptively used or stored in the absence of the proposed temporary change, and that the above is true and correct to the best of my (our) knowledge and belief.						
Dated February 14, 2022 at SACRAMENTO, CALIFORNIA						
Dish Wilholm						
Right Holder or Authorized Agent Signature Right Holder or Authorized Agent Signature						
NOTE: All petitions must be accompanied by: 1) the form Environmental information for Petitions, available at:     http://www.waterboards.ca.gov/waterrights/publications_forms/forms/docs/pet_info.pdf 2) Division of Water Rights fee, per the Water Rights Fee Schedule, available at:     http://www.waterboards.ca.gov/waterrights/water_issues/programs/fees/ 3) Department of Fish and Wildlife fee of \$850 (Pub. Resources Code, § 10005)						

## Attachment No. 1 to Petition for Change Involving Water Transfers License 6389D2 (Application 7641D2) held by Maria John Nicholas Kelly Ranch, LLC

#### **GENERAL**

The purpose of this Petition for Change Involving Water Transfers (Petition) is to: (1) add Shasta Dam as a point of diversion, (2) add the State Water Project's (SWP) Harvey O. Banks Pumping Plant and the Central Valley Project's (CVP) CW "Bill" Jones Pumping Plant as points of diversion and points of rediversion, (3) add San Luis Reservoir as a point of rediversion, (4) add a portion of the service area of the CVP as an additional place of use, and (5) add municipal, industrial, and domestic purposes of use under Maria John Nicholas Kelly Ranch, LLC's (Petitioner) License 6389D2 (Application 7641D2). The Petitioner is a shareholder of the Pleasant Grove-Verona Mutual Water Company (PGV). PGV holds Contract No. 14-06-200-5520A-R-1 (Contract) with the U.S. Bureau of Reclamation (Reclamation). The water rights held by the Petitioner and the other shareholders of PGV serve as the basis for the Base Supply under PGV's Contract. This Petition is one of 11 petitions (Joint Petitions) being filed by participating shareholders of PGV (Joint Petitioners) pursuant to their individual water rights. The Joint Petitions include the following:

Joint Petitioner	Application	License	Proposed Transfer Quantity (Up to Amount, AF)		
E. D. Willey and Son, Inc.	7641A	6389A	4,311.5		
River Ranch Partnership	7641C	6389C	802.6		
D 44 C 1 2 1 1	7641B	6389B	1,160		
Brett Scheidel	15606	11001	1,760		
AL LONG L	7641D1	6389D1	630		
Nicoli G. Nicholas	15856A	7064A	1,697		
Maria John Nicholas	7641D2	6389D2	630		
Kelly Ranch, LLC	15856B	7064B	1,473		
М 1 1 1 Г	15856C	7064C	2,205*		
Murphy Lake Farms	15858	6399	500*		
William L. Spangler	16182	10848	270.4		

This Petition is being filed to facilitate a temporary transfer (2022 Water Transfer) of up to a total of 638 acre-feet (AF) of surface water proposed to be made available from the Petitioner as early as April (upon approval of this Petition) through September 2022. This

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<sup>\*</sup> Proposed upper limit quantities identified for each water right, limited to a combined quantity of up to 2,404.7 AF under Licenses 6399 and 7064C.

proposed transfer quantity will be made available by groundwater substitution (up to 630 AF<sup>†</sup> prior to subtracting streamflow depletion loss) and by crop idling/shifting (up to 133.5 AF†)in order to provide an additional water supply for irrigation, municipal, industrial, and domestic purposes. Groundwater substitution involves the use of groundwater pumped to produce crops within PGV in exchange for a like amount of surface water that will remain instream for diversion at the proposed additional points of diversion. The quantity of surface water to be made available for transfer by crop idling/shifting involves only the consumptive use savings as a result of actions within PGV's boundaries. Water made available for transfer will remain instream for diversion at the proposed additional points of diversion, or when necessary, temporarily retained in Shasta Reservoir for rediversion at the proposed additional points of rediversion. The quantity made available under this Petition will be limited to actions consistent with the terms and conditions of this license. At this time, the quantity of surface water to be made available by groundwater substitution versus crop idling/shifting is unknown. The split between water being made available by each mechanism will be determined after executing a Purchase Agreement with SLDMWA. As discussed further below, the quantity proposed to be made available by the Petitioner will be reviewed and approved by the U.S. Bureau of Reclamation (Reclamation) and the Department of Water Resources (DWR).

Absent the proposed temporary transfer, PGV would divert the entire quantity of surface water proposed for transfer from the Sacramento River pursuant to its water right in accordance with its Sacramento River Settlement Contract with the U.S. Bureau of Reclamation (Reclamation). Annual water right reports submitted to the Division of Water Rights (Division) for License 6389D2, covering the period of 2016-2020 which are years of full water supply under the Settlement Contract, demonstrate that the Petitioner typically diverts and uses more surface water under that license than the amount proposed for the 2022 Water Transfer. The Petitioner accounts for its surface water diversions and use under its water rights, including License 6389D2, in accordance with accounting methods relied upon by the Division considering several factors associated with each water right. Those factors include, but are not limited to, water right priorities, seasons of diversion, direct diversion rates, places of use, points of diversion, annual diversion limitations, and other relevant terms and conditions associated with each of the Petitioner's water rights. For example, diversions are accounted in order of water right priority starting with the senior water right that has the same authorized diversion season as when the diversion occurred, and identifying a diversion quantity that is the lesser of the diversion or the authorized rate of direct diversion. In the case that the diversion rate is greater than the authorized direct diversion rate, then the diversions over the authorized rate are accounted for under the water right with the next priority date using the same methodology. Collectively the diversions reported under PGV's water rights are equal to the quantities by PGV. Because the proposed project involves the transfer of water under PGV's Contract, these petitions are being filed jointly and should be treated as a single project. PGV has been

<sup>&</sup>lt;sup>†</sup> PGV is currently coordinating with growers to determine the volume of water to be transferred by groundwater substitution and crop idling/shifting. The quantities above are up-to limits for each transfer mechanism and total 763.5 AF; however, the Petitioner will not transfer more than 630 AF under License 6389D2. These initial up-to limits are included to allow for flexibility. PGV will submit a Proposal for review by Reclamation and the Department of Water Resources which will include refined volumes and meet other requirements explained further below.

authorized to act on behalf of the Joint Petitioners, each of which is filing similar petitions in order to facilitate the proposed transfer. Under the Joint Petitions, PGV is proposing a temporary transfer of up to 15,139.2 AF to SLDMWA. Absent the proposed temporary transfer, PGV and the Joint Petitioners would divert the entire quantity proposed for transfer from surface water sources pursuant to their water rights and the Contract with Reclamation.

#### **POINT OF DIVERSION OR REDIVERSION**

#### **POINT OF DIVERSION**

#### Present Point of Diversion:

Petitioner's authorized point of diversion under License 6389D2 is located as follows:

	Located Within‡					
<b>Description</b>	1/4, 1/4	Proj. Sec	<u>T</u>	<u>R</u>		
By California Coordinate System of 1927, Zone 2, North 406,000 and East 2,113,000 being within the	SW, SE	23	11N	3E		

#### Proposed Additional Points of Diversion:

No change in the present points of diversion is proposed. Petitioner proposes to add the following points of diversion:

#### **Shasta Dam**

S39°58'13" W, 1,626.41 feet from E¼ Corner of Section 15, T33N, R5W, MDB&M, being within the NE¼ of SE¼ of said Section 15, in Shasta County. This proposed additional point of diversion is identified on maps filed with the 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 diversion is identified on maps filed with the Division under Application 5630.

#### 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

<sup>‡</sup> All references to Township and Range are to the MDB&M.

additional point of diversion is identified on maps filed with the Division under Application 5626.

#### **POINT OF REDIVERSION**

#### Present Points of Rediversion:

Petitioner's authorized points of rediversion under License 6389D2 are listed below:

	Located Within†				
<b>Description</b>	1/4, 1/4	<u>Proj.</u> <u>Sec</u>	$\underline{\mathbf{T}}$	<u>R</u>	
By California Coordinate System of 1927, Zone 2, North 409,550 feet and East 2,114,809 feet	NW, NW	24	11N	3E	
California Coordinate System of 1927, Zone 2, North 415,279 feet and East 2,114,663 feet	NW, NW	13	11N	3E	
California Coordinate System of 1927, Zone 2, North 423,790 feet and East 2,116,150 feet	NE, SW	1	11N	3E	

#### Proposed Additional Points of Rediversion:

No change in the present points of rediversion is proposed. Petitioner proposes proposes to add the following points of rediversion, which will assist in the temporary retention of transfer water for later use by the participating entities within SLDMWA during periods that coincide with demands or other operational constraints:

#### 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, R1S, R4E, MDB&M. This proposed additional point of rediversion is identified on maps filed with the Division under Application 5630.

#### 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 NW ¼ of SW ¼ of Projected Section 29, T1S, R4E, MDB&M. This proposed additional point of rediversion is identified on maps filed with the Division under Application 5626.

#### San Luis Reservoir

N 1,845,103 ft., E 6,393,569 ft., California Coordinate System Zone 3, NAD 83, being within the SW ¼ of SE ¼ of Projected Section 15, T10S, R8E, MDB&M. This proposed

additional point of rediversion is identified on maps filed with the Division under Application 5630.

#### PLACE OF USE

#### Present:

The present place of use for License 6389D2 is as follows:

119.3 acres net within a gross area of 826 acres within projected Section 2, 11, and 14, T11N, R3E, MDB&M, as shown on a map dated March 11, 1988, on file with the SWRCB and identified by County Assessor's office as APN 34-130-003, 34-130-004, 34-140-005, and 34-080-004.

#### Proposed:

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

#### **GENERAL INFORMATION**

Surface water will be made available for transfer from PGV by groundwater substitution and by crop idling/shifting, consistent with the current Draft Technical Information for Preparing Water Transfer Proposals, dated December 2019 (Draft Technical Information) published by the Department of Water Resources (DWR) and 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, instream beneficial uses, and the overall economy and environment. PGV will submit a proposal to DWR and Reclamation for a water transfer to participating entities within the SLDMWA during 2022, which includes detailed information relative to historical groundwater pumping, groundwater well characteristics, groundwater monitoring and reporting elements, historical cropping data, and associated maps. DWR and Reclamation will conduct an extensive review of these documents in order to ensure that the quantity of water proposed to be made available by PGV meets the relevant criteria to demonstrate a reduction in surface water use will occur as a result of the proposed temporary transfer. Absent the proposed temporary transfer to SLDMWA, groundwater would not be pumped by the Petitioner for groundwater substitution and crops would not be idled/shifted to make surface water available for SLDMWA; thus, the Petitioner would have diverted surface water to meet its irrigation demands. The Petitioner will provide the Division with a copy of the executed agreements with Reclamation and/or DWR identifying the terms and conditions for the 2022 Water Transfer to document that the relevant findings are made by those agencies, in accordance with the Draft Technical Information and

other requirements. Those executed agreements will identify an up-to transfer quantity to be made available by crop idling/shifting and/or groundwater substitution, which will be less than or equal to the quantities identified in the Joint Petitions.

Only wells which have been approved by DWR and Reclamation will be used for the proposed temporary transfer. In accordance with Water Code Section 1745.10, the Petitioner does not believe the proposed transfer to SLDMWA by groundwater substitution will result in an overdraft of the underlying groundwater basin. As a condition of participation in the proposed temporary transfer, PGV has developed groundwater monitoring, reporting, and mitigation plans to ensure the proposed transfer does not result in any unreasonable and adverse effects, such as impacts to other legal users of water, land subsidence, groundwaterdependent vegetation, and groundwater quality. As described above, the requirements of the monitoring program and mitigation plan are outlined in the Draft Technical Information and will be implemented by the Petitioner accordingly. The monitoring program also includes recurring review of groundwater level monitoring data obtained prior to, during, and following periods when surface water is made available by the Petitioner for the proposed water transfer, in accordance with the Draft Technical Information. To account for anticipated streamflow depletion, DWR and Reclamation will apply a factor of 13% to the amount of groundwater pumped pursuant to the Petitioner's proposed groundwater substitution transfer in accordance with the Draft Technical Information. Evaluation and approval by DWR and Reclamation of the groundwater monitoring, reporting, and mitigation plans will be obtained for PGV's groundwater substitution program. Further, PGV is providing notification to the Reclamation District No. 1001 Groundwater Sustainability Agency, which is the groundwater sustainability agency formed pursuant to the Sustainable Groundwater Management Act that covers the area where groundwater substitution pumping is proposed to occur within PGV. Documentation of PGV's notifications to the Reclamation District No. 1001 Groundwater Sustainability Agency (GSA), including a determination from the GSA that the proposed 2022 Water Transfer is consistent with the Groundwater Sustainability Plan, will be provided to DWR and Reclamation, in accordance with the Draft Technical Information.

As indicated above, PGV conducts water transfers in accordance with the Draft Technical Information and other relevant requirements. The monitoring requirements associated with PGV's proposed groundwater substitution water transfer will be incorporated to agreements with DWR and Reclamation. Following the proposed water transfer, PGV will prepare a monitoring report summarizing the results. In PGV's previous groundwater substitution transfers, some of which involved similar quantities compared to the quantity proposed in this Petition, the groundwater basin in and around PGV recovered from the effects of the transfer the following spring. We expect the hydrologic data to show a similar recovery pattern for the proposed 2022 Water Transfer.

Crop idling/shifting water transfers involve surface water made available for transfer by reducing the consumptive use of surface water applied for irrigation. As indicated above, PGV is preparing a water transfer proposal for submittal to DWR and Reclamation to provide the information required pursuant to the Draft Technical Information, which includes supporting documentation to determine the quantity of surface water to be made available by crop

idling/shifting. Details regarding specific fields and crops to be idled/shifted for the transfer are currently being decided by growers within PGV. In order to make 133.5 AF of surface water available for transfer, a maximum of 44.5 acres of rice will be idled for the proposed 2022 Water Transfer based on the current evapotranspiration of applied water rate for rice identified by DWR and Reclamation (3.0 AF/acre, which for 44.5 acres of rice results in a quantity of 133.5 AF). However, growers are evaluating the potential idling of other crops including sunflowers, alfalfa, and melons. If crops other than rice are included in the transfer, then the participating acreage will be in proportion to the evapotranspiration of applied water for crops as defined in the Draft Technical Information. The acreages of crops irrigated under License 6389D2 during prior years are shown in water right reports filed with the Division. For reference, during recent years, the irrigated acreage of rice has been approximately 44.5 acres and the irrigated acreage of other crops has been approximately 74.7 acres. Following determination of specific fields participating in the proposed transfer, including the associated crop history for those fields, PGV will submit a proposal for the 2022 Water Transfer to DWR and Reclamation; and those agencies will evaluate the fields proposed to be idled/shifted for the temporary transfer. Evaluation and approval by DWR and Reclamation of the lands to be idled/shifted and verification of the quantity of surface water made available will ensure the proposed transfer does not result in any unreasonable and adverse impacts to the environment or third parties. In accordance with the Draft Technical Information and the Final Long-Term Water Transfers Environmental Impact Statement/Environmental Impact Report (Final EIS/EIR), PGV's crop idling/shifting will incorporate relevant mitigation measures that minimize impacts on threatened species, including the Giant Garter Snake.

As a result of the proposed temporary transfer, the flow in the Sacramento River downstream of the Petitioner's present points of diversion will increase by up to 638 AF\(\xi\) over what would have occurred absent the proposed transfer. These increases will occur during the period that surface water is made available by the Petitioner or if possible, during the following months thereafter through releases by Reclamation for conveyance to SLDMWA. If excess capacity is available in Shasta Reservoir, the Delta is in balanced conditions, and regulatory requirements are being met, Reclamation may temporarily hold the quantity of surface water made available by the Petitioner, until export capacity at the SWP's Banks Pumping Plant or the CVP's Jones Pumping Plant is available, which is typically during July, August, or September. This "backing up" of transfer water would decrease releases from Shasta Reservoir early in the irrigation season, such as during May and June, and increase releases later in the season when conditions and operations permit, such as possibly during October or November. Reclamation would only consider operations to facilitate and accommodate "backing up" of transfer water if those operations avoid temperature impacts, and possibly aid with overall temperature management, consistent with the Final EIS/R and other relevant requirements. In fact, this temporary retention of water in Shasta Reservoir, as a result of surface water made available by the Petitioner, may provide an incidental benefit for fisheries during the early portion of the irrigation season as a result of the temporary retention of transfer water in Shasta Reservoir that would not have existed absent the transfer. The benefits

<sup>§</sup> This is the maximum volume assuming that 133.5 AF is made available via crop idling/shifting and 496.5 AF is made available via groundwater substitution (431.96 AF after subtracting the 13% streamflow depletion factor).

associated with potential temporary retention of transfer water in Shasta Reservoir are considered by Reclamation through its planning efforts during late spring, generally following decisions by growers regarding quantities planned to be made available for transfer as indicated in water transfer proposals. Shasta Reservoir would continue to be operated in accordance with regulatory requirements, such as flow and temperature requirements established by various agencies including the U.S. Fish and Wildlife Service, National Oceanic and Atmospheric Administration's National Marine Fisheries Service, Federal Energy Regulatory Commission, and State Water Resources Control Board, for the protection of downstream resources. During the period when it is possible for the increased flows in the Sacramento River to reach the proposed downstream additional points of diversion for the proposed transfer, these flows will be a small percentage of the total flow and will be water that would be diverted by the Petitioner absent this proposed transfer. The Petitioner's reduced diversions will provide additional flows during the proposed transfer period, up to a maximum of approximately 2.1 cfs. Therefore, there will be no injury to other legal water users, water quality, or return flows; in fact, these increased flows may provide incidental benefits for fisheries and wildlife and may result in a positive effect to the water users between the present points of diversion and the proposed downstream additional points of diversion.

See files of the State Water Resources Control Board for more information regarding other legal water users, which may include the Delta water users, the Central Valley Project, and the SWP. Discussions with the Department of Fish and Wildlife (DFW) staff regarding the Petition occurred on February 14, 2022, in order to discuss the proposed water transfer, including the overall process/review of the Petition and associated documentation by DFW and other agencies. DFW staff provided no additional comments relative to crop idling/shifting. The Central Valley Regional Water Quality Control Board (CVRWQCB) has also been contacted and were provided information regarding the proposed temporary water transfer. DFW and CVRWQCB have been provided a copy of this Petition for review. Specifically, copies of this Petition have been provided to Briana Seapy (916-508-3345) and Bridget Gibbons (916-767-3993) of DFW and Michelle Snapp (916-464-4824) of the CVRWQCB for review and comment.

#### State of California State Water Resources Control Board **DIVISION OF WATER RIGHTS** P.O. Box 2000, Sacramento, CA 95812-2000 Tel: (916) 341-5300 Fax: (916) 341-5400

http://www.waterboards.ca.gov/waterrights

#### **ENVIRONMENTAL INFORMATION FOR PETITIONS**

This form is required for all 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.

#### DESCRIPTION OF PROPOSED CHANGES OR WORK REMAINING TO BE COMPLETED

For a petition for 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
nsert the attachment number here, if applicable:

## Coordination with Regional Water Quality Control Board

For change petitions only, you must request consultation with the Regional Water Quality Control Board regarding the potential effects of your proposed change on water quality and other instream beneficial uses. (Cal. Code Regs., tit. 23, § 794.) In order to determine the appropriate office for consultation, see: http://www.waterboards.ca.gov/waterboards_map.shtml. Provide the date you submitted your request for consultation here, then provide the following information.		Date of Request			
		02/14/2022		2022	
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	
Will a waste discharge permit be required for the project?		$\circ$	Yes	O No	
If necessary, provide additional information below:					
Michelle Snapp (916-464-4824) of the Central Valley Regional Water Quality Control Board was contacted in order to discuss the proposed temporary water transfer; and no comments were provided at this time. A copy of this petition has been provided to Ms. Snapp concurrently with the submittal of this petition to the Division of Water Rights.					
Insert the attachment number here, if applicable: 1					
Local Permits					
For temporary transfers only, you must contact the board			Date of C	Contact	
county(ies) both for where you currently store or use water and where you propose to transfer the water. (Wat. Code § 1726.) Provide the date you submitted your request for consultation here.		2/18/2022			
For change petitions only, you should contact your local p information below.	lanning or public works de	eparti	ment and	provide the	
Person Contacted: Not Applicable.	Date of Contact:				
Department:	Phone Number:				
County Zoning Designation:					
Are any county permits required for your project? If yes, in	dicate type below.	) Ye	es C	) No	
Grading Permit Use Permit	Watercourse O	bstru	ction Perr	nit	
Change of Zoning General Plan Change	Other (explain be	elow)			
If applicable, have you obtained any of the permits listed a	bove? If yes, provide cop	ies.	O Yes	O No	
If necessary, provide additional information below:					
Not Applicable.					
Insert the attachment number here, if applicable:					

## **Federal and State Permits** Check any additional agencies that may require permits or other approvals for your project: Regional Water Quality Control Board Department of Fish and Game Dept of Water Resources, Division of Safety of Dams California Coastal Commission State Reclamation Board U.S. Army Corps of Engineers U.S. Forest Service Bureau of Land Management Federal Energy Regulatory Commission Natural Resources Conservation Service Have you obtained any of the permits listed above? If yes, provide copies. Yes No For each agency from which a permit is required, provide the following information: Phone Number Permit Type Person(s) Contacted Contact Date Agency Not Applicable. If necessary, provide additional information below: Not Applicable. Insert the attachment number here, if applicable: Construction or Grading Activity Does the project involve any construction or grading-related activity that has significantly Yes altered or would significantly alter the bed, bank or riparian habitat of any stream or lake? If necessary, provide additional information below: Not Applicable.

Insert the attachment number here, if applicable:

Archeology					
Has an archeological report been prepared for this project? If yes, provide a copy.	○ Yes	O No			
Will another public agency be preparing an archeological report?	<b>○</b> Yes	O No			
Do you know of any archeological or historic sites in the area? If yes, explain below.					
If necessary, provide additional information below:  Not Applicable.					
Insert the attachment number here, if applicable:					
Photographs See Attachment No. 1.					
For all petitions other than time extensions, attach complete sets of color photographs labeled, showing the vegetation that exists at the following three locations:	s, clearly date	ed and			
Along the stream channel immediately downstream from each point of diversion	on				
Along the stream channel immediately upstream from each point of diversion					
At the place where water subject to this water right will be used					
Maps See Attachment No. 1.					
For all petitions other than time extensions, attach maps labeled in accordance with the applicable features, both present and proposed, including but not limited to: point of directiversion, distribution of storage reservoirs, point of discharge of treated wastewate location of instream flow dedication reach. (Cal. Code Regs., tit. 23, §§ 715 et seq., 79	iversion, point, point, place of us	nt of			
Pursuant to California Code of Regulations, title 23, section 794, petitions for change may not be accepted.	submitted wi	thout maps			
All Water Right Holders Must Sign This Form:  I (we) hereby certify that the statements I (we) have furnished above and in the attach the best of my (our) ability and that the facts, statements, and information presented a best of my (our) knowledge. Dated  O2/18/2022  at  Sacramento, C	re true and				
On behalf of PGVMWC  Water Right Holder or Authorized Agent Signature  Water Right Holder or Authorized Agent Signature					
Water Right Holder or Authorized Agent Signature Water Right Holder or Authorized Water Right Holder or Authorized Right Holder or Authorized Water Right Holder or Authorized Water Right Holder or Authorized Right Holder or Authorized Water Right Holder or Authorized Water Right Holder or Authorized Right Holder or Authorized Water Right Holder Water Ri	rized Agent	Signature			
<ul> <li>NOTE:         <ul> <li>Petitions for Change may not be accepted unless you include proof that a copy of the petition Department of Fish and Game. (Cal. Code Regs., tit. 23, § 794.)</li> </ul> </li> <li>Petitions for Temporary Transfer may not be accepted unless you include proof that a copy on the Department of Fish and Game and the board of supervisors for the county(ies) where water and the county(ies) where you propose to transfer the water. (Wat. Code § 1726.)</li> </ul>	of the petition	was served			

#### Attachment No. 1

## to Environmental Information for Petitions for Change Involving Water Transfers Filed by Joint Petitioners within Pleasant Grove-Verona MWC

#### **DESCRIPTION OF PROPOSED CHANGES**

The Pleasant Grove-Verona Mutual Water Company (PGV) is proposing a temporary water transfer to San Luis & Delta-Mendota Water Authority (SLDMWA) in 2022. To facilitate this transfer, the Joint Petitioners are petitioning to temporarily add points of diversion, points of rediversion a place of use, and purposes of use to the water rights summarized below in order to transfer up to 15,139.2 AF for use by participating entities within SLDMWA by groundwater substitution and by crop idling/shifting. Shasta Dam is proposed to be added as a point of diversion; the State Water Project's (SWP) Banks Pumping Plant and the Central Valley Project's (CVP) CW "Bill" Jones Pumping Plant are proposed to be added as points of diversion and points of rediversion; San Luis Reservoir is proposed to be added as a point of rediversion; and a portion of the service area of the CVP is proposed to be added as a place of use. The purposes of use proposed to be added are municipal, industrial, and domestic, in addition to the existing purpose of use for irrigation. These proposed additions would authorize the transfer of water to SLDMWA in order to provide an additional water supply during the current drier hydrologic conditions. There are no changes to the Petitioner's existing points of diversion, place of use, or purpose of use.

The Petitioner is a shareholder of PGV which holds Contract No. 14-06-200-5520A-R-1 (Contract) with the U.S. Bureau of Reclamation (Reclamation). The water rights held by the Joint Petitioners and the other shareholders of PGV serve as the basis for the Base Supply under PGV's Contract. This Petition is one of 11 petitions (Joint Petitions) being filed by participating shareholders of PGV (Joint Petitioners) pursuant to their individual water rights. The Joint Petitions include the following:

Joint Petitioner	Application	License	Proposed Transfer Quantity (Up to Amount, AF)
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M. I. I. I. F	15856C	7064C	2,205*
Murphy Lake Farms	15858	6399	500*
William L. Spangler	16182	10848	270.4

Because the proposed project involves the transfer of water under PGV's Contract these petitions are being filed jointly and should be treated as a single project. PGV has been authorized to act on behalf of the Joint Petitioners, each of which is filing similar petitions in order to facilitate the proposed transfer. Thus, this consolidated environmental information form accompanies each petition for the water rights listed above. The quantities shown in the table above are up to amounts for each Petitioner. PGV will coordinate with the Joint Petitioners to assure the maximum quantity to be transferred under the Joint Petitions will not exceed 15,139.2 AF†.

The quantity of surface water proposed to be made available by groundwater substitution involves the use of groundwater pumped upon overlying lands in exchange for a like amount of surface water that will remain instream for diversion at the proposed additional points of diversion. The quantity of surface water proposed to be made available for transfer by crop idling/shifting involves only the consumptive use savings as a result of actions within PGV's boundaries. These proposed quantities would be made available by the Petitioner during May

February 2022

<sup>\*</sup> Proposed upper limit quantities identified for each water right, limited to a combined quantity of up to 2,404.7 AF under Licenses 6399 and 7064C.

<sup>†</sup> PGV is currently coordinating with growers to determine the volume of water to be transferred by groundwater substitution and crop idling/shifting. The quantities identified in each of the Petitions are up-to limits for each transfer mechanism and total 20,764 AF (12,055 AF by groundwater substitution and 8,709 AF by crop idling/shifting); however, the Company will not transfer more than 15,139.2 AF. These initial up-to limits are included to allow for flexibility. The Company will submit a Proposal for review by Reclamation and the Department of Water Resources which will include refined volumes and meet other requirements explained further below.

through September 2022. Water made available for transfer will remain instream for diversion at the proposed additional points of diversion, or when necessary, temporarily retained in Shasta Reservoir for rediversion at the proposed additional points of rediversion. The quantity made available under this Petition will be limited to actions consistent with the terms and conditions of this license. At this time, the quantity of surface water to be made available by groundwater substitution versus crop idling/shifting is unknown. The split between water being made available by each mechanism will be determined after executing a Purchase Agreement with SLDMWA. Absent the proposed temporary transfer, surface water would be diverted to meet the irrigation demands of the Joint Petitioners and in accordance with its Sacramento River Settlement Contract with the U.S. Bureau of Reclamation (Reclamatiom). The proposed temporary transfer does not involve any construction or other physical changes to the Petitioners's facilities.

Petitions for temporary transfer of water pursuant to Water Code Section 1725 are exempt from the California Environmental Quality Act (CEQA). Reclamation and SLDMWA have prepared a *Final Long-Term Water Transfers Environmental Impact Statement/Environmental Impact Report* (Final EIS/EIR), dated September 2019, pursuant to the requirements under the National Environmental Policy Act (NEPA) and CEQA. A copy of the Final EIS/EIR, dated September 2019, is available at: <a href="https://www.usbr.gov/mp/nepa/nepa\_project\_details.php?Project\_ID=18361">https://www.usbr.gov/mp/nepa/nepa\_project\_details.php?Project\_ID=18361</a>> Based on the requirements associated with the Final EIS/EIR, and in accordance with the Draft Technical Information for Preparing Water Transfer Proposals, dated December 2019 published by the Department of Water Resources and Reclamation, the Petitioner will implement the relevant, applicable measures for the proposed 2022 Water Transfer.

#### **PHOTOGRAPHS**

The present points of diversion and the proposed additional points of diversion and rediversion include existing facilities that are well known and documented with the Division of Water Rights (Division). In addition, the present and proposed places of use are also well known and documented with the Division. Therefore, for these reasons, the Petitioner respectfully requests that said documentation be made a part of the record for the petition.

#### **MAPS**

The present points of diversion and place of use are shown on a map filed with the Division. The proposed additional point of diversion for the SWP's Banks Pumping Plant and the proposed additional point of rediversion for San Luis Reservoir are shown on maps filed with the Division for Application 5630. The proposed additional point of diversion for the CVP's Jones Pumping Plant is shown on maps filed with the Division for Application 5626. The proposed additional place of use is a portion of the CVP service area, as shown on Map 214-208 – 12581 on file with the Division under Application 5626. The Petitioner respectfully requests that said maps be made a part of the record for the petition.

MBK Main Fax Line

03:44:09 p.m. 02-11-2022

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Please	Indicate	County	where
your p	roject is	located	here:

Sutter

MAIL FORM AND ATTACHMENTS TO: State Water Resources Control Board **DIVISION OF WATER RIGHTS** P.O. Box 2000, Sacramento, CA 95812-2000 Tel: (916) 341-5300 Fax: (916) 341-5400 http://www.waterboards.ca.gov/waterrights

### PETITION FOR CHANGE INVOLVING WATER TRANSFERS

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Amount of Water to be Transferred		
Upto 1,473 acre-feet will be transferred. If the basis of right is direct diversion, the avmaximum 30-day period of use is  Upto 11.77 cubic feet per second or mi	erage rate liion gallor	e of diversion for the ns per day.
General Information – Provide the following information, if applicable to your proposed o	hange(s).	
Have you attached an analysis which documents that the amount of water to be transferred or exchanged would have been consumptively used or stored in the absence of the proposed temporary change or long-term transfer?	<b>⊙</b> Yes	O No
Have you attached an analysis of any changes to streamflow, water quality, timing of diversion or use, return flows, or effects on legal users from the proposed temporary change or long-term transfer?	<b>⊙</b> Yes	O No
Have you attached an analysis that shows the proposed temporary change or long- term transfer will not unreasonably affect fish, wildlife, or other instream beneficial uses?	<b>⊙</b> Yes	O No
(we) have access to the proposed point of diversion or control the proposed place of use ownership lease verbal agreement	by virtue written	of: agreement
f by lease or agreement, state name and address of person(s) from whom access has be	en obtain	ned.
Yot Applicable	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	
Give name and address of any person(s) taking water from the stream between the present between the present ediversion and the proposed point of diversion or rediversion, as well as any other person affected by the proposed change.		
See Atlachment No. 1		
All Right Holders Must Sign Below: I (we) declare under penalty of perjury that this involved which would have been consumptively used or stored in the absence of the proposed tem above is true and correct to the best of my (our) knowledge and belief.		
Dated February 14, 2020 at SACRAMENTO CALIFORN	A	
Desol Wicholas		
Right Holder or Authorized Agent Signature Right Holder or Authorized	Agent S	ignature
NOTE: All petitions must be accompanied by:  (1) the form Environmental information for Petitions, available at:     http://www.waterboards.ca.gov/waterrights/publications_forms/forms/docs/pet_info.pdf  (2) Division of Water Rights fee, per the Water Rights Fee Schedule, available at:     http://www.waterboards.ca.gov/waterrights/water_issues/programs/fees/  (3) Department of Fish and Wildlife fee of \$850 (Pub. Resources Code, § 10005)		

# Attachment No. 1 to Petition for Change Involving Water Transfers License 7064B (Application 15856B) held by Maria John Nicholas Kelly Ranch, LLC

#### **GENERAL**

The purpose of this Petition for Change Involving Water Transfers (Petition) is to: (1) add Shasta Dam as a point of diversion, (2) add the State Water Project's (SWP) Harvey O. Banks Pumping Plant and the Central Valley Project's (CVP) CW "Bill" Jones Pumping Plant as points of diversion and points of rediversion, (3) add San Luis Reservoir as a point of rediversion, (4) add a portion of the service area of the CVP as an additional place of use, and (5) add municipal, industrial, and domestic purposes of use under Maria John Nicholas Kelly Ranch, LLC's (Petitioner) License 7064B (Application 15856B). The Petitioner is a shareholder of the Pleasant Grove-Verona Mutual Water Company (PGV). PGV holds Contract No. 14-06-200-5520A-R-1 (Contract) with the U.S. Bureau of Reclamation (Reclamation). The water rights held by the Petitioner and the other shareholders of PGV serve as the basis for the Base Supply under PGV's Contract. This Petition is one of 11 petitions (Joint Petitions) being filed by participating shareholders of PGV (Joint Petitioners) pursuant to their individual water rights. The Joint Petitions include the following:

Joint Petitioner	Application	License	Proposed Transfer Quantity (Up to Amount, AF)
E. D. Willey and Son, Inc.	7641A	6389A	4,311.5
River Ranch Partnership	7641C	6389C	802.6
Brett Scheidel	7641B	6389B	1,160
	15606	11001	1,760
N	7641D1	6389D1	630
Nicoli G. Nicholas	15856A	7064A	1,697
Maria John Nicholas	7641D2	6389D2	630
Kelly Ranch, LLC	15856B	7064B	1,473
M L L L E	15856C	7064C	2,205*
Murphy Lake Farms	15858	6399	500*
William L. Spangler	16182	10848	270.4

This Petition is being filed to facilitate a temporary transfer (2022 Water Transfer) of up to a total of 1,466 acre-feet (AF) of surface water proposed to be made available from the Petitioner as early as April (upon approval of this Petition) through September 2022. This

<sup>\*</sup> Proposed upper limit quantities identified for each water right, limited to a combined quantity of up to 2,404.7 AF under Licenses 6399 and 7064C.

proposed transfer quantity will be made available by groundwater substitution (up to 1,473 AF<sup>†</sup> prior to subtracting streamflow depletion loss) and by crop idling/shifting (up to 849 AF) in order to provide an additional water supply for irrigation, municipal, industrial, and domestic purposes. Groundwater substitution involves the use of groundwater pumped to produce crops within PGV in exchange for a like amount of surface water that will remain instream for diversion at the proposed additional points of diversion. The quantity of surface water to be made available for transfer by crop idling/shifting involves only the consumptive use savings as a result of actions within PGV's boundaries. Water made available for transfer will remain instream for diversion at the proposed additional points of diversion, or when necessary, temporarily retained in Shasta Reservoir for rediversion at the proposed additional points of rediversion. The quantity made available under this Petition will be limited to actions consistent with the terms and conditions of this license. At this time, the quantity of surface water to be made available by groundwater substitution versus crop idling/shifting is unknown. The split between water being made available by each mechanism will be determined after executing a Purchase Agreement with SLDMWA. As discussed further below, the quantity proposed to be made available by the Petitioner will be reviewed and approved by the U.S. Bureau of Reclamation (Reclamation) and the Department of Water Resources (DWR).

Absent the proposed temporary transfer, PGV would divert the entire quantity of surface water proposed for transfer from the Sacramento River pursuant to its water right in accordance with its Sacramento River Settlement Contract with the U.S. Bureau of Reclamation (Reclamation). Annual water right reports submitted to the Division of Water Rights (Division) for License 7064B, covering the period of 2016-2020 which are years of full water supply under the Settlement Contract, demonstrate that the Petitioner typically diverts and uses more surface water under that license than the amount proposed for the 2022 Water Transfer. The Petitioner accounts for its surface water diversions and use under its water rights, including License 7064B, in accordance with accounting methods relied upon by the Division considering several factors associated with each water right. Those factors include, but are not limited to, water right priorities, seasons of diversion, direct diversion rates, places of use, points of diversion, annual diversion limitations, and other relevant terms and conditions associated with each of the Petitioner's water rights. For example, diversions are accounted in order of water right priority starting with the senior water right that has the same authorized diversion season as when the diversion occurred, and identifying a diversion quantity that is the lesser of the diversion or the authorized rate of direct diversion. In the case that the diversion rate is greater than the authorized direct diversion rate, then the diversions over the authorized rate are accounted for under the water right with the next priority date using the same methodology. Collectively the diversions reported under PGV's water rights are equal to the quantities by PGV. Because the proposed project involves the transfer of water under PGV's Contract, these petitions are being filed jointly and should be treated as a single project. PGV has been authorized to act on behalf

below.

<sup>&</sup>lt;sup>†</sup> PGV is currently coordinating with growers to determine the volume of water to be transferred by groundwater substitution and crop idling/shifting. The quantities above are up-to limits for each transfer mechanism and total 2,322 AF; however, the Petitioner will not transfer more than 1,473 AF under License 7064B. These initial up-to limits are included to allow for flexibility. PGV will submit a Proposal for review by Reclamation and the Department of Water Resources which will include refined volumes and meet other requirements explained further

of the Joint Petitioners, each of which is filing similar petitions in order to facilitate the proposed transfer. Under the Joint Petitions, PGV is proposing a temporary transfer of up to 15,139.2 AF to SLDMWA. Absent the proposed temporary transfer, PGV and the Joint Petitioners would divert the entire quantity proposed for transfer from surface water sources pursuant to their water rights and the Contract with Reclamation.

#### **POINT OF DIVERSION OR REDIVERSION**

#### **POINT OF DIVERSION**

#### Present Points of Diversion:

Petitioner's authorized points of diversion under License 7064B are located on the Natomas Cross Canal in Sutter County, tributary to the Sacramento River as follows:

	L	ocated W	ithin‡		
<b>Description</b>	1/4, 1/4	<u>Proj.</u> <u>Sec</u>	<u>T</u>	<u>R</u>	_
North 900 feet and west 1,700 feet from the SE corner of projected Section 23, T11N, R3E. Also described as California Coordinate System of 1927, Zone 2, N 406,000 and E 2,113,000	SW, SE	23	11N	3E	
South 18° 00' east 1,000 feet from the NW corner of projected Section 24, T11N, R3E. Also described as California Coordinate System of 1927, Zone 2, N 409,550 and E 2,114,809.	NW, NW	24	11N	3E	

#### Proposed Additional Points of Diversion:

No change in the present points of diversion is proposed. Petitioner proposes to add the following points of diversion:

#### Shasta Dam

S39°58'13" W, 1,626.41 feet from E¼ Corner of Section 15, T33N, R5W, MDB&M, being within the NE¼ of SE¼ of said Section 15, in Shasta County. This proposed additional point of diversion is identified on maps filed with the 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

<sup>‡</sup> All references to Township and Range are to the MDB&M.

additional point of diversion is identified on maps filed with the Division under Application 5630.

#### 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 diversion is identified on maps filed with the Division under Application 5626.

#### **POINT OF REDIVERSION**

#### Present Points of Rediversion:

Petitioner's authorized points of rediversion under License 7064B are listed below:

	Located Within†				
<b>Description</b>	1/4, 1/4	Proj.	<u>T</u>	<u>R</u>	
California Coordinate System of 1927, Zone 2, North 415,279 feet and East 2,114,663 feet.	NW, NW	<u>Sec</u> 13	11N	3E	
California Coordinate System of 1927, Zone 2, North 423,790 feet and East 2,116,150 feet.	NE, SW	1	11N	3E	

#### Proposed Additional Points of Rediversion:

No change in the present points of rediversion is proposed. Petitioner proposes to add the following points of rediversion, which will assist in the temporary retention of transfer water for later use by the participating entities within SLDMWA during periods that coincide with demands or other operational constraints:

#### 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, R1S, R4E, MDB&M. This proposed additional point of rediversion is identified on maps filed with the Division under Application 5630.

#### 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 NW ¼ of SW ¼ of Projected Section 29, T1S, R4E, MDB&M. This proposed additional point of rediversion is identified on maps filed with the Division under Application 5626.

#### San Luis Reservoir

N 1,845,103 ft., E 6,393,569 ft., California Coordinate System Zone 3, NAD 83, being within the SW ¼ of SE ¼ of Projected Section 15, T10S, R8E, MDB&M. This proposed

additional point of rediversion is identified on maps filed with the Division under Application 5630.

#### PLACE OF USE

#### Present:

The present place of use for License 7064B is as follows:

152 acres within projected Section 2, T11N, R3E, MDB&M; 456 acres within projected Section 11, T11N, R3E, MDB&M; 218 acres within projected Section 14, T11N, R3E, MDB&M. 826 acres total as show on map dated March 1988 on file with the SWRCB and identified by County Assessor's office as APN 34-130-003, 34-130-004, 34-140-005, and 34-080-004.

#### Proposed:

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

#### **GENERAL INFORMATION**

Surface water will be made available for transfer from PGV by groundwater substitution and by crop idling/shifting, consistent with the current Draft Technical Information for Preparing Water Transfer Proposals, dated December 2019 (Draft Technical Information) published by the Department of Water Resources (DWR) and 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, instream beneficial uses, and the overall economy and environment. PGV will submit a proposal to DWR and Reclamation for a water transfer to participating entities within the SLDMWA during 2022, which includes detailed information relative to historical groundwater pumping, groundwater well characteristics, groundwater monitoring and reporting elements, historical cropping data, and associated maps. DWR and Reclamation will conduct an extensive review of these documents in order to ensure that the quantity of water proposed to be made available by PGV meets the relevant criteria to demonstrate a reduction in surface water use will occur as a result of the proposed temporary transfer. Absent the proposed temporary transfer to SLDMWA, groundwater would not be pumped by the Petitioner for groundwater substitution and crops would not be idled/shifted to make surface water available for SLDMWA; thus, the Petitioner would have diverted surface water to meet its irrigation demands. The Petitioner will provide the Division with a copy of the executed agreements with Reclamation and/or DWR identifying the terms and conditions for the 2022 Water Transfer to document that the relevant

findings are made by those agencies, in accordance with the Draft Technical Information and other requirements. Those executed agreements will identify an up-to transfer quantity to be made available by crop idling/shifting and/or groundwater substitution, which will be less than or equal to the quantities identified in the Joint Petitions.

Only wells which have been approved by DWR and Reclamation will be used for the proposed temporary transfer. In accordance with Water Code Section 1745.10, the Petitioner does not believe the proposed transfer to SLDMWA by groundwater substitution will result in an overdraft of the underlying groundwater basin. As a condition of participation in the proposed temporary transfer, PGV has developed groundwater monitoring, reporting, and mitigation plans to ensure the proposed transfer does not result in any unreasonable and adverse effects, such as impacts to other legal users of water, land subsidence, groundwaterdependent vegetation, and groundwater quality. As described above, the requirements of the monitoring program and mitigation plan are outlined in the Draft Technical Information and will be implemented by the Petitioner accordingly. The monitoring program also includes recurring review of groundwater level monitoring data obtained prior to, during, and following periods when surface water is made available by the Petitioner for the proposed water transfer, in accordance with the Draft Technical Information. To account for anticipated streamflow depletion, DWR and Reclamation will apply a factor of 13% to the amount of groundwater pumped pursuant to the Petitioner's proposed groundwater substitution transfer in accordance with the Draft Technical Information. Evaluation and approval by DWR and Reclamation of the groundwater monitoring, reporting, and mitigation plans will be obtained for PGV's groundwater substitution program. Further, PGV is providing notification to the Reclamation District No. 1001 Groundwater Sustainability Agency, which is the groundwater sustainability agency formed pursuant to the Sustainable Groundwater Management Act that covers the area where groundwater substitution pumping is proposed to occur within PGV. Documentation of PGV's notifications to the Reclamation District No. 1001 Groundwater Sustainability Agency (GSA), including a determination from the GSA that the proposed 2022 Water Transfer is consistent with the Groundwater Sustainability Plan, will be provided to DWR and Reclamation, in accordance with the Draft Technical Information.

As indicated above, PGV conducts water transfers in accordance with the Draft Technical Information and other relevant requirements. The monitoring requirements associated with PGV's proposed groundwater substitution water transfer will be incorporated to agreements with DWR and Reclamation. Following the proposed water transfer, PGV will prepare a monitoring report summarizing the results. In PGV's previous groundwater substitution transfers, some of which involved similar quantities compared to the quantity proposed in this Petition, the groundwater basin in and around PGV recovered from the effects of the transfer the following spring. We expect the hydrologic data to show a similar recovery pattern for the proposed 2022 Water Transfer.

Crop idling/shifting water transfers involve surface water made available for transfer by reducing the consumptive use of surface water applied for irrigation. As indicated above, PGV is preparing a water transfer proposal for submittal to DWR and Reclamation to provide the information required pursuant to the Draft Technical Information, which includes supporting

documentation to determine the quantity of surface water to be made available by crop idling/shifting. Details regarding specific fields and crops to be idled/shifted for the transfer are currently being decided by growers within PGV. In order to make 849 AF of surface water available for transfer, a maximum of 283 acres of rice will be idled for the proposed 2022 Water Transfer based on the current evapotranspiration of applied water rate for rice identified by DWR and Reclamation (3.0 AF/acre, which for 283 acres of rice results in a quantity of 849 AF). However, growers are evaluating the potential idling of other crops including sunflowers, alfalfa, and melons. If crops other than rice are included in the transfer, then the participating acreage will be in proportion to the evapotranspiration of applied water for crops as defined in the Draft Technical Information. The acreages of crops irrigated under License 7064B during prior years are shown in water right reports filed with the Division. For reference, during recent years, the irrigated acreage of rice has been approximately 283 acres and the irrigated acreage of other crops has been approximately 404 acres. Following determination of specific fields participating in the proposed transfer, including the associated crop history for those fields, PGV will submit a proposal for the 2022 Water Transfer to DWR and Reclamation; and those agencies will evaluate the fields proposed to be idled/shifted for the temporary transfer. Evaluation and approval by DWR and Reclamation of the lands to be idled/shifted and verification of the quantity of surface water made available will ensure the proposed transfer does not result in any unreasonable and adverse impacts to the environment or third parties. In accordance with the Draft Technical Information and the Final Long-Term Water Transfers Environmental Impact Statement/Environmental Impact Report (Final EIS/EIR, PGV's crop idling/shifting will incorporate relevant mitigation measures that minimize impacts on threatened species, including the Giant Garter Snake.

As a result of the proposed temporary transfer, the flow in the Sacramento River downstream of the Petitioner's present points of diversion will increase by up to 1,466 AF§ over what would have occurred absent the proposed transfer. These increases will occur during the period that surface water is made available by the Petitioner or if possible, during the following months thereafter through releases by Reclamation for conveyance to SLDMWA. If excess capacity is available in Shasta Reservoir, the Delta is in balanced conditions, and regulatory requirements are being met, Reclamation may temporarily hold the quantity of surface water made available by the Petitioner, until export capacity at the SWP's Banks Pumping Plant or the CVP's Jones Pumping Plant is available, which is typically during July, August, or September. This "backing up" of transfer water would decrease releases from Shasta Reservoir early in the irrigation season, such as during May and June, and increase releases later in the season when conditions and operations permit, such as possibly during October or November. Reclamation would only consider operations to facilitate and accommodate "backing up" of transfer water if those operations avoid temperature impacts, and possibly aid with overall temperature management, consistent with the Final EIS/R and other relevant requirements. In fact, this temporary retention of water in Shasta Reservoir, as a result of surface water made available by the Petitioner, may provide an incidental benefit for fisheries during the early portion of the irrigation season as a result of the

<sup>§</sup> This is the maximum volume assuming that 849AF is made available via crop idling/shifting and 624 AF is made available via groundwater substitution (542.88 AF after subtracting the 13% streamflow depletion factor).

temporary retention of transfer water in Shasta Reservoir that would not have existed absent the transfer. The benefits associated with potential temporary retention of transfer water in Shasta Reservoir are considered by Reclamation through its planning efforts during late spring, generally following decisions by growers regarding quantities planned to be made available for transfer as indicated in water transfer proposals. Shasta Reservoir would continue to be operated in accordance with regulatory requirements, such as flow and temperature requirements established by various agencies including the U.S. Fish and Wildlife Service, National Oceanic and Atmospheric Administration's National Marine Fisheries Service, Federal Energy Regulatory Commission, and State Water Resources Control Board, for the protection of downstream resources. During the period when it is possible for the increased flows in the Sacramento River to reach the proposed downstream additional points of diversion for the proposed transfer, these flows will be a small percentage of the total flow and will be water that would be diverted by the Petitioner absent this proposed transfer. The Petitioner's reduced diversions will provide additional flows during the proposed transfer period, up to a maximum of approximately 11.77 cfs. Therefore, there will be no injury to other legal water users, water quality, or return flows; in fact, these increased flows may provide incidental benefits for fisheries and wildlife and may result in a positive effect to the water users between the present points of diversion and the proposed downstream additional points of diversion.

See files of the State Water Resources Control Board for more information regarding other legal water users, which may include the Delta water users, the Central Valley Project, and the SWP. Discussions with the Department of Fish and Wildlife (DFW) staff regarding the Petition occurred on February 14, 2022, in order to discuss the proposed water transfer, including the overall process/review of the Petition and associated documentation by DFW and other agencies. DFW staff provided no additional comments relative to crop idling/shifting. The Central Valley Regional Water Quality Control Board (CVRWQCB) has also been contacted and were provided information regarding the proposed temporary water transfer. DFW and CVRWQCB have been provided a copy of this Petition for review. Specifically, copies of this Petition have been provided to Briana Seapy (916-508-3345) and Bridget Gibbons (916-767-3993) of DFW and Michelle Snapp (916-464-4824) of the CVRWQCB for review and comment.

# State of California State Water Resources Control Board DIVISION OF WATER RIGHTS P.O. Box 2000, Sacramento, CA 95812-2000

Tel: (916) 341-5300 Fax: (916) 341-5400 http://www.waterboards.ca.gov/waterrights

#### **ENVIRONMENTAL INFORMATION FOR PETITIONS**

This form is required for all 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.

#### DESCRIPTION OF PROPOSED CHANGES OR WORK REMAINING TO BE COMPLETED

For a petition for 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
Insert the attachment number here, if applicable:
insert the attachment number here, it applicable: 1 / 1

Page 1 of 4

## Coordination with Regional Water Quality Control Board

Water Quality Control Board regarding the potential effects of your proposed change on water quality and other instream beneficial uses. (Cal. Code Regs., tit. 23, § 794.) In order to determine the appropriate office for consultation, see: http://www.waterboards.ca.gov/waterboards_map.shtml. Provide the date you submitted your request for consultation here, then provide the following information.  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?  Will a waste discharge permit be required for the project? Yes No  If necessary, provide additional information below:  Michelie Snapp (916-484-4824) of the Central Valley Regional Water Quality Control Board was contacted in order to discuss the proposed temporary water transfer; and no comments were provided at this time. A copy of this petition has been provided to Ms. Snapp concurrently with the submittal of this petition to the Division of Water Rights.  Local Permits  For temporary transfers only, you must contact the board of supervisors for the county(ies) both for where you currently store or use water and where you propose to transfer the water. (Wat. Code § 1726.) Provide the date you submitted  your request for consultation here.  For change petitions only, you should contact your local planning or public works department and provide the information below.  Person Contacted: Not Applicable.  Date of Contact:						
wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or (2) cause erosion, turbidity or sedimentation?  Will a waste discharge permit be required for the project?  Will a waste discharge permit be required for the project?  Yes No  If necessary, provide additional information below:  Michelle Snapp (916-464-4824) of the Central Valley Regional Water Quality Control Board was contacted in order to discuss the proposed temporary water transfer; and no comments were provided at this time. A copy of this petition has been provided to Ms. Snapp concurrently with the submittal of this petition to the Division of Water Rights.  Local Permits  For temporary transfers only, you must contact the board of supervisors for the county(ies) both for where you currently store or use water and where you propose to transfer the water. (Wat. Code § 1726.) Provide the date you submitted your request for consultation here.  For change petitions only, you should contact your local planning or public works department and provide the information below.  Person Contacted: Not Applicable.  Date of Contact:						
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Insert the attachment number here, if applicable:    The temporary transfers only and the provided at this time. A copy of this petition has been provided to Ms. Snapp concurrently with the submittal of this petition to the Division of Water Rights.    Cocal Permits   The temporary transfers only and transfers only are to transfer the water of the total county (ies) both for where you currently store or use water and where you propose to transfer the water. (Wat. Code § 1726.) Provide the date you submitted your request for consultation here.    Contact						
Local Permits  For temporary transfers only, you must contact the board of supervisors for the county(ies) both for where you currently store or use water and where you propose to transfer the water. (Wat. Code § 1726.) Provide the date you submitted 2/18/2022 your request for consultation here.  For change petitions only, you should contact your local planning or public works department and provide the information below.  Person Contacted: Not Applicable.  Date of Contact						
For temporary transfers only, you must contact the board of supervisors for the county(ies) both for where you currently store or use water and where you propose to transfer the water. (Wat. Code § 1726.) Provide the date you submitted your request for consultation here.  For change petitions only, you should contact your local planning or public works department and provide the information below.  Person Contacted: Not Applicable.  Date of Contact						
county(ies) both for where you currently store or use water and where you propose to transfer the water. (Wat. Code § 1726.) Provide the date you submitted  2/18/2022  For change petitions only, you should contact your local planning or public works department and provide the information below.  Person Contacted: Not Applicable.  Date of Contact:						
to transfer the water. (Wat. Code § 1726.) Provide the date you submitted your request for consultation here.  For change petitions only, you should contact your local planning or public works department and provide the information below.  Person Contacted: Not Applicable.  Date of Contact:						
information below.  Person Contacted: Not Applicable.  Date of Contact:						
Department						
Department: Phone Number:						
County Zoning Designation:						
Are any county permits required for your project? If yes, indicate type below.  Yes  No						
Grading Permit Use Permit Watercourse Obstruction Permit						
Change of Zoning General Plan Change Other (explain below)						
If applicable, have you obtained any of the permits listed above? If yes, provide copies.  Yes No						
If necessary, provide additional information below:						
Not Applicable.  Insert the attachment number here, if applicable:						

## Federal and State Permits Check any additional agencies that may require permits or other approvals for your project: Regional Water Quality Control Board Department of Fish and Game Dept of Water Resources, Division of Safety of Dams California Coastal Commission U.S. Forest Service State Reclamation Board U.S. Army Corps of Engineers Federal Energy Regulatory Commission Bureau of Land Management Natural Resources Conservation Service Have you obtained any of the permits listed above? If yes, provide copies. Yes No For each agency from which a permit is required, provide the following information: Permit Type Person(s) Contacted Contact Date Phone Number Agency Not Applicable. If necessary, provide additional information below: Not Applicable. Insert the attachment number here, if applicable: **Construction or Grading Activity** Does the project involve any construction or grading-related activity that has significantly altered or would significantly alter the bed, bank or riparian habitat of any stream or lake? If necessary, provide additional information below: Not Applicable.

Insert the attachment number here, if applicable:

Archeology		
Has an archeological report been prepared for this project? If yes, provide a copy.	○ Yes	O No
Will another public agency be preparing an archeological report?	<b>○</b> Yes	O No
Do you know of any archeological or historic sites in the area? If yes, explain below.	OYes	O No
If necessary, provide additional information below:		
Not Applicable.  Insert the attachment number here, if applicable:		
misert the attachment number here, if applicable.		
<b>Photographs</b> See Attachment No. 1.		
For all petitions other than time extensions, attach complete sets of color photographs labeled, showing the vegetation that exists at the following three locations:	s, clearly date	ed and
Along the stream channel immediately downstream from each point of diversion	on	
Along the stream channel immediately upstream from each point of diversion		
At the place where water subject to this water right will be used		
Maps See Attachment No. 1.		
For all petitions other than time extensions, attach maps labeled in accordance with the applicable features, both present and proposed, including but not limited to: point of discharge of treated wastewater location of instream flow dedication reach. (Cal. Code Regs., tit. 23, §§ 715 et seq., 7	liversion, poi r, place of us	nt of
Pursuant to California Code of Regulations, title 23, section 794, petitions for change may not be accepted.	submitted wi	ithout maps
All Water Right Holders Must Sign This Form:  I (we) hereby certify that the statements I (we) have furnished above and in the attach the best of my (our) ability and that the facts, statements, and information presented a best of my (our) knowledge. Dated  Out to the facts.	are true and	
On behalf of PGVMWC  Water Right Holder or Authorized Agent Signature  Water Right Holder or Authorized Agent Signature		
Water Right Holder or Authorized Agent Signature Water Right Holder or Authorized Water Right Holde	orized Agent	Signature
<ul> <li>NOTE:         <ul> <li>Petitions for Change may not be accepted unless you include proof that a copy of the petition Department of Fish and Game. (Cal. Code Regs., tit. 23, § 794.)</li> </ul> </li> <li>Petitions for Temporary Transfer may not be accepted unless you include proof that a copy on the Department of Fish and Game and the board of supervisors for the county(ies) where water and the county(ies) where you propose to transfer the water. (Wat. Code § 1726.)</li> </ul>	of the petition	was served

#### Attachment No. 1

### to Environmental Information for Petitions for Change Involving Water Transfers Filed by Joint Petitioners within Pleasant Grove-Verona MWC

#### DESCRIPTION OF PROPOSED CHANGES

The Pleasant Grove-Verona Mutual Water Company (PGV) is proposing a temporary water transfer to San Luis & Delta-Mendota Water Authority (SLDMWA) in 2022. To facilitate this transfer, the Joint Petitioners are petitioning to temporarily add points of diversion, points of rediversion a place of use, and purposes of use to the water rights summarized below in order to transfer up to 15,139.2 AF for use by participating entities within SLDMWA by groundwater substitution and by crop idling/shifting. Shasta Dam is proposed to be added as a point of diversion; the State Water Project's (SWP) Banks Pumping Plant and the Central Valley Project's (CVP) CW "Bill" Jones Pumping Plant are proposed to be added as points of diversion and points of rediversion; San Luis Reservoir is proposed to be added as a point of rediversion; and a portion of the service area of the CVP is proposed to be added as a place of use. The purposes of use proposed to be added are municipal, industrial, and domestic, in addition to the existing purpose of use for irrigation. These proposed additions would authorize the transfer of water to SLDMWA in order to provide an additional water supply during the current drier hydrologic conditions. There are no changes to the Petitioner's existing points of diversion, place of use, or purpose of use.

The Petitioner is a shareholder of PGV which holds Contract No. 14-06-200-5520A-R-1 (Contract) with the U.S. Bureau of Reclamation (Reclamation). The water rights held by the Joint Petitioners and the other shareholders of PGV serve as the basis for the Base Supply under PGV's Contract. This Petition is one of 11 petitions (Joint Petitions) being filed by participating shareholders of PGV (Joint Petitioners) pursuant to their individual water rights. The Joint Petitions include the following:

Joint Petitioner	Application	License	Proposed Transfer Quantity (Up to Amount, AF)
E. D. Willey and Son, Inc.	7641A	6389A	4,311.5
River Ranch Partnership	7641C	6389C	802.6
Brett Scheidel	7641B	6389B	1,160
	15606	11001	1,760
Nicoli G. Nicholas	7641D1	6389D1	630
	15856A	7064A	1,697
Maria John Nicholas	7641D2	6389D2	630
Kelly Ranch, LLC	15856B	7064B	1,473
Murphy Lake Farms	15856C	7064C	2,205*
	15858	6399	500*
William L. Spangler	16182	10848	270.4

Because the proposed project involves the transfer of water under PGV's Contract these petitions are being filed jointly and should be treated as a single project. PGV has been authorized to act on behalf of the Joint Petitioners, each of which is filing similar petitions in order to facilitate the proposed transfer. Thus, this consolidated environmental information form accompanies each petition for the water rights listed above. The quantities shown in the table above are up to amounts for each Petitioner. PGV will coordinate with the Joint Petitioners to assure the maximum quantity to be transferred under the Joint Petitions will not exceed 15,139.2 AF†.

The quantity of surface water proposed to be made available by groundwater substitution involves the use of groundwater pumped upon overlying lands in exchange for a like amount of surface water that will remain instream for diversion at the proposed additional points of diversion. The quantity of surface water proposed to be made available for transfer by crop idling/shifting involves only the consumptive use savings as a result of actions within PGV's boundaries. These proposed quantities would be made available by the Petitioner during May

February 2022

<sup>\*</sup> Proposed upper limit quantities identified for each water right, limited to a combined quantity of up to 2,404.7 AF under Licenses 6399 and 7064C.

<sup>†</sup> PGV is currently coordinating with growers to determine the volume of water to be transferred by groundwater substitution and crop idling/shifting. The quantities identified in each of the Petitions are up-to limits for each transfer mechanism and total 20,764 AF (12,055 AF by groundwater substitution and 8,709 AF by crop idling/shifting); however, the Company will not transfer more than 15,139.2 AF. These initial up-to limits are included to allow for flexibility. The Company will submit a Proposal for review by Reclamation and the Department of Water Resources which will include refined volumes and meet other requirements explained further below.

through September 2022. Water made available for transfer will remain instream for diversion at the proposed additional points of diversion, or when necessary, temporarily retained in Shasta Reservoir for rediversion at the proposed additional points of rediversion. The quantity made available under this Petition will be limited to actions consistent with the terms and conditions of this license. At this time, the quantity of surface water to be made available by groundwater substitution versus crop idling/shifting is unknown. The split between water being made available by each mechanism will be determined after executing a Purchase Agreement with SLDMWA. Absent the proposed temporary transfer, surface water would be diverted to meet the irrigation demands of the Joint Petitioners and in accordance with its Sacramento River Settlement Contract with the U.S. Bureau of Reclamation (Reclamatiom). The proposed temporary transfer does not involve any construction or other physical changes to the Petitioners's facilities.

Petitions for temporary transfer of water pursuant to Water Code Section 1725 are exempt from the California Environmental Quality Act (CEQA). Reclamation and SLDMWA have prepared a *Final Long-Term Water Transfers Environmental Impact Statement/Environmental Impact Report* (Final EIS/EIR), dated September 2019, pursuant to the requirements under the National Environmental Policy Act (NEPA) and CEQA. A copy of the Final EIS/EIR, dated September 2019, is available at: <a href="https://www.usbr.gov/mp/nepa/nepa\_project\_details.php?Project\_ID=18361">https://www.usbr.gov/mp/nepa/nepa\_project\_details.php?Project\_ID=18361</a>> Based on the requirements associated with the Final EIS/EIR, and in accordance with the Draft Technical Information for Preparing Water Transfer Proposals, dated December 2019 published by the Department of Water Resources and Reclamation, the Petitioner will implement the relevant, applicable measures for the proposed 2022 Water Transfer.

#### **PHOTOGRAPHS**

The present points of diversion and the proposed additional points of diversion and rediversion include existing facilities that are well known and documented with the Division of Water Rights (Division). In addition, the present and proposed places of use are also well known and documented with the Division. Therefore, for these reasons, the Petitioner respectfully requests that said documentation be made a part of the record for the petition.

#### **MAPS**

The present points of diversion and place of use are shown on a map filed with the Division. The proposed additional point of diversion for the SWP's Banks Pumping Plant and the proposed additional point of rediversion for San Luis Reservoir are shown on maps filed with the Division for Application 5630. The proposed additional point of diversion for the CVP's Jones Pumping Plant is shown on maps filed with the Division for Application 5626. The proposed additional place of use is a portion of the CVP service area, as shown on Map 214-208 – 12581 on file with the Division under Application 5626. The Petitioner respectfully requests that said maps be made a part of the record for the petition.

# Please indicate County where your project is located here:

-	_		
		Sutter	

#### MAIL FORM AND ATTACHMENTS TO: State Water Resources Control Board DIVISION OF WATER RIGHTS

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

Tel: (916) 341-5300 Fax: (916) 341-5400 http://www.waterboards.ca.gov/waterrights

## PETITION FOR CHANGE INVOLVING WATER TRANSFERS

Separate petitions are required for each water right. Mark all areas that apply to your proposed change(s). Incomplete forms may not be accepted. Location and area information must be provided on maps in accordance with established requirements. (Cal. Code Regs., tit. 23, § 715 et seq.) Provide attachments if necessary.

	require	ments. (Cal. Co	de Regs., tit. 23	s, § 715 et seq.)	Provide a	ttachments	if necessa	ary.	
Mat. Co	of Diversion ode, § 1701	Point of Wat. Coo	Rediversion le, § 1701	Place of Wat. Code	<b>Use</b> e, § 1701	Purpos Wat. Co	se of Use de, § 1701		
	orary Urgenc ode, § 1435	Y X Tempo Wat. Co	rary Change de, § 1725	Long-terr	n Transfer §§ 382, 173	35 🗆 In	stream Float. Code, §	ow Dedica 1707	ition
Арр	olication	15856C	Permit 99	963 Licer	ise 70	064C	Statement		
I (we) here	by petition for	change(s) note	d above and de	escribed as follo	WS:				
		Rediversion – Pra Coordinate Systems		me and identify p	oints using t	ooth Public L	and Surve	y System de	escriptions
Proposed:	See Attachment N	lo. 1							
Place of U Present:	See Attachment N	rea using Public L	and Survey Syst	em descriptions	to 1/4-1/4 level	l; for irrigatio	n, list numb	er of acres	irrigated.
Proposed:	See Attachment N								
Purpose o	f Use								
Present:	Irrigation								
Proposed:	Irrigation, Municipa	al, Domestic, Irrigation							
		ion – Provide sou nate System (NAI		entify points usin	g both Publi	ic Land Surv	ey System	descriptions	s to 1/4-1/4
Upstream I	Location:	Not Applicable							
Downstrea	m Location:								
List the qua	_ antities dedica	ated to instream	flow in either:	cubic feet	per second		gallons pe	r day:	
Jan T	Feb M	Mar Apr	May J	un Jul	Aug	Sep	Oct	Nov	Dec
				<b> </b>					
		e diverted for co e name, location					es O No iverted fro	m the strea	am.
	New User(s) e names, addi	resses, and pho	ne numbers for	all proposed ne	ew user(s)	of the wate	r right.		
San Luis & Del Attn: Frances P.O. Box 2157 Los Banos, CA (209) 832-6200	93635	Authority							

## Amount of Water to be Transferred Upto 2,205 | acre-feet will be transferred. If the basis of right is direct diversion, the average rate of diversion for the maximum 30-day period of use is Upto 11.77 cubic feet per second or million gallons per day. General Information – Provide the following information, if applicable to your proposed change(s) Have you attached an analysis which documents that the amount of water to be O No transferred or exchanged would have been consumptively used or stored in the absence of the proposed temporary change or long-term transfer? Have you attached an analysis of any changes to streamflow, water quality, timing of O No diversion or use, return flows, or effects on legal users from the proposed temporary change or long-term transfer? Have you attached an analysis that shows the proposed temporary change or long-Yes term transfer will not unreasonably affect fish, wildlife, or other instream beneficial uses? I (we) have access to the proposed point of diversion or control the proposed place of use by virtue of: ownership lease verbal agreement written agreement If by lease or agreement, state name and address of person(s) from whom access has been obtained. Not Applicable Give name and address of any person(s) taking water from the stream between the present point of diversion or rediversion and the proposed point of diversion or rediversion, as well as any other person(s) known to you who may be affected by the proposed change. See Attachment No. 1

All Right Holders Must Sign Below: I (we) declare under penalty of perjury that this involves only the amount of water which would have been consumptively used or stored in the absence of the proposed temporary change, and that the above is true and correct to the best of my (our) knowledge and belief.

Dated 02/18/2022

ule Knistson

Sacramento, CA

at

On behalf of Murphy

Lake Farms

Right Holder or Authorized Agent Signature

Right Holder or Authorized Agent Signature

NOTE: All petitions must be accompanied by:

- (1) the form Environmental Information for Petitions, available at:
  - http://www.waterboards.ca.gov/waterrights/publications\_forms/forms/docs/pet\_info.pdf
- (2) Division of Water Rights fee, per the Water Rights Fee Schedule, available at: http://www.waterboards.ca.gov/waterrights/water\_issues/programs/fees/
- (3) Department of Fish and Wildlife fee of \$850 (Pub. Resources Code, § 10005)

## Attachment No. 1 to Petition for Change Involving Water Transfers License 7064C (Application 15856C) held by Murphy Lake Farms

#### **GENERAL**

The purpose of this Petition for Change Involving Water Transfers (Petition) is to: (1) add Shasta Dam as a point of diversion, (2) add the State Water Project's (SWP) Harvey O. Banks Pumping Plant and the Central Valley Project's (CVP) CW "Bill" Jones Pumping Plant as points of diversion and points of rediversion, (3) add San Luis Reservoir as a point of rediversion, (4) add a portion of the service area of the CVP as an additional place of use, and (5) add municipal, industrial, and domestic purposes of use under Murphy Lake Farms' (Petitioner) License 7064C (Application 15856C). The Petitioner is a shareholder of the Pleasant Grove-Verona Mutual Water Company (PGV). PGV holds Contract No. 14-06-200-5520A-R-1 (Contract) with the U.S. Bureau of Reclamation (Reclamation). The water rights held by the Petitioner and the other shareholders of PGV serve as the basis for the Base Supply under PGV's Contract. This Petition is one of 11 petitions (Joint Petitions) being filed by participating shareholders of PGV (Joint Petitioners) pursuant to their individual water rights. The Joint Petitions include the following:

Joint Petitioner	Application	License	Proposed Transfer Quantity (Up to Amount, AF)
E. D. Willey and Son, Inc.	7641A	6389A	4,311.5
River Ranch Partnership	7641C	6389C	802.6
Brett Scheidel	7641B	6389B	1,160
	15606	11001	1,760
Nicoli G. Nicholas	7641D1	6389D1	630
	15856A	7064A	1,697
Maria John Nicholas	7641D2	6389D2	630
Kelly Ranch, LLC	15856B	7064B	1,473
Murphy Lake Farms	15856C	7064C	2,205*
	15858	6399	500*
William L. Spangler	16182	10848	270.4

This Petition is being filed to facilitate a temporary transfer (2022 Water Transfer) of up to a total of 2,205 acre-feet (AF) of surface water proposed to be made available from the Petitioner as early as April (upon approval of this Petition) through September 2022. This

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<sup>\*</sup> Proposed upper limit quantities identified for each water right, limited to a combined quantity of up to 2,404.7 AF under Licenses 6399 and 7064C.

proposed transfer quantity will be made available by groundwater substitution (up to 2,205 AF<sup>†</sup> prior to subtracting streamflow depletion loss) and by crop idling/shifting (up to 2.205 AF†)in order to provide an additional water supply for irrigation, municipal, industrial, and domestic purposes. Groundwater substitution involves the use of groundwater pumped to produce crops within PGV in exchange for a like amount of surface water that will remain instream for diversion at the proposed additional points of diversion. The quantity of surface water to be made available for transfer by crop idling/shifting involves only the consumptive use savings as a result of actions within PGV's boundaries. Water made available for transfer will remain instream for diversion at the proposed additional points of diversion, or when necessary, temporarily retained in Shasta Reservoir for rediversion at the proposed additional points of rediversion. The quantity made available under this Petition will be limited to actions consistent with the terms and conditions of this license. At this time, the quantity of surface water to be made available by groundwater substitution versus crop idling/shifting is unknown. The split between water being made available by each mechanism will be determined after executing a Purchase Agreement with SLDMWA. As discussed further below, the quantity proposed to be made available by the Petitioner will be reviewed and approved by the U.S. Bureau of Reclamation (Reclamation) and the Department of Water Resources (DWR).

Absent the proposed temporary transfer, PGV would divert the entire quantity of surface water proposed for transfer from the Sacramento River pursuant to its water right in accordance with its Sacramento River Settlement Contract with the U.S. Bureau of Reclamation (Reclamation). Annual water right reports submitted to the Division of Water Rights (Division) for License 7064C, covering the period of 2016-2020 which are years of full water supply under the Settlement Contract, demonstrate that the Petitioner typically diverts and uses more surface water under that license than the amount proposed for the 2022 Water Transfer. The Petitioner accounts for its surface water diversions and use under its water rights, including License 7064C, in accordance with accounting methods relied upon by the Division considering several factors associated with each water right. Those factors include, but are not limited to, water right priorities, seasons of diversion, direct diversion rates, places of use, points of diversion, annual diversion limitations, and other relevant terms and conditions associated with each of the Petitioner's water rights. For example, diversions are accounted in order of water right priority starting with the senior water right that has the same authorized diversion season as when the diversion occurred, and identifying a diversion quantity that is the lesser of the diversion or the authorized rate of direct diversion. In the case that the diversion rate is greater than the authorized direct diversion rate, then the diversions over the authorized rate are accounted for under the water right with the next priority date using the same methodology. Collectively the diversions reported under PGV's water rights are equal to the quantities by PGV. Because the proposed project involves the transfer of water under PGV's Contract, these petitions are being filed jointly and should be treated as a single project. PGV has been authorized to act on behalf

<sup>&</sup>lt;sup>†</sup> PGV is currently coordinating with growers to determine the volume of water to be transferred by groundwater substitution and crop idling/shifting. The quantities above are up-to limits for each transfer mechanism and total 4,410 AF; however, the Petitioner will not transfer more than 2,205 AF under License 7064C. These initial up-to limits are included to allow for flexibility. PGV will submit a Proposal for review by Reclamation and the Department of Water Resources which will include refined volumes and meet other requirements explained further below.

of the Joint Petitioners, each of which is filing similar petitions in order to facilitate the proposed transfer. Under the Joint Petitions, PGV is proposing a temporary transfer of up to 15,139.2 AF to SLDMWA. Absent the proposed temporary transfer, PGV and the Joint Petitioners would divert the entire quantity proposed for transfer from surface water sources pursuant to their water rights and the Contract with Reclamation.

#### POINT OF DIVERSION OR REDIVERSION

#### **POINT OF DIVERSION**

#### Present Point of Diversion:

No change in the present point of diversion is proposed. Petitioner's authorized point of diversion under License 7064C are located on the Natomas Cross Canal in Sutter County, tributary to the Sacramento River as follows:

	Located Within;				
<b>Description</b>	1/4, 1/4	Proj. Sec	<u>T</u>	<u>R</u>	
(1) By CA Coordinate System of 1927, Zone 2, North 406,000 feet and East 2,113,000 feet,	SW, SE	23	11N	3E	
(2) By CA Coordinate System of 1927, Zone 2, North 409,550 feet and East 2,114,809 feet,	NW, NW	24	11N	3E	

#### Proposed Additional Points of Diversion:

No change in the present points of diversion is proposed. Petitioner proposes to add the following points of diversion:

#### Shasta Dam

S39°58'13" W, 1,626.41 feet from E¼ Corner of Section 15, T33N, R5W, MDB&M, being within the NE¼ of SE¼ of said Section 15, in Shasta County. This proposed additional point of diversion is identified on maps filed with the 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 diversion is identified on maps filed with the Division under Application 5630.

<sup>‡</sup> All references to Township and Range are to the MDB&M.

#### 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 diversion is identified on maps filed with the Division under Application 5626.

#### **POINT OF REDIVERSION**

#### Present Points of Rediversion:

Petitioner's authorized points of rediversion under License 7064C are listed below:

	Located Within§				
<b>Description</b>	1/4, 1/4	Sec	<u>T</u>	<u>R</u>	_
(1) By CA Coordinate System of 1927, Zone 2, North 414,490 feet and East 2,114,450 feet,	NE, NE	14	11N	3E	
(2) By CA Coordinate System of 1927, Zone 2, North 417,860 feet and East 2,112,725 feet,	NW, SE	12	11N	3E	
(3) By CA Coordinate System of 1927, Zone 2, North 422,826 feet and East 2,115,731 feet,	NW, SW	1	11N	3E	

#### Proposed Additional Points of Rediversion:

Petitioner proposes to add the following points of rediversion, which will assist in the temporary retention of transfer water for later use by the participating entities within SLDMWA during periods that coincide with demands or other operational constraints:

#### **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, R1S, R4E, MDB&M. This proposed additional point of rediversion is identified on maps filed with the Division under Application 5630.

#### 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 NW ¼ of SW ¼ of Projected Section 29, T1S, R4E, MDB&M. This proposed additional point of rediversion is identified on maps filed with the Division under Application 5626.

<sup>§</sup> All references to Township and Range are to the MDB&M.

#### San Luis Reservoir

N 1,845,103 ft., E 6,393,569 ft., California Coordinate System Zone 3, NAD 83, being within the SW ¼ of SE ¼ of Projected Section 15, T10S, R8E, MDB&M. This proposed additional point of rediversion is identified on maps filed with the Division under Application 5630.

#### PLACE OF USE

#### Present:

The present place of use is 118.5 acres within projected Section 1; 291.5 acres within projected Section 12; 267 acres within projected Section 13; all within T11N, R3E, MDB&M; 747 acres total as shown on map dated March 1988 on file with the SWRCB.

#### Proposed:

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

#### **GENERAL INFORMATION**

Surface water will be made available for transfer from PGV by groundwater substitution and by crop idling/shifting, consistent with the current Draft Technical Information for Preparing Water Transfer Proposals, dated December 2019 (Draft Technical Information) published by the Department of Water Resources (DWR) and 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, instream beneficial uses, and the overall economy and environment. PGV will submit a proposal to DWR and Reclamation for a water transfer to participating entities within the SLDMWA during 2022, which includes detailed information relative to historical groundwater pumping, groundwater well characteristics, groundwater monitoring and reporting elements, historical cropping data, and associated maps. DWR and Reclamation will conduct an extensive review of these documents in order to ensure that the quantity of water proposed to be made available by PGV meets the relevant criteria to demonstrate a reduction in surface water use will occur as a result of the proposed temporary transfer. Absent the proposed temporary transfer to SLDMWA, groundwater would not be pumped by the Petitioner for groundwater substitution and crops would not be idled/shifted to make surface water available for SLDMWA; thus, the Petitioner would have diverted surface water to meet its irrigation demands. The Petitioner will provide the Division with a copy of the executed agreements with Reclamation and/or DWR identifying the terms and conditions for the 2022 Water Transfer to document that the relevant

findings are made by those agencies, in accordance with the Draft Technical Information and other requirements. Those executed agreements will identify an up-to transfer quantity to be made available by crop idling/shifting and/or groundwater substitution, which will be less than or equal to the quantities identified in the Joint Petitions. Only wells which have been approved by DWR and Reclamation will be used for the proposed temporary transfer. In accordance with Water Code Section 1745.10, the Petitioner does not believe the proposed transfer to SLDMWA by groundwater substitution will result in an overdraft of the underlying groundwater basin. As a condition of participation in the proposed temporary transfer, PGV has developed groundwater monitoring, reporting, and mitigation plans to ensure the proposed transfer does not result in any unreasonable and adverse effects, such as impacts to other legal users of water, land subsidence, groundwater-dependent vegetation, and groundwater quality. As described above, the requirements of the monitoring program and mitigation plan are outlined in the Draft Technical Information and will be implemented by the Petitioner accordingly. The monitoring program also includes recurring review of groundwater level monitoring data obtained prior to, during, and following periods when surface water is made available by the Petitioner for the proposed water transfer, in accordance with the Draft Technical Information. To account for anticipated streamflow depletion, DWR and Reclamation will apply a factor of 13% to the amount of groundwater pumped pursuant to the Petitioner's proposed groundwater substitution transfer in accordance with the Draft Technical Information. Evaluation and approval by DWR and Reclamation of the groundwater monitoring, reporting, and mitigation plans will be obtained for PGV's groundwater substitution program. Further, PGV is providing notification to the Reclamation District No. 1001 Groundwater Sustainability Agency, which is the groundwater sustainability agency formed pursuant to the Sustainable Groundwater Management Act that covers the area where groundwater substitution pumping is proposed to occur within PGV. Documentation of PGV's notifications to the Reclamation District No. 1001 Groundwater Sustainability Agency (GSA), including a determination from the GSA that the proposed 2022 Water Transfer is consistent with the Groundwater Sustainability Plan, will be provided to DWR and Reclamation, in accordance with the Draft Technical Information.

As indicated above, PGV conducts water transfers in accordance with the Draft Technical Information and other relevant requirements. The monitoring requirements associated with PGV's proposed groundwater substitution water transfer will be incorporated to agreements with DWR and Reclamation. Following the proposed water transfer, PGV will prepare a monitoring report summarizing the results. In PGV's previous groundwater substitution transfers, some of which involved similar quantities compared to the quantity proposed in this Petition, the groundwater basin in and around PGV recovered from the effects of the transfer the following spring. We expect the hydrologic data to show a similar recovery pattern for the proposed 2022 Water Transfer.

Crop idling/shifting water transfers involve surface water made available for transfer by reducing the consumptive use of surface water applied for irrigation. As indicated above, PGV is preparing a water transfer proposal for submittal to DWR and Reclamation to provide the information required pursuant to the Draft Technical Information, which includes supporting documentation to determine the quantity of surface water to be made available by crop

idling/shifting. Details regarding specific fields and crops to be idled/shifted for the transfer are currently being decided by growers within PGV. In order to make 2,205 AF of surface water available for transfer, a maximum of 735 acres of rice will be idled for the proposed 2022 Water Transfer based on the current evapotranspiration of applied water rate for rice identified by DWR and Reclamation (3.0 AF/acre, which for 735 acres of rice results in a quantity of 2.205 AF). The acreages of crops irrigated under License 7064C during prior years are shown in water right reports filed with the Division. For reference, during recent years, the irrigated acreage of rice has been approximately 848 acres. Following determination of specific fields participating in the proposed transfer, including the associated crop history for those fields, PGV will submit a proposal for the 2022 Water Transfer to DWR and Reclamation; and those agencies will evaluate the fields proposed to be idled/shifted for the temporary transfer. Evaluation and approval by DWR and Reclamation of the lands to be idled/shifted and verification of the quantity of surface water made available will ensure the proposed transfer does not result in any unreasonable and adverse impacts to the environment or third parties. In accordance with the Draft Technical Information and the Final Long-Term Water Transfers Environmental Impact Statement/Environmental Impact Report (Final EIS/EIR), PGV's crop idling/shifting will incorporate relevant mitigation measures that minimize impacts on threatened species, including the Giant Garter Snake.

As a result of the proposed temporary transfer, the flow in the Sacramento River downstream of the Petitioner's present points of diversion will increase by up to 2,205 AF\*\* over what would have occurred absent the proposed transfer. These increases will occur during the period that surface water is made available by the Petitioner or if possible, during the following months thereafter through releases by Reclamation for conveyance to SLDMWA. If excess capacity is available in Shasta Reservoir, the Delta is in balanced conditions, and regulatory requirements are being met, Reclamation may temporarily hold the quantity of surface water made available by the Petitioner, until export capacity at the SWP's Banks Pumping Plant or the CVP's Jones Pumping Plant is available, which is typically during July, August, or September. This "backing up" of transfer water would decrease releases from Shasta Reservoir early in the irrigation season, such as during May and June, and increase releases later in the season when conditions and operations permit, such as possibly during October or November. Reclamation would only consider operations to facilitate and accommodate "backing up" of transfer water if those operations avoid temperature impacts, and possibly aid with overall temperature management, consistent with the Final EIS/R and other relevant requirements. In fact, this temporary retention of water in Shasta Reservoir, as a result of surface water made available by the Petitioner, may provide an incidental benefit for fisheries during the early portion of the irrigation season as a result of the temporary retention of transfer water in Shasta Reservoir that would not have existed absent the transfer. The benefits associated with potential temporary retention of transfer water in Shasta Reservoir are considered by Reclamation through its planning efforts during late spring, generally following decisions by growers regarding quantities planned to be made available for transfer as indicated in water transfer proposals. Shasta Reservoir would continue to be operated in accordance with regulatory requirements, such as flow and temperature

<sup>\*\*</sup> This is the maximum volume assuming that 2,205 AF is made available via crop idling/shifting.

requirements established by various agencies including the U.S. Fish and Wildlife Service, National Oceanic and Atmospheric Administration's National Marine Fisheries Service, Federal Energy Regulatory Commission, and State Water Resources Control Board, for the protection of downstream resources. During the period when it is possible for the increased flows in the Sacramento River to reach the proposed downstream additional points of diversion for the proposed transfer, these flows will be a small percentage of the total flow and will be water that would be diverted by the Petitioner absent this proposed transfer. The Petitioner's reduced diversions will provide additional flows during the proposed transfer period, up to a maximum of approximately 11.77 cfs. Therefore, there will be no injury to other legal water users, water quality, or return flows; in fact, these increased flows may provide incidental benefits for fisheries and wildlife and may result in a positive effect to the water users between the present points of diversion and the proposed downstream additional points of diversion.

See files of the State Water Resources Control Board for more information regarding other legal water users, which may include the Delta water users, the Central Valley Project, and the SWP. Discussions with the Department of Fish and Wildlife (DFW) staff regarding the Petition occurred on February 14, 2022, in order to discuss the proposed water transfer, including the overall process/review of the Petition and associated documentation by DFW and other agencies. DFW staff provided no additional comments relative to crop idling/shifting. The Central Valley Regional Water Quality Control Board (CVRWQCB) has also been contacted and were provided information regarding the proposed temporary water transfer. DFW and CVRWQCB have been provided a copy of this Petition for review. Specifically, copies of this Petition have been provided to Briana Seapy (916-508-3345) and Bridget Gibbons (916-767-3993) of DFW and Michelle Snapp (916-464-4824) of the CVRWQCB for review and comment.

#### State of California State Water Resources Control Board DIVISION OF WATER RIGHTS P.O. Box 2000, Sacramento, CA 95812-2000

Tel: (916) 341-5300 Fax: (916) 341-5400 http://www.waterboards.ca.gov/waterrights

#### **ENVIRONMENTAL INFORMATION FOR PETITIONS**

This form is required for all 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.

#### DESCRIPTION OF PROPOSED CHANGES OR WORK REMAINING TO BE COMPLETED

For a petition for 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	
h.	
Insert the attachment number here, if applicable: 1	

Can Attachment No. 1

# Coordination with Regional Water Quality Control Board

For change petitions only, you must request consultation with the Regional		Date of	Request
Water Quality Control Board regarding the potential effects of your proposed change on water quality and other instream beneficial uses. (Cal. Code Regs., tit. 23, § 794.) In order to determine the appropriate office for consultation, see: http://www.waterboards.ca.gov/waterboards_map.shtml. Provide the date you submitted your request for consultation here, then provide the following information.			4/2022
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?	0	Yes	○ No
Will a waste discharge permit be required for the project?	0	Yes	O No
If necessary, provide additional information below:			
Michelle Snapp (916-464-4824) of the Central Valley Regional Water Quality Control Board was contacted in orde temporary water transfer; and no comments were provided at this time. A copy of this petition has been provided t submittal of this petition to the Division of Water Rights.			
Insert the attachment number here, if applicable: 1			
Local Permits			
For temporary transfers only, you must contact the board of supervisors for the		Date of	Contact
county(ies) both for where you currently store or use water and where you propose to transfer the water. (Wat. Code § 1726.) Provide the date you submitted your request for consultation here.		2/18	1/2022
For change petitions only, you should contact your local planning or public works de information below.	epart	ment and	d provide the
Person Contacted: Not Applicable. Date of Contact:			
Department: Phone Number:			
County Zoning Designation:			
Are any county permits required for your project? If yes, indicate type below.	) Ye	es (	ON C
Grading Permit Use Permit Watercourse O	bstru	ction Pe	rmit
Change of Zoning General Plan Change Other (explain be	elow)		
If applicable, have you obtained any of the permits listed above? If yes, provide cop	ies.	O Ye	es O No
If necessary, provide additional information below:			
Not Applicable.			
Insert the attachment number here, if applicable:			

# **Federal and State Permits** Check any additional agencies that may require permits or other approvals for your project: Regional Water Quality Control Board Department of Fish and Game Dept of Water Resources, Division of Safety of Dams California Coastal Commission State Reclamation Board U.S. Army Corps of Engineers U.S. Forest Service Bureau of Land Management Federal Energy Regulatory Commission Natural Resources Conservation Service Have you obtained any of the permits listed above? If yes, provide copies. Yes No For each agency from which a permit is required, provide the following information: Permit Type Person(s) Contacted Contact Date Phone Number Agency Not Applicable If necessary, provide additional information below: Not Applicable. Insert the attachment number here, if applicable: **Construction or Grading Activity** Does the project involve any construction or grading-related activity that has significantly Yes altered or would significantly alter the bed, bank or riparian habitat of any stream or lake? If necessary, provide additional information below: Not Applicable.

Insert the attachment number here, if applicable:

Archeology		
Has an archeological report been prepared for this project? If yes, provide a copy.	○ Yes	O No
Will another public agency be preparing an archeological report?	<b>○</b> Yes	O No
Do you know of any archeological or historic sites in the area? If yes, explain below.	OYes	O No
If necessary, provide additional information below:  Not Applicable.		
Not Applicable.		
Insert the attachment number here, if applicable:		
Photographs See Attachment No. 1.		
<u>For all petitions other than time extensions</u> , attach complete sets of color photographs labeled, showing the vegetation that exists at the following three locations:	s, clearly dat	ed and
Along the stream channel immediately downstream from each point of diversion	on	
Along the stream channel immediately upstream from each point of diversion		
At the place where water subject to this water right will be used		
Maps See Attachment No. 1.		
For all petitions other than time extensions, attach maps labeled in accordance with the applicable features, both present and proposed, including but not limited to: point of directiversion, distribution of storage reservoirs, point of discharge of treated wastewate location of instream flow dedication reach. (Cal. Code Regs., tit. 23, §§ 715 et seq., 79	iversion, poi r, place of us	nt of
Pursuant to California Code of Regulations, title 23, section 794, petitions for change may not be accepted.	submitted w	ithout maps
All Water Right Holders Must Sign This Form:  I (we) hereby certify that the statements I (we) have furnished above and in the attach the best of my (our) ability and that the facts, statements, and information presented a best of my (our) knowledge. Dated  O2/18/2022  at Sacramento, Compared to the compared to the statements of my (our) knowledge.	are true and	
On behalf of PGVMWC  Water Right Holder or Authorized Agent Signature  Water Right Holder or Authorized Agent Signature		
Water Right Holder or Authorized Agent Signature Water Right Holder or Authorized Water Right Holder or Authorized Agent Signature	rized Agent	Signature
<ul> <li>NOTE:         <ul> <li>Petitions for Change may not be accepted unless you include proof that a copy of the petition Department of Fish and Game. (Cal. Code Regs., tit. 23, § 794.)</li> </ul> </li> <li>Petitions for Temporary Transfer may not be accepted unless you include proof that a copy on the Department of Fish and Game and the board of supervisors for the county(ies) where water and the county(ies) where you propose to transfer the water. (Wat. Code § 1726.)</li> </ul>	of the petition	was served

#### Attachment No. 1

# to Environmental Information for Petitions for Change Involving Water Transfers Filed by Joint Petitioners within Pleasant Grove-Verona MWC

#### DESCRIPTION OF PROPOSED CHANGES

The Pleasant Grove-Verona Mutual Water Company (PGV) is proposing a temporary water transfer to San Luis & Delta-Mendota Water Authority (SLDMWA) in 2022. To facilitate this transfer, the Joint Petitioners are petitioning to temporarily add points of diversion, points of rediversion a place of use, and purposes of use to the water rights summarized below in order to transfer up to 15,139.2 AF for use by participating entities within SLDMWA by groundwater substitution and by crop idling/shifting. Shasta Dam is proposed to be added as a point of diversion; the State Water Project's (SWP) Banks Pumping Plant and the Central Valley Project's (CVP) CW "Bill" Jones Pumping Plant are proposed to be added as points of diversion and points of rediversion; San Luis Reservoir is proposed to be added as a point of rediversion; and a portion of the service area of the CVP is proposed to be added as a place of use. The purposes of use proposed to be added are municipal, industrial, and domestic, in addition to the existing purpose of use for irrigation. These proposed additions would authorize the transfer of water to SLDMWA in order to provide an additional water supply during the current drier hydrologic conditions. There are no changes to the Petitioner's existing points of diversion, place of use, or purpose of use.

The Petitioner is a shareholder of PGV which holds Contract No. 14-06-200-5520A-R-1 (Contract) with the U.S. Bureau of Reclamation (Reclamation). The water rights held by the Joint Petitioners and the other shareholders of PGV serve as the basis for the Base Supply under PGV's Contract. This Petition is one of 11 petitions (Joint Petitions) being filed by participating shareholders of PGV (Joint Petitioners) pursuant to their individual water rights. The Joint Petitions include the following:

Joint Petitioner	Application	License	Proposed Transfer Quantity (Up to Amount, AF)
E. D. Willey and Son, Inc.	7641A	6389A	4,311.5
River Ranch Partnership	7641C	6389C	802.6
D., C.d: J.d.	7641B	6389B	1,160
Brett Scheidel	15606	11001	1,760
NiE C Ni-L-I	7641D1	6389D1	630
Nicoli G. Nicholas	15856A	7064A	1,697
Maria John Nicholas	7641D2	6389D2	630
Kelly Ranch, LLC	15856B	7064B	1,473
Manueles I also Famore	15856C	7064C	2,205*
Murphy Lake Farms	15858	6399	500*
William L. Spangler	16182	10848	270.4

Because the proposed project involves the transfer of water under PGV's Contract these petitions are being filed jointly and should be treated as a single project. PGV has been authorized to act on behalf of the Joint Petitioners, each of which is filing similar petitions in order to facilitate the proposed transfer. Thus, this consolidated environmental information form accompanies each petition for the water rights listed above. The quantities shown in the table above are up to amounts for each Petitioner. PGV will coordinate with the Joint Petitioners to assure the maximum quantity to be transferred under the Joint Petitions will not exceed 15,139.2 AF†.

The quantity of surface water proposed to be made available by groundwater substitution involves the use of groundwater pumped upon overlying lands in exchange for a like amount of surface water that will remain instream for diversion at the proposed additional points of diversion. The quantity of surface water proposed to be made available for transfer by crop idling/shifting involves only the consumptive use savings as a result of actions within PGV's boundaries. These proposed quantities would be made available by the Petitioner during May

<sup>\*</sup> Proposed upper limit quantities identified for each water right, limited to a combined quantity of up to 2,404.7 AF under Licenses 6399 and 7064C.

<sup>†</sup> PGV is currently coordinating with growers to determine the volume of water to be transferred by groundwater substitution and crop idling/shifting. The quantities identified in each of the Petitions are up-to limits for each transfer mechanism and total 20,764 AF (12,055 AF by groundwater substitution and 8,709 AF by crop idling/shifting); however, the Company will not transfer more than 15,139.2 AF. These initial up-to limits are included to allow for flexibility. The Company will submit a Proposal for review by Reclamation and the Department of Water Resources which will include refined volumes and meet other requirements explained further below.

through September 2022. Water made available for transfer will remain instream for diversion at the proposed additional points of diversion, or when necessary, temporarily retained in Shasta Reservoir for rediversion at the proposed additional points of rediversion. The quantity made available under this Petition will be limited to actions consistent with the terms and conditions of this license. At this time, the quantity of surface water to be made available by groundwater substitution versus crop idling/shifting is unknown. The split between water being made available by each mechanism will be determined after executing a Purchase Agreement with SLDMWA. Absent the proposed temporary transfer, surface water would be diverted to meet the irrigation demands of the Joint Petitioners and in accordance with its Sacramento River Settlement Contract with the U.S. Bureau of Reclamation (Reclamatiom). The proposed temporary transfer does not involve any construction or other physical changes to the Petitioners's facilities.

Petitions for temporary transfer of water pursuant to Water Code Section 1725 are exempt from the California Environmental Quality Act (CEQA). Reclamation and SLDMWA have prepared a *Final Long-Term Water Transfers Environmental Impact Statement/Environmental Impact Report* (Final EIS/EIR), dated September 2019, pursuant to the requirements under the National Environmental Policy Act (NEPA) and CEQA. A copy of the Final EIS/EIR, dated September 2019, is available at: <a href="https://www.usbr.gov/mp/nepa/nepa\_project\_details.php?Project\_ID=18361">https://www.usbr.gov/mp/nepa/nepa\_project\_details.php?Project\_ID=18361</a>> Based on the requirements associated with the Final EIS/EIR, and in accordance with the Draft Technical Information for Preparing Water Transfer Proposals, dated December 2019 published by the Department of Water Resources and Reclamation, the Petitioner will implement the relevant, applicable measures for the proposed 2022 Water Transfer.

#### **PHOTOGRAPHS**

The present points of diversion and the proposed additional points of diversion and rediversion include existing facilities that are well known and documented with the Division of Water Rights (Division). In addition, the present and proposed places of use are also well known and documented with the Division. Therefore, for these reasons, the Petitioner respectfully requests that said documentation be made a part of the record for the petition.

#### **MAPS**

The present points of diversion and place of use are shown on a map filed with the Division. The proposed additional point of diversion for the SWP's Banks Pumping Plant and the proposed additional point of rediversion for San Luis Reservoir are shown on maps filed with the Division for Application 5630. The proposed additional point of diversion for the CVP's Jones Pumping Plant is shown on maps filed with the Division for Application 5626. The proposed additional place of use is a portion of the CVP service area, as shown on Map 214-208 – 12581 on file with the Division under Application 5626. The Petitioner respectfully requests that said maps be made a part of the record for the petition.

Please	indicate	County	where
your p	project is	located	here:

	Sutter	

#### MAIL FORM AND ATTACHMENTS TO: State Water Resources Control Board

#### **DIVISION OF WATER RIGHTS**

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

Tel: (916) 341-5300 Fax: (916) 341-5400 http://www.waterboards.ca.gov/waterrights

## PETITION FOR CHANGE INVOLVING WATER TRANSFERS

Separate petitions are required for each water right. Mark all areas that apply to your proposed change(s). Incomplete forms may not be accepted. Location and area information must be provided on maps in accordance with established requirements. (Cal. Code Regs., tit. 23, § 715 et seq.) Provide attachments if necessary.

requirements. (Cal. Code Regs., tit. 23, § 715 et seq.) Provide attachments if necessary.
Point of Diversion Wat. Code, § 1701  Point of Rediversion Wat. Code, § 1701  Place of Use Wat. Code, § 1701  Purpose of Use Wat. Code, § 1701
Temporary Urgency Wat. Code, § 1435  Temporary Change Wat. Code, § 1725  Long-term Transfer Wat. Code, § 382, 1735  Instream Flow Dedication Wat. Code, § 1707
Application 15858 Permit 9964 License 6399 Statement
I (we) hereby petition for change(s) noted above and described as follows:
Point of Diversion or Rediversion – Provide source name and identify points using both Public Land Survey System descriptions to ¼-¼ level and California Coordinate System (NAD 83).  Present: See Attachment No. 1
Proposed: See Attachment No. 1
Place of Use – Identify area using Public Land Survey System descriptions to 1/4-1/4 level; for irrigation, list number of acres irrigated.
Present: See Attachment No. 1
Proposed: See Attachment No. 1
Purpose of Use
Present: Irrigation
Proposed: Irrigation, Municipal, Industrial, Domestic
Instream Flow Dedication – Provide source name and identify points using both Public Land Survey System descriptions to 1/4-1/4 level and California Coordinate System (NAD 83).
Upstream Location: Not Applicable
Downstream Location:
List the quantities dedicated to instream flow in either:
I I I I I I I I I I I I I I I I I I I
Will the dedicated flow be diverted for consumptive use at a downstream location?  Yes No If yes, provide the source name, location coordinates, and the quantities of flow that will be diverted from the stream.
Proposed New User(s) Provide the names, addresses, and phone numbers for all proposed new user(s) of the water right.
San Luis & Delta-Mendota Water Authority Attn: Frances Mizuno P.O. Box 2157 Los Banos, CA 93635 (209) 832-6200

Amount of Water to be Transferred			
Upto 500 acre-feet will be transferred. If the basis of right maximum 30-day period of use is Up to 2.26 c	it is direct diversion, the avubic feet per second or mi		
General Information – Provide the following information, if app	olicable to your proposed of	change(s)	
Have you attached an analysis which documents that the amount transferred or exchanged would have been consumptively used absence of the proposed temporary change or long-term transferred.	d or stored in the	<b>⊙</b> Yes	○ No
Have you attached an analysis of any changes to streamflow, we diversion or use, return flows, or effects on legal users from the change or long-term transfer?		<ul><li>Yes</li></ul>	○ No
Have you attached an analysis that shows the proposed tempo term transfer will not unreasonably affect fish, wildlife, or other		<b>⊙</b> Yes	O No
	agreement	written	agreement
If by lease or agreement, state name and address of person(s)	from whom access has be	een obtair	ied.
Not Applicable			
Give name and address of any person(s) taking water from the rediversion and the proposed point of diversion or rediversion, affected by the proposed change.			
See Attachment No. 1			
All Right Holders Must Sign Below: I (we) declare under pen			
which would have been consumptively used or stored in the ab above is true and correct to the best of my (our) knowledge and	sence of the proposed tem I helief	iporary ch	ange, and that the
Dated 02/18/2022 Sacrament			
On behalf of Murphy Lake			
Kyle Knitson Farms			
Right Holder or Authorized Agent Signature	Right Holder or Authorize	d Agent S	ignature

NOTE: All petitions must be accompanied by:

(1) the form Environmental Information for Petitions, available at:
 http://www.waterboards.ca.gov/waterrights/publications\_forms/forms/docs/pet\_info.pdf

(2) Division of Water Rights fee, per the Water Rights Fee Schedule, available at:
 http://www.waterboards.ca.gov/waterrights/water\_issues/programs/fees/

(3) Department of Fish and Wildlife fee of \$850 (Pub. Resources Code, § 10005)

# Attachment No. 1 to Petition for Change Involving Water Transfers License 6399 (Application 15858) held by Murphy Lake Farms

#### **GENERAL**

The purpose of this Petition for Change Involving Water Transfers (Petition) is to: (1) add Shasta Dam as a point of diversion, (2) add the State Water Project's (SWP) Harvey O. Banks Pumping Plant and the Central Valley Project's (CVP) CW "Bill" Jones Pumping Plant as points of diversion and points of rediversion, (3) add San Luis Reservoir as a point of rediversion, (4) add a portion of the service area of the CVP as an additional place of use, and (5) add municipal, industrial, and domestic purposes of use under Murphy Lake Farms' (Petitioner) License 6399 (Application 15858). The Petitioner is a shareholder of the Pleasant Grove-Verona Mutual Water Company (PGV). PGV holds Contract No. 14-06-200-5520A-R-1 (Contract) with the U.S. Bureau of Reclamation (Reclamation). The water rights held by the Petitioner and the other shareholders of PGV serve as the basis for the Base Supply under PGV's Contract. This Petition is one of 11 petitions (Joint Petitions) being filed by participating shareholders of PGV (Joint Petitioners) pursuant to their individual water rights. The Joint Petitions include the following:

Joint Petitioner	Application	License	Proposed Transfer Quantity (Up to Amount, AF)
E. D. Willey and Son, Inc.	7641A	6389A	4,311.5
River Ranch Partnership	7641C	6389C	802.6
D	7641B	6389B	1,160
Brett Scheidel	15606	11001	1,760
N' - I' C N' I - I -	7641D1	6389D1	630
Nicoli G. Nicholas	15856A	7064A	1,697
Maria John Nicholas	7641D2	6389D2	630
Kelly Ranch, LLC	15856B	7064B	1,473
	15856C	7064C	2,205*
Murphy Lake Farms	15858	6399	500*
William L. Spangler	16182	10848	270.4

This Petition is being filed to facilitate a temporary transfer (2022 Water Transfer) of up to a total of 500 acre-feet (AF) of surface water proposed to be made available from the Petitioner as early as April (upon approval of this Petition) through September 2022. This

<sup>\*</sup> Proposed upper limit quantities identified for each water right, limited to a combined quantity of up to 2,404.7 AF under Licenses 6399 and 7064C.

proposed transfer quantity will be made available by groundwater substitution (up to 500 AF<sup>†</sup> prior to subtracting streamflow depletion loss) and by crop idling/shifting (up to 500 AF†)in order to provide an additional water supply for irrigation, municipal, industrial, and domestic purposes. Groundwater substitution involves the use of groundwater pumped to produce crops within PGV in exchange for a like amount of surface water that will remain instream for diversion at the proposed additional points of diversion. The quantity of surface water to be made available for transfer by crop idling/shifting involves only the consumptive use savings as a result of actions within PGV's boundaries. Water made available for transfer will remain instream for diversion at the proposed additional points of diversion, or when necessary, temporarily retained in Shasta Reservoir for rediversion at the proposed additional points of rediversion. The quantity made available under this Petition will be limited to actions consistent with the terms and conditions of this license. At this time, the quantity of surface water to be made available by groundwater substitution versus crop idling/shifting is unknown. The split between water being made available by each mechanism will be determined after executing a Purchase Agreement with SLDMWA. As discussed further below, the quantity proposed to be made available by the Petitioner will be reviewed and approved by the U.S. Bureau of Reclamation (Reclamation) and the Department of Water Resources (DWR).

Absent the proposed temporary transfer, PGV would divert the entire quantity of surface water proposed for transfer from the Sacramento River pursuant to its water right in accordance with its Sacramento River Settlement Contract with the U.S. Bureau of Reclamation (Reclamation). Annual water right reports submitted to the Division of Water Rights (Division) for License 6399, covering the period of 2016-2020 which are years of full water supply under the Settlement Contract, demonstrate that the Petitioner typically diverts and uses more surface water under that license than the amount proposed for the 2022 Water Transfer. The Petitioner accounts for its surface water diversions and use under its water rights, including License 6399, in accordance with accounting methods relied upon by the Division considering several factors associated with each water right. Those factors include, but are not limited to, water right priorities, seasons of diversion, direct diversion rates, places of use, points of diversion, annual diversion limitations, and other relevant terms and conditions associated with each of the Petitioner's water rights. For example, diversions are accounted in order of water right priority starting with the senior water right that has the same authorized diversion season as when the diversion occurred, and identifying a diversion quantity that is the lesser of the diversion or the authorized rate of direct diversion. In the case that the diversion rate is greater than the authorized direct diversion rate, then the diversions over the authorized rate are accounted for under the water right with the next priority date using the same methodology. Collectively the diversions reported under PGV's water rights are equal to the quantities by PGV. Because the proposed project involves the transfer of water under PGV's Contract, these petitions are being filed jointly and should be treated as a single project. PGV has been authorized to act on behalf of the Joint Petitioners, each of which is filing similar petitions in order to facilitate the proposed

<sup>&</sup>lt;sup>†</sup> PGV is currently coordinating with growers to determine the volume of water to be transferred by groundwater substitution and crop idling/shifting. The quantities above are up-to limits for each transfer mechanism and total 1,000 AF; however, the Petitioner will not transfer more than 500 AF under License 6399. These initial up-to limits are included to allow for flexibility. PGV will submit a Proposal for review by Reclamation and the Department of Water Resources which will include refined volumes and meet other requirements explained further below.

transfer. Under the Joint Petitions, PGV is proposing a temporary transfer of up to 15,139.2 AF to SLDMWA. Absent the proposed temporary transfer, PGV and the Joint Petitioners would divert the entire quantity proposed for transfer from surface water sources pursuant to their water rights and the Contract with Reclamation.

#### **POINT OF DIVERSION OR REDIVERSION**

#### **POINT OF DIVERSION**

#### Present Point of Diversion:

No change in the present point of diversion is proposed. Petitioner's authorized point of diversion under License 6399 are located on the Natomas Cross Canal in Sutter County, tributary to the Sacramento River as follows:

	L	ocated W	ithin‡		
<u>Description</u>	1/4, 1/4	Sec	<u>T</u>	<u>R</u>	
South eighteen degrees east (S18°E) 1,000 feet from NW corner of Section 24, T11N, R3E.	NW, NW	24	11N	3E	

#### Proposed Additional Points of Diversion:

No change in the present points of diversion is proposed. Petitioner proposes to add the following points of diversion:

#### Shasta Dam

S39°58'13" W, 1,626.41 feet from E¼ Corner of Section 15, T33N, R5W, MDB&M, being within the NE¼ of SE¼ of said Section 15, in Shasta County. This proposed additional point of diversion is identified on maps filed with the 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 diversion is identified on maps filed with the Division under Application 5630.

#### 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 diversion is identified on maps filed with the Division under Application 5626.

<sup>‡</sup> All references to Township and Range are to the MDB&M.

#### **POINT OF REDIVERSION**

#### Present Points of Rediversion:

Petitioner has no authorized Point(s) of Rediversion under License 6399.

#### Proposed Additional Points of Rediversion:

PGV proposes to add the following points of rediversion, which will assist in the temporary retention of transfer water for later use by the participating entities within SLDMWA during periods that coincide with demands or other operational constraints:

#### 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, R1S, R4E, MDB&M. This proposed additional point of rediversion is identified on maps filed with the Division under Application 5630.

#### 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 NW ¼ of SW ¼ of Projected Section 29, T1S, R4E, MDB&M. This proposed additional point of rediversion is identified on maps filed with the Division under Application 5626.

#### San Luis Reservoir

N 1,845,103 ft., E 6,393,569 ft., California Coordinate System Zone 3, NAD 83, being within the SW ¼ of SE ¼ of Projected Section 15, T10S, R8E, MDB&M. This proposed additional point of rediversion is identified on maps filed with the Division under Application 5630.

#### PLACE OF USE

#### Present:

The present place of use is 27.5 acres within NW¼ of SW¼ of Section 12; 34 acres within NE¼ of SW ¼ ¼ of Section 12; 39.7 acres within SW¼ of SW¼ of Section 12; 40 acres within SE¼ of SW¼ of Section 12; 35.5 acres within NW¼ of NW¼ of Section 13; 40 acres within NE¼ of NW¼ of Section 13; all within T11N, R3E, MBD&M.

#### Proposed:

No change in the present place of use is proposed. The Petitioner proposes to add a portion of the service area of the CVP as the proposed additional place of use in order to

facilitate the temporary water transfer to the SLDMWA. This portion of the service area of the CVP is shown on Map 214-208 – 12581 on file with the Division under Application 5626.

#### **GENERAL INFORMATION**

Surface water will be made available for transfer from PGV by groundwater substitution and by crop idling/shifting, consistent with the current Draft Technical Information for Preparing Water Transfer Proposals, dated December 2019 (Draft Technical Information) published by the Department of Water Resources (DWR) and 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, instream beneficial uses, and the overall economy and environment. PGV will submit a proposal to DWR and Reclamation for a water transfer to participating entities within the SLDMWA during 2022, which includes detailed information relative to historical groundwater pumping, groundwater well characteristics, groundwater monitoring and reporting elements, historical cropping data, and associated maps. DWR and Reclamation will conduct an extensive review of these documents in order to ensure that the quantity of water proposed to be made available by PGV meets the relevant criteria to demonstrate a reduction in surface water use will occur as a result of the proposed temporary transfer. Absent the proposed temporary transfer to SLDMWA, groundwater would not be pumped by the Petitioner for groundwater substitution and crops would not be idled/shifted to make surface water available for SLDMWA; thus, the Petitioner would have diverted surface water to meet its irrigation demands. The Petitioner will provide the Division with a copy of the executed agreements with Reclamation and/or DWR identifying the terms and conditions for the 2022 Water Transfer to document that the relevant findings are made by those agencies, in accordance with the Draft Technical Information and other requirements. Those executed agreements will identify an up-to transfer quantity to be made available by crop idling/shifting and/or groundwater substitution, which will be less than or equal to the quantities identified in the Joint Petitions.

Only wells which have been approved by DWR and Reclamation will be used for the proposed temporary transfer. In accordance with Water Code Section 1745.10, the Petitioner does not believe the proposed transfer to SLDMWA by groundwater substitution will result in an overdraft of the underlying groundwater basin. As a condition of participation in the proposed temporary transfer, PGV has developed groundwater monitoring, reporting, and mitigation plans to ensure the proposed transfer does not result in any unreasonable and adverse effects, such as impacts to other legal users of water, land subsidence, groundwater-dependent vegetation, and groundwater quality. As described above, the requirements of the monitoring program and mitigation plan are outlined in the Draft Technical Information and will be implemented by the Petitioner accordingly. The monitoring program also includes recurring review of groundwater level monitoring data obtained prior to, during, and following periods when surface water is made available by the Petitioner for the proposed water transfer, in accordance with the Draft Technical Information. To account for anticipated streamflow depletion, DWR and Reclamation will apply a factor of 13% to the amount of groundwater pumped pursuant to the Petitioner's proposed groundwater substitution transfer in

accordance with the Draft Technical Information. Evaluation and approval by DWR and Reclamation of the groundwater monitoring, reporting, and mitigation plans will be obtained for PGV's groundwater substitution program. Further, PGV is providing notification to the Reclamation District No. 1001 Groundwater Sustainability Agency, which is the groundwater sustainability agency formed pursuant to the Sustainable Groundwater Management Act that covers the area where groundwater substitution pumping is proposed to occur within PGV. Documentation of PGV's notifications to the Reclamation District No. 1001 Groundwater Sustainability Agency (GSA), including a determination from the GSA that the proposed 2022 Water Transfer is consistent with the Groundwater Sustainability Plan, will be provided to DWR and Reclamation, in accordance with the Draft Technical Information.

As indicated above, PGV conducts water transfers in accordance with the Draft Technical Information and other relevant requirements. The monitoring requirements associated with PGV's proposed groundwater substitution water transfer will be incorporated to agreements with DWR and Reclamation. Following the proposed water transfer, PGV will prepare a monitoring report summarizing the results. In PGV's previous groundwater substitution transfers, some of which involved similar quantities compared to the quantity proposed in this Petition, the groundwater basin in and around PGV recovered from the effects of the transfer the following spring. We expect the hydrologic data to show a similar recovery pattern for the proposed 2022 Water Transfer.

Crop idling/shifting water transfers involve surface water made available for transfer by reducing the consumptive use of surface water applied for irrigation. As indicated above, PGV is preparing a water transfer proposal for submittal to DWR and Reclamation to provide the information required pursuant to the Draft Technical Information, which includes supporting documentation to determine the quantity of surface water to be made available by crop idling/shifting. Details regarding specific fields and crops to be idled/shifted for the transfer are currently being decided by growers within PGV. In order to make 500 AF of surface water available for transfer, a maximum of 166.67 acres of rice will be idled for the proposed 2022 Water Transfer based on the current evapotranspiration of applied water rate for rice identified by DWR and Reclamation (3.0 AF/acre, which for 166.67 acres of rice results in a quantity of 500 AF). The acreages of crops irrigated under License 6399 during prior years are shown in water right reports filed with the Division. For reference, during recent years, the irrigated acreage of rice has been approximately 216.70 acres. Following determination of specific fields participating in the proposed transfer, including the associated crop history for those fields, PGV will submit a proposal for the 2022 Water Transfer to DWR and Reclamation; and those agencies will evaluate the fields proposed to be idled/shifted for the temporary transfer. Evaluation and approval by DWR and Reclamation of the lands to be idled/shifted and verification of the quantity of surface water made available will ensure the proposed transfer does not result in any unreasonable and adverse impacts to the environment or third parties. In accordance with the Draft Technical Information and the Final Long-Term Water Transfers Environmental Impact Statement/Environmental Impact Report (Final EIS/EIR), PGV's crop idling/shifting will incorporate relevant mitigation measures that minimize impacts on threatened species, including the Giant Garter Snake.

As a result of the proposed temporary transfer, the flow in the Sacramento River downstream of the Petitioner's present points of diversion will increase by up to 500 AF\square\$ over what would have occurred absent the proposed transfer. These increases will occur during the period that surface water is made available by the Petitioner or if possible, during the following months thereafter through releases by Reclamation for conveyance to SLDMWA. If excess capacity is available in Shasta Reservoir, the Delta is in balanced conditions, and regulatory requirements are being met, Reclamation may temporarily hold the quantity of surface water made available by the Petitioner, until export capacity at the SWP's Banks Pumping Plant or the CVP's Jones Pumping Plant is available, which is typically during July, August, or September. This "backing up" of transfer water would decrease releases from Shasta Reservoir early in the irrigation season, such as during May and June, and increase releases later in the season when conditions and operations permit, such as possibly during October or November. Reclamation would only consider operations to facilitate and accommodate "backing up" of transfer water if those operations avoid temperature impacts, and possibly aid with overall temperature management, consistent with the Final EIS/R and other relevant requirements. In fact, this temporary retention of water in Shasta Reservoir, as a result of surface water made available by the Petitioner, may provide an incidental benefit for fisheries during the early portion of the irrigation season as a result of the temporary retention of transfer water in Shasta Reservoir that would not have existed absent the transfer. The benefits associated with potential temporary retention of transfer water in Shasta Reservoir are considered by Reclamation through its planning efforts during late spring, generally following decisions by growers regarding quantities planned to be made available for transfer as indicated in water transfer proposals. Shasta Reservoir would continue to be operated in accordance with regulatory requirements, such as flow and temperature requirements established by various agencies including the U.S. Fish and Wildlife Service, National Oceanic and Atmospheric Administration's National Marine Fisheries Service, Federal Energy Regulatory Commission, and State Water Resources Control Board, for the protection of downstream resources. During the period when it is possible for the increased flows in the Sacramento River to reach the proposed downstream additional points of diversion for the proposed transfer, these flows will be a small percentage of the total flow and will be water that would be diverted by the Petitioner absent this proposed transfer. The Petitioner's reduced diversions will provide additional flows during the proposed transfer period, up to a maximum of approximately 2.26 cfs. Therefore, there will be no injury to other legal water users, water quality, or return flows; in fact, these increased flows may provide incidental benefits for fisheries and wildlife and may result in a positive effect to the water users between the present points of diversion and the proposed downstream additional points of diversion.

See files of the State Water Resources Control Board for more information regarding other legal water users, which may include the Delta water users, the Central Valley Project, and the SWP. Discussions with the Department of Fish and Wildlife (DFW) staff regarding the Petition occurred on February 14, 2022, in order to discuss the proposed water transfer, including the overall process/review of the Petition and associated documentation by DFW and other agencies. DFW staff provided no additional comments relative to crop idling/shifting. The

<sup>§</sup> This is the maximum volume assuming that 500 AF is made available via crop idling/shifting.

Murphy Lake Farms License 6399 Attachment No. 1 to Petition for Change Involving Water Transfers

Central Valley Regional Water Quality Control Board (CVRWQCB) has also been contacted and were provided information regarding the proposed temporary water transfer. DFW and CVRWQCB have been provided a copy of this Petition for review. Specifically, copies of this Petition have been provided to Briana Seapy (916-508-3345) and Bridget Gibbons (916-767-3993) of DFW and Michelle Snapp (916-464-4824) of the CVRWQCB for review and comment.

#### State of California State Water Resources Control Board **DIVISION OF WATER RIGHTS** P.O. Box 2000, Sacramento, CA 95812-2000

Tel: (916) 341-5300 Fax: (916) 341-5400 http://www.waterboards.ca.gov/waterrights

#### ENVIRONMENTAL INFORMATION FOR PETITIONS

This form is required for all 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.

#### DESCRIPTION OF PROPOSED CHANGES OR WORK REMAINING TO BE COMPLETED

For a petition for 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
nsert the attachment number here, if applicable:

# Coordination with Regional Water Quality Control Board

For change petitions only, you must request consultation with the Regional		Date of	Request
Water Quality Control Board regarding the potential effects of your proposed change on water quality and other instream beneficial uses. (Cal. Code Regs., tit. 23, § 794.) In order to determine the appropriate office for consultation, see: http://www.waterboards.ca.gov/waterboards_map.shtml. Provide the date you submitted your request for consultation here, then provide the following information.			4/2022
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?	0	Yes	○ No
Will a waste discharge permit be required for the project?	$\circ$	Yes	O No
If necessary, provide additional information below:			
Michelle Snapp (916-464-4824) of the Central Valley Regional Water Quality Control Board was contacted in orde temporary water transfer; and no comments were provided at this time. A copy of this petition has been provided t submittal of this petition to the Division of Water Rights.	r to dis o Ms. S	cuss the pro	oposed urrently with the
Insert the attachment number here, if applicable: 1			
Local Permits			
For temporary transfers only, you must contact the board of supervisors for the		Date of	Contact
county(ies) both for where you currently store or use water and where you propose			
to transfer the water. (Wat. Code § 1726.) Provide the date you submitted		2/18	/2022
your request for consultation here.			
<u>For change petitions only</u> , you should contact your local planning or public works de information below.	epartr	ment and	d provide the
Person Contacted: Not Applicable. Date of Contact:			
Department: Phone Number:			
County Zoning Designation:			
Are any county permits required for your project? If yes, indicate type below.	) Ye	es (	) No
Grading Permit Use Permit Watercourse O	bstru	ction Pe	rmit
Change of Zoning General Plan Change Other (explain be	elow)		
If applicable, have you obtained any of the permits listed above? If yes, provide cop	ies.	O Ye	es O No
If necessary, provide additional information below:			
Not Applicable.			
Insert the attachment number here, if applicable:			

# **Federal and State Permits** Check any additional agencies that may require permits or other approvals for your project: Regional Water Quality Control Board Department of Fish and Game Dept of Water Resources, Division of Safety of Dams California Coastal Commission State Reclamation Board U.S. Army Corps of Engineers U.S. Forest Service Federal Energy Regulatory Commission Bureau of Land Management Natural Resources Conservation Service Have you obtained any of the permits listed above? If yes, provide copies. Yes No For each agency from which a permit is required, provide the following information: Contact Date Phone Number Permit Type Person(s) Contacted Agency Not Applicable. If necessary, provide additional information below: Not Applicable. Insert the attachment number here, if applicable: Construction or Grading Activity Does the project involve any construction or grading-related activity that has significantly Yes altered or would significantly alter the bed, bank or riparian habitat of any stream or lake? If necessary, provide additional information below:

# Does the project involve any construction or grading-related activity that has significantly altered or would significantly alter the bed, bank or riparian habitat of any stream or lake? If necessary, provide additional information below: Not Applicable. Insert the attachment number here, if applicable:

Archeology		
Has an archeological report been prepared for this project? If yes, provide a copy.	OYes	O No
Will another public agency be preparing an archeological report?	<b>○</b> Yes	O No
Do you know of any archeological or historic sites in the area? If yes, explain below.	OYes	O No
If necessary, provide additional information below:  Not Applicable.		
Insert the attachment number here, if applicable:		
<b>Photographs</b> See Attachment No. 1.		
<u>For all petitions other than time extensions</u> , attach complete sets of color photographs labeled, showing the vegetation that exists at the following three locations:	, clearly date	ed and
Along the stream channel immediately downstream from each point of diversion	n	
Along the stream channel immediately upstream from each point of diversion		
At the place where water subject to this water right will be used		
Maps See Attachment No. 1.		
For all petitions other than time extensions, attach maps labeled in accordance with the applicable features, both present and proposed, including but not limited to: point of discharge of treated wastewater location of instream flow dedication reach. (Cal. Code Regs., tit. 23, §§ 715 et seq., 79	iversion, point, point, place of us	nt of
Pursuant to California Code of Regulations, title 23, section 794, petitions for change may not be accepted.	submitted wi	thout maps
All Water Right Holders Must Sign This Form:  I (we) hereby certify that the statements I (we) have furnished above and in the attach the best of my (our) ability and that the facts, statements, and information presented a best of my (our) knowledge. Dated  02/18/2022  at  Sacramento, Company (our) knowledge.	re true and	
On behalf of PGVMWC  Water Right Holder or Authorized Agent Signature  Water Right Holder or Authorized Agent Signature		
Water Right Holder or Authorized Agent Signature Water Right Holder or Authorized Water Right Holder or Authorized Agent Signature	rized Agent	Signature
<ul> <li>NOTE:         <ul> <li>Petitions for Change may not be accepted unless you include proof that a copy of the petition Department of Fish and Game. (Cal. Code Regs., tit. 23, § 794.)</li> </ul> </li> <li>Petitions for Temporary Transfer may not be accepted unless you include proof that a copy on the Department of Fish and Game and the board of supervisors for the county(ies) where water and the county(ies) where you propose to transfer the water. (Wat. Code § 1726.)</li> </ul>	of the petition	was served

#### Attachment No. 1

## to Environmental Information for Petitions for Change Involving Water Transfers Filed by Joint Petitioners within Pleasant Grove-Verona MWC

#### **DESCRIPTION OF PROPOSED CHANGES**

The Pleasant Grove-Verona Mutual Water Company (PGV) is proposing a temporary water transfer to San Luis & Delta-Mendota Water Authority (SLDMWA) in 2022. To facilitate this transfer, the Joint Petitioners are petitioning to temporarily add points of diversion, points of rediversion a place of use, and purposes of use to the water rights summarized below in order to transfer up to 15,139.2 AF for use by participating entities within SLDMWA by groundwater substitution and by crop idling/shifting. Shasta Dam is proposed to be added as a point of diversion; the State Water Project's (SWP) Banks Pumping Plant and the Central Valley Project's (CVP) CW "Bill" Jones Pumping Plant are proposed to be added as points of diversion and points of rediversion; San Luis Reservoir is proposed to be added as a point of rediversion; and a portion of the service area of the CVP is proposed to be added as a place of use. The purposes of use proposed to be added are municipal, industrial, and domestic, in addition to the existing purpose of use for irrigation. These proposed additions would authorize the transfer of water to SLDMWA in order to provide an additional water supply during the current drier hydrologic conditions. There are no changes to the Petitioner's existing points of diversion, place of use, or purpose of use.

The Petitioner is a shareholder of PGV which holds Contract No. 14-06-200-5520A-R-1 (Contract) with the U.S. Bureau of Reclamation (Reclamation). The water rights held by the Joint Petitioners and the other shareholders of PGV serve as the basis for the Base Supply under PGV's Contract. This Petition is one of 11 petitions (Joint Petitions) being filed by participating shareholders of PGV (Joint Petitioners) pursuant to their individual water rights. The Joint Petitions include the following:

Joint Petitioner	Application	License	Proposed Transfer Quantity (Up to Amount, AF)
E. D. Willey and Son, Inc.	7641A	6389A	4,311.5
River Ranch Partnership	7641C	6389C	802.6
D	7641B	6389B	1,160
Brett Scheidel	15606	11001	1,760
Nicoli G. Nicholas	7641D1	6389D1	630
Nicoli G. Nicholas	15856A	7064A	1,697
Maria John Nicholas	7641D2	6389D2	630
Kelly Ranch, LLC	15856B	7064B	1,473
Manaka Laka Fama	15856C	7064C	2,205*
Murphy Lake Farms	15858	6399	500*
William L. Spangler	16182	10848	270.4

Because the proposed project involves the transfer of water under PGV's Contract these petitions are being filed jointly and should be treated as a single project. PGV has been authorized to act on behalf of the Joint Petitioners, each of which is filing similar petitions in order to facilitate the proposed transfer. Thus, this consolidated environmental information form accompanies each petition for the water rights listed above. The quantities shown in the table above are up to amounts for each Petitioner. PGV will coordinate with the Joint Petitioners to assure the maximum quantity to be transferred under the Joint Petitions will not exceed 15,139.2 AF†.

The quantity of surface water proposed to be made available by groundwater substitution involves the use of groundwater pumped upon overlying lands in exchange for a like amount of surface water that will remain instream for diversion at the proposed additional points of diversion. The quantity of surface water proposed to be made available for transfer by crop idling/shifting involves only the consumptive use savings as a result of actions within PGV's boundaries. These proposed quantities would be made available by the Petitioner during May

<sup>\*</sup> Proposed upper limit quantities identified for each water right, limited to a combined quantity of up to 2,404.7 AF under Licenses 6399 and 7064C.

<sup>†</sup> PGV is currently coordinating with growers to determine the volume of water to be transferred by groundwater substitution and crop idling/shifting. The quantities identified in each of the Petitions are up-to limits for each transfer mechanism and total 20,764 AF (12,055 AF by groundwater substitution and 8,709 AF by crop idling/shifting); however, the Company will not transfer more than 15,139.2 AF. These initial up-to limits are included to allow for flexibility. The Company will submit a Proposal for review by Reclamation and the Department of Water Resources which will include refined volumes and meet other requirements explained further below.

through September 2022. Water made available for transfer will remain instream for diversion at the proposed additional points of diversion, or when necessary, temporarily retained in Shasta Reservoir for rediversion at the proposed additional points of rediversion. The quantity made available under this Petition will be limited to actions consistent with the terms and conditions of this license. At this time, the quantity of surface water to be made available by groundwater substitution versus crop idling/shifting is unknown. The split between water being made available by each mechanism will be determined after executing a Purchase Agreement with SLDMWA. Absent the proposed temporary transfer, surface water would be diverted to meet the irrigation demands of the Joint Petitioners and in accordance with its Sacramento River Settlement Contract with the U.S. Bureau of Reclamation (Reclamatiom). The proposed temporary transfer does not involve any construction or other physical changes to the Petitioners's facilities.

Petitions for temporary transfer of water pursuant to Water Code Section 1725 are exempt from the California Environmental Quality Act (CEQA). Reclamation and SLDMWA have prepared a *Final Long-Term Water Transfers Environmental Impact Statement/Environmental Impact Report* (Final EIS/EIR), dated September 2019, pursuant to the requirements under the National Environmental Policy Act (NEPA) and CEQA. A copy of the Final EIS/EIR, dated September 2019, is available at: <a href="https://www.usbr.gov/mp/nepa/nepa\_project\_details.php?Project\_ID=18361">https://www.usbr.gov/mp/nepa/nepa\_project\_details.php?Project\_ID=18361</a>> Based on the requirements associated with the Final EIS/EIR, and in accordance with the Draft Technical Information for Preparing Water Transfer Proposals, dated December 2019 published by the Department of Water Resources and Reclamation, the Petitioner will implement the relevant, applicable measures for the proposed 2022 Water Transfer.

#### **PHOTOGRAPHS**

The present points of diversion and the proposed additional points of diversion and rediversion include existing facilities that are well known and documented with the Division of Water Rights (Division). In addition, the present and proposed places of use are also well known and documented with the Division. Therefore, for these reasons, the Petitioner respectfully requests that said documentation be made a part of the record for the petition.

#### **MAPS**

The present points of diversion and place of use are shown on a map filed with the Division. The proposed additional point of diversion for the SWP's Banks Pumping Plant and the proposed additional point of rediversion for San Luis Reservoir are shown on maps filed with the Division for Application 5630. The proposed additional point of diversion for the CVP's Jones Pumping Plant is shown on maps filed with the Division for Application 5626. The proposed additional place of use is a portion of the CVP service area, as shown on Map 214-208 – 12581 on file with the Division under Application 5626. The Petitioner respectfully requests that said maps be made a part of the record for the petition.

#### Please indicate County where your project is located here:

Sutter

MAIL FORM AND ATTACHMENTS TO: State Water Resources Control Board **DIVISION OF WATER RIGHTS** 

P.O. Box 2000, Sacramento, CA 95812-2000 Tel: (916) 341-5300 Fax: (916) 341-5400 http://www.waterboards.ca.gov/waterrights

#### PETITION FOR CHANGE INVOLVING WATER TRANSFERS

Separate petitions are required for each water right. Mark all areas that apply to your proposed change(s). Incomplete forms may not be accepted. Location and area information must be provided on maps in accordance with established requirements. (Cal. Code Regs., tit. 23, § 715 et seq.) Provide attachments if necessary.

,						
Temporary Urgency Wat. Code, § 1435  Temporary Change Wat. Code, § 1725  Long-term Transfer Wat. Code, § 382, 1735  Wat. Code, § 1707						
Application 16282 Permit 14504 License 10848 Statement						
I (we) hereby petition for change(s) noted above and described as follows:						
Point of Diversion or Rediversion – Provide source name and identify points using both Public Land Survey System descriptions to 1/4-1/4 level and California Coordinate System (NAD 83).  Present: See Attachment No. 1						
Proposed: See Attachment No. 1						
Place of Use – Identify area using Public Land Survey System descriptions to ¼-¼ level; for irrigation, list number of acres irrigated.  Present: See Attachment No. 1						
Proposed: See Attachment No 1						
Purpose of Use Present: Irrigation						
Present: Irrigation						
Proposed: Irrigation, Domestic, Municipal, Industrial						
Instream Flow Dedication – Provide source name and identify points using both Public Land Survey System descriptions to 1/4-1/4 level and California Coordinate System (NAD 83).  Upstream Location:						
Downstream Location:						
List the quantities dedicated to instream flow in either: cubic feet per second or gallons per day:  Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec						
Will the dedicated flow be diverted for consumptive use at a downstream location? Yes No If yes, provide the source name, location coordinates, and the quantities of flow that will be diverted from the stream.  Proposed New User(s) Provide the names, addresses, and phone numbers for all proposed new user(s) of the water right.    San Luis & Delta-Mendola Water Authority   Attn: Frances Mizuno   Authority   Attn: Frances Mizuno   Authority   Authority   Attn: Frances Mizuno   Authority   Author						
P.O. Box 2157 Los Banos, CA 93635 (209) 832-6200						

Amount of Water to be Transferred
Upto 270.4 acre-feet will be transferred. If the basis of right is direct diversion, the average rate of diversion for the maximum 30-day period of use is Up to 5.76 cubic feet per second or million gallons per day.
<b>General Information</b> – Provide the following information, if applicable to your proposed change(s).
Have you attached an analysis which documents that the amount of water to be transferred or exchanged would have been consumptively used or stored in the absence of the proposed temporary change or long-term transfer?
Have you attached an analysis of any changes to streamflow, water quality, timing of diversion or use, return flows, or effects on legal users from the proposed temporary change or long-term transfer?
Have you attached an analysis that shows the proposed temporary change or long-term transfer will not unreasonably affect fish, wildlife, or other instream beneficial uses?
I (we) have access to the proposed point of diversion or control the proposed place of use by virtue of:  ownership lease verbal agreement written agreement
If by lease or agreement, state name and address of person(s) from whom access has been obtained.  Not Applicable
Give name and address of any person(s) taking water from the stream between the present point of diversion or rediversion and the proposed point of diversion or rediversion, as well as any other person(s) known to you who may be affected by the proposed change.
See Attachment No. 1
All Right Holders Must Sign Below: I (we) declare under penalty of perjury that this involves only the amount of water which would have been consumptively used or stored in the absence of the proposed temporary change, and that the above is true and correct to the best of my (our) knowledge and belief.
Dated 2/11/2022 at Nicolaus, CA 95759
Right Holder or Authorized Agent Signature  Right Holder or Authorized Agent Signature
NOTE: All petitions must be accompanied by:
the form Environmental Information for Petitions, available at:     http://www.waterboards.ca.gov/waterrights/publications_forms/forms/docs/pet_info.pdf     vivision of Water Rights fee, per the Water Rights Fee Schedule, available at:
http://www.waterboards.ca.gov/waterrights/water_issues/programs/fees/  (3) Department of Fish and Wildlife fee of \$850 (Pub. Resources Code, § 10005)

# Attachment No. 1 to Petition for Change Involving Water Transfers License 10848 (Application 16182) held by William L. Spangler

#### **GENERAL**

The purpose of this Petition for Change Involving Water Transfers (Petition) is to: (1) add Shasta Dam as a point of diversion, (2) add the State Water Project's (SWP) Harvey O. Banks Pumping Plant and the Central Valley Project's (CVP) CW "Bill" Jones Pumping Plant as points of diversion and points of rediversion, (3) add San Luis Reservoir as a point of rediversion, (4) add a portion of the service area of the CVP as an additional place of use, and (5) add municipal, industrial, and domestic purposes of use under William L. Spangler's (Petitioner) License 10848 (Application 16182). The Petitioner is a shareholder of the Pleasant Grove-Verona Mutual Water Company (PGV). PGV holds Contract No. 14-06-200-5520A-R-1 (Contract) with the U.S. Bureau of Reclamation (Reclamation). The water rights held by the Petitioner and the other shareholders of PGV serve as the basis for the Base Supply under PGV's Contract. This Petition is one of 11 petitions (Joint Petitions) being filed by participating shareholders of PGV (Joint Petitioners) pursuant to their individual water rights. The Joint Petitions include the following:

Joint Petitioner	Application	License	Proposed Transfer Quantity (Up to Amount, AF)
E. D. Willey and Son, Inc.	7641A	6389A	4,311.5
River Ranch Partnership	7641C	6389C	802.6
D # C 1 111	7641B	6389B	1,160
Brett Scheidel	15606	11001	1,760
N' L' C N' L L	7641D1	6389D1	630
Nicoli G. Nicholas	15856A	7064A	1,697
Maria John Nicholas	7641D2	6389D2	630
Kelly Ranch, LLC	15856B	7064B	1,473
Mark Labor	15856C	7064C	2,205*
Murphy Lake Farms	15858	6399	500*
William L. Spangler	16182	10848	270.4

This Petition is being filed to facilitate a temporary transfer (2022 Water Transfer) of up to a total of 270.4 acre-feet (AF) of surface water proposed to be made available from the Petitioner during May through September 2022. This proposed transfer quantity will be made

<sup>\*</sup> Proposed upper limit quantities identified for each water right, limited to a combined quantity of up to 2,404.7 AF under Licenses 6399 and 7064C.

available by crop idling/shifting in order to provide an additional water supply for irrigation, municipal, industrial, and domestic purposes. The quantity of surface water to be made available for transfer by crop idling/shifting involves only the consumptive use savings as a result of actions within PGV's boundaries. Water made available for transfer will remain instream for diversion at the proposed additional points of diversion, or when necessary, temporarily retained in Shasta Reservoir for rediversion at the proposed additional points of rediversion. The quantity made available under this Petition will be limited to actions consistent with the terms and conditions of this license. As discussed further below, the quantity proposed to be made available by the Petitioner will be reviewed and approved by the U.S. Bureau of Reclamation (Reclamation) and the Department of Water Resources (DWR).

Absent the proposed temporary transfer, PGV would divert the entire quantity of surface water proposed for transfer from the Sacramento River pursuant to its water right in accordance with its Sacramento River Settlement Contract with the U.S. Bureau of Reclamation (Reclamation). Annual water right reports submitted to the Division of Water Rights (Division) for License 10848, covering the period of 2016-2020 which are years of full water supply under the Settlement Contract, demonstrate that the Petitioner typically diverts and uses more surface water under that license than the amount proposed for the 2022 Water Transfer. The Petitioner accounts for its surface water diversions and use under its water rights, including License 10848, in accordance with accounting methods relied upon by the Division considering several factors associated with each water right. Those factors include, but are not limited to, water right priorities, seasons of diversion, direct diversion rates, places of use, points of diversion, annual diversion limitations, and other relevant terms and conditions associated with each of the Petitioner's water rights. For example, diversions are accounted in order of water right priority starting with the senior water right that has the same authorized diversion season as when the diversion occurred, and identifying a diversion quantity that is the lesser of the diversion or the authorized rate of direct diversion. In the case that the diversion rate is greater than the authorized direct diversion rate, then the diversions over the authorized rate are accounted for under the water right with the next priority date using the same methodology. Because the proposed project involves the transfer of water under PGV's Contract, these petitions are being filed jointly and should be treated as a single project. PGV has been authorized to act on behalf of the Joint Petitioners, each of which is filing similar petitions in order to facilitate the proposed transfer. Under the Joint Petitions, PGV is proposing a temporary transfer of up to 15,139.2 AF to SLDMWA. Absent the proposed temporary transfer, PGV and the Joint Petitioners would divert the entire quantity proposed for transfer from surface water sources pursuant to their water rights and the Contract with Reclamation.

#### POINT OF DIVERSION OR REDIVERSION

#### **POINT OF DIVERSION**

Present Point of Diversion:

No change in the present point of diversion is proposed. Petitioner's authorized point of diversion under License 10848 are located as follows:

	L	ocated W	ithin†		
<b>Description</b>	1/4, 1/4	Sec	<u>T</u>	<u>R</u>	_
(1) South 18° 00' East 1,000 feet from the NW corner of Section 24, T11N, R3E	NW, NW	24	11N	3E	
(1) South 27° 00' East 360 feet from the NW corner of Section 13, T11N, R3E	NW, NW	13	11N	3E	

#### Proposed Additional Points of Diversion:

No change in the present points of diversion is proposed. Petitioner proposes to add the following points of diversion:

#### Shasta Dam

S39°58'13" W, 1,626.41 feet from E¼ Corner of Section 15, T33N, R5W, MDB&M, being within the NE¼ of SE¼ of said Section 15, in Shasta County. This proposed additional point of diversion is identified on maps filed with the 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 diversion is identified on maps filed with the Division under Application 5630.

#### 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 diversion is identified on maps filed with the Division under Application 5626.

#### **POINT OF REDIVERSION**

#### Present Points of Rediversion:

No change in the present points of rediversion is proposed. Petitioner has no authorized points of rediversion under License 10848.

<sup>†</sup> All references to Township and Range are to the MDB&M.

#### Proposed Additional Points of Rediversion:

Petitioner proposes to add the following points of rediversion, which will assist in the temporary retention of transfer water for later use by the participating entities within SLDMWA during periods that coincide with demands or other operational constraints:

#### 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, R1S, R4E, MDB&M. This proposed additional point of rediversion is identified on maps filed with the Division under Application 5630.

#### 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 NW ¼ of SW ¼ of Projected Section 29, T1S, R4E, MDB&M. This proposed additional point of rediversion is identified on maps filed with the Division under Application 5626.

#### San Luis Reservoir

N 1,845,103 ft., E 6,393,569 ft., California Coordinate System Zone 3, NAD 83, being within the SW ¼ of SE ¼ of Projected Section 15, T10S, R8E, MDB&M. This proposed additional point of rediversion is identified on maps filed with the Division under Application 5630.

#### PLACE OF USE

#### Present:

The present place of use is 301.56 acres within a gross area of 455 acres within the W½ of Section 2 and NW¼ of NW¼ of Section 11, T11N, R3E, MDB&M, as shown on map filed with the State Water Resources Control Board, Division of Water Rights.

#### Proposed:

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

#### **GENERAL INFORMATION**

Surface water will be made available for transfer from PGV by groundwater substitution and by crop idling/shifting, consistent with the current *Draft Technical Information for Preparing* 

Water Transfer Proposals, dated December 2019 (Draft Technical Information) published by the Department of Water Resources (DWR) and 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, instream beneficial uses, and the overall economy and environment. PGV will submit a proposal to DWR and Reclamation for a water transfer to participating entities within the SLDMWA during 2022, which includes detailed information relative to historical groundwater pumping, groundwater well characteristics, groundwater monitoring and reporting elements, historical cropping data, and associated maps. DWR and Reclamation will conduct an extensive review of these documents in order to ensure that the quantity of water proposed to be made available by PGV meets the relevant criteria to demonstrate a reduction in surface water use will occur as a result of the proposed temporary transfer. Absent the proposed temporary transfer to SLDMWA, groundwater would not be pumped by the Petitioner for groundwater substitution and crops would not be idled/shifted to make surface water available for SLDMWA; thus, the Petitioner would have diverted surface water to meet its irrigation demands. The Petitioner will provide the Division with a copy of the executed agreements between PGV and Reclamation and/or DWR identifying the terms and conditions for the 2022 Water Transfer to document that the relevant findings are made by those agencies, in accordance with the Draft Technical Information and other requirements. Those executed agreements will identify an up-to transfer quantity to be made available by crop idling/shifting and/or groundwater substitution, which will be less than or equal to the quantities identified in the Joint Petitions.

Only wells which have been approved by DWR and Reclamation will be used for the proposed temporary transfer. In accordance with Water Code Section 1745.10, the Petitioner does not believe the proposed transfer to SLDMWA by groundwater substitution will result in an overdraft of the underlying groundwater basin. As a condition of participation in the proposed temporary transfer, PGV has developed groundwater monitoring, reporting, and mitigation plans to ensure the proposed transfer does not result in any unreasonable and adverse effects, such as impacts to other legal users of water, land subsidence, groundwaterdependent vegetation, and groundwater quality. As described above, the requirements of the monitoring program and mitigation plan are outlined in the Draft Technical Information and will be implemented by the Petitioner accordingly. The monitoring program also includes recurring review of groundwater level monitoring data obtained prior to, during, and following periods when surface water is made available by the Petitioner for the proposed water transfer, in accordance with the Draft Technical Information. To account for anticipated streamflow depletion, DWR and Reclamation will apply a factor of 13% to the amount of groundwater pumped pursuant to the Petitioner's proposed groundwater substitution transfer in accordance with the Draft Technical Information. Evaluation and approval by DWR and Reclamation of the groundwater monitoring, reporting, and mitigation plans will be obtained for PGV's groundwater substitution program. Further, PGV is providing notification to the Reclamation District No. 1001 Groundwater Sustainability Agency, which is the groundwater sustainability agency formed pursuant to the Sustainable Groundwater Management Act that covers the area where groundwater substitution pumping is proposed to occur within PGV. Documentation of PGV's notifications to the Reclamation District No. 1001 Groundwater Sustainability Agency (GSA), including a determination from the GSA that the proposed 2022

Water Transfer is consistent with the Groundwater Sustainability Plan, will be provided to DWR and Reclamation, in accordance with the Draft Technical Information.

As indicated above, PGV conducts water transfers in accordance with the Draft Technical Information and other relevant requirements. The monitoring requirements associated with PGV's proposed groundwater substitution water transfer will be incorporated to agreements with DWR and Reclamation. Following the proposed water transfer, PGV will prepare a monitoring report summarizing the results. In PGV's previous groundwater substitution transfers, some of which involved similar quantities compared to the quantity proposed in this Petition, the groundwater basin in and around PGV recovered from the effects of the transfer the following spring. We expect the hydrologic data to show a similar recovery pattern for the proposed 2022 Water Transfer.

Crop idling/shifting water transfers involve surface water made available for transfer by reducing the consumptive use of surface water applied for irrigation. As indicated above, PGV is preparing a water transfer proposal for submittal to DWR and Reclamation to provide the information required pursuant to the Draft Technical Information, which includes supporting documentation to determine the quantity of surface water to be made available by crop idling/shifting. Details regarding specific fields and crops to be idled/shifted for the transfer are currently being decided by growers within PGV. In order to make 270.4AF of surface water available for transfer, a maximum of 90.13 acres of rice will be idled for the proposed 2022 Water Transfer based on the current evapotranspiration of applied water rate for rice identified by DWR and Reclamation (3.0 AF/acre, which for 90.13 acres of rice results in a quantity of 270.4 AF). However, growers are evaluating the potential idling of other crops including sunflowers, alfalfa, and melons. If crops other than rice are included in the transfer, then the participating acreage will be in proportion to the evapotranspiration of applied water for crops as defined in the Draft Technical Information. The acreages of crops irrigated under License 10848 during prior years are shown in water right reports filed with the Division. For reference, during recent years, the irrigated acreage of rice has been approximately 301 acres. Following determination of specific fields participating in the proposed transfer, including the associated crop history for those fields, PGV will submit a proposal for the 2022 Water Transfer to DWR and Reclamation; and those agencies will evaluate the fields proposed to be idled/shifted for the temporary transfer. Evaluation and approval by DWR and Reclamation of the lands to be idled/shifted and verification of the quantity of surface water made available will ensure the proposed transfer does not result in any unreasonable and adverse impacts to the environment or third parties. In accordance with the Draft Technical Information and the Final Long-Term Water Transfers Environmental Impact Statement/Environmental Impact Report (Final EIS/EIR), PGV's crop idling/shifting will incorporate relevant mitigation measures that minimize impacts on threatened species, including the Giant Garter Snake.

As a result of the proposed temporary transfer, the flow in the Sacramento River downstream of the Petitioner's present points of diversion will increase by up to 270.4 AF over what would have occurred absent the proposed transfer. These increases will occur during the period that surface water is made available by the Petitioner or if possible, during the following months thereafter through releases by Reclamation for conveyance to

SLDMWA. If excess capacity is available in Shasta Reservoir, the Delta is in balanced conditions, and regulatory requirements are being met. Reclamation may temporarily hold the quantity of surface water made available by the Petitioner, until export capacity at the SWP's Banks Pumping Plant or the CVP's Jones Pumping Plant is available, which is typically during July, August, or September. This "backing up" of transfer water would decrease releases from Shasta Reservoir early in the irrigation season, such as during May and June, and increase releases later in the season when conditions and operations permit, such as possible during October or November. Reclamation would only consider operations to facilitate and accommodate "backing up" of transfer water if those operations avoid temperature impacts, and possibly aid with overall temperature management, consistent with the Final EIS/R. In fact, this temporary retention of water in Shasta Reservoir, as a result of surface water made available by the Petitioner, may provide an incidental benefit for fisheries during the early portion of the irrigation season as a result of the temporary retention of transfer water in Shasta Reservoir that would not have existed absent that transfer. The benefits associated with the potential temporary retention of transfer water in Shasta Reservoir are considered by Reclamation through its planning efforts during late spring, generally following decisions by growers regarding quantities planned to be made available for transfer as indicated in water transfer proposals. Shasta Reservoir would continue to be operated in accordance with regulatory requirements, such as flow and temperature requirements established by various agencies including the U.S. Fish and Wildlife Service, National Oceanic and Atmospheric Administration's National Marine Fisheries Service, Federal Energy Regulatory Commission, and State Water Resources Control Board, for the protection of downstream resources. During the period when it is possible for the increased flows in the Sacramento River to reach the proposed downstream additional points of diversion for the proposed transfer, these flows will be a small percentage of the total flow and will be water that would be diverted by the Petitioner absent this proposed transfer. The Petitioner's reduced diversions will provide additional flows during the proposed transfer period, up to a maximum of approximately 5.76 cfs. Therefore, there will be no injury to other legal water users, water quality, or return flows; in fact, these increased flows may provide incidental benefits for fisheries and wildlife and may result in a positive effect to the water users between the present points of diversion and the proposed downstream additional points of diversion.

See files of the State Water Resources Control Board for more information regarding other legal water users, which may include the Delta water users, the Central Valley Project, and the SWP. Discussions with the Department of Fish and Wildlife (DFW) staff regarding the Petition occurred on February 14, 2022, in order to discuss the proposed water transfer, including the overall process/review of the Petition and associated documentation by DFW and other agencies. DFW staff provided no additional comments relative to crop idling/shifting. In regard to groundwater substitution, initial comments received from DFW staff included concerns relative to streamflow depletion factor and consistency with/consideration of Groundwater Sustainability Plans. Future discussions relative to streamflow depletion are planned, and as mentioned above, a determination from the GSA that the proposed 2022 Water Transfer is consistent with the Groundwater Sustainability Plan will be obtained. The Central Valley Regional Water Quality Control Board (CVRWQCB) has also been contacted and were provided information regarding the proposed temporary water transfer. DFW and CVRWQCB have been

William L. Spangler License 10848 Attachment No. 1 to Petition for Change Involving Water Transfers

provided a copy of this Petition for review. Specifically, copies of this Petition have been provided to Briana Seapy (916-508-3345) and Bridget Gibbons (916-767-3993) of DFW and Michelle Snapp (916-464-4824) of the CVRWQCB for review and comment.

# State of California State Water Resources Control Board DIVISION OF WATER RIGHTS P.O. Box 2000, Sacramento, CA 95812-2000

Tel: (916) 341-5300 Fax: (916) 341-5400 http://www.waterboards.ca.gov/waterrights

#### **ENVIRONMENTAL INFORMATION FOR PETITIONS**

This form is required for all 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.

#### DESCRIPTION OF PROPOSED CHANGES OR WORK REMAINING TO BE COMPLETED

For a petition for 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.

ee Attachment No. 1
sert the attachment number here, if applicable: 1

Page 1 of 4

# Coordination with Regional Water Quality Control Board

For change petitions only, you must request consultation with the Regional		Date of	Request	
Water Quality Control Board regarding the potential effects of your proposed change on water quality and other instream beneficial uses. (Cal. Code Regs., tit. 23, § 794.) In order to determine the appropriate office for consultation, see: http://www.waterboards.ca.gov/waterboards_map.shtml. Provide the date you submitted your request for consultation here, then provide the following information.		02/14/2022		
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?	0	Yes	<ul><li>No</li></ul>	
Will a waste discharge permit be required for the project?	0	Yes	O No	
If necessary, provide additional information below:				
Michelle Snapp (916-464-4824) of the Central Valley Regional Water Quality Control Board was contacted in temporary water transfer; and no comments were provided at this time. A copy of this petition has been provi submittal of this petition to the Division of Water Rights.				
Insert the attachment number here, if applicable: 1				
Local Permits				
For temporary transfers only, you must contact the board of supervisors for the		Date of	Contact	
county(ies) both for where you currently store or use water and where you properto transfer the water. (Wat. Code § 1726.) Provide the date you submitted your request for consultation here.	ose	2/18/	2022	
<u>For change petitions only</u> , you should contact your local planning or public work information below.	s depart	ment and	provide the	
Person Contacted: Not Applicable. Date of Contact:				
Department: Phone Number:				
County Zoning Designation:				
Are any county permits required for your project? If yes, indicate type below.	O Y	es (	) No	
Grading Permit Use Permit Watercourse	Obstru	uction Per	mit	
Change of Zoning General Plan Change Other (explain	n below)	)		
If applicable, have you obtained any of the permits listed above? If yes, provide	copies.	O Ye	s O No	
If necessary, provide additional information below:				
Not Applicable.				
Insert the attachment number here, if applicable:				

# Check any additional agencies that may require permits or other approvals for your project: Regional Water Quality Control Board Department of Fish and Game Dept of Water Resources, Division of Safety of Dams California Coastal Commission U.S. Forest Service State Reclamation Board U.S. Army Corps of Engineers Bureau of Land Management Federal Energy Regulatory Commission Natural Resources Conservation Service Have you obtained any of the permits listed above? If yes, provide copies. ( No Yes For each agency from which a permit is required, provide the following information: Permit Type Person(s) Contacted Contact Date Phone Number Agency Not Applicable If necessary, provide additional information below: Not Applicable. Insert the attachment number here, if applicable: **Construction or Grading Activity** Does the project involve any construction or grading-related activity that has significantly altered or would significantly alter the bed, bank or riparian habitat of any stream or lake? If necessary, provide additional information below: Not Applicable Insert the attachment number here, if applicable:

**Federal and State Permits** 

Archeology		
Has an archeological report been prepared for this project? If yes, provide a copy.	○ Yes	<ul><li>No</li></ul>
Will another public agency be preparing an archeological report?	<b>○</b> Yes	<ul><li>No</li></ul>
Do you know of any archeological or historic sites in the area? If yes, explain below.	OYes	<ul><li>No</li></ul>
If necessary, provide additional information below:  Not Applicable.		
Insert the attachment number here, if applicable:		
Photographs See Attachment No. 1.		
For all petitions other than time extensions, attach complete sets of color photographs labeled, showing the vegetation that exists at the following three locations:	s, clearly dat	ed and
Along the stream channel immediately downstream from each point of diversic	n	
Along the stream channel immediately upstream from each point of diversion		
At the place where water subject to this water right will be used		
Maps See Attachment No. 1.		
For all petitions other than time extensions, attach maps labeled in accordance with the applicable features, both present and proposed, including but not limited to: point of directiversion, distribution of storage reservoirs, point of discharge of treated wastewater location of instream flow dedication reach. (Cal. Code Regs., tit. 23, §§ 715 et seq., 75)	iversion, poi r, place of us	nt of
Pursuant to California Code of Regulations, title 23, section 794, petitions for change may not be accepted.	submitted wi	thout maps
All Water Right Holders Must Sign This Form:  I (we) hereby certify that the statements I (we) have furnished above and in the attach the best of my (our) ability and that the facts, statements, and information presented a best of my (our) knowledge. Dated  Out 1.1.15.6	re true and	
On behalf of PGVMWC  Water Right Holder or Authorized Agent Signature  Water Right Holder or Authorized Agent Signature		
Water Right Holder or Authorized Agent Signature Water Right Holder or Authorized Water Right Holder or Authorized Agent Signature	rized Agent	Signature
<ul> <li>NOTE:         <ul> <li>Petitions for Change may not be accepted unless you include proof that a copy of the petition Department of Fish and Game. (Cal. Code Regs., tit. 23, § 794.)</li> </ul> </li> <li>Petitions for Temporary Transfer may not be accepted unless you include proof that a copy on the Department of Fish and Game and the board of supervisors for the county(ies) where water and the county(ies) where you propose to transfer the water. (Wat. Code § 1726.)</li> </ul>	of the petition	was served

#### Attachment No. 1

## to Environmental Information for Petitions for Change Involving Water Transfers Filed by Joint Petitioners within Pleasant Grove-Verona MWC

#### DESCRIPTION OF PROPOSED CHANGES

The Pleasant Grove-Verona Mutual Water Company (PGV) is proposing a temporary water transfer to San Luis & Delta-Mendota Water Authority (SLDMWA) in 2022. To facilitate this transfer, the Joint Petitioners are petitioning to temporarily add points of diversion, points of rediversion a place of use, and purposes of use to the water rights summarized below in order to transfer up to 15,139.2 AF for use by participating entities within SLDMWA by groundwater substitution and by crop idling/shifting. Shasta Dam is proposed to be added as a point of diversion; the State Water Project's (SWP) Banks Pumping Plant and the Central Valley Project's (CVP) CW "Bill" Jones Pumping Plant are proposed to be added as points of diversion and points of rediversion; San Luis Reservoir is proposed to be added as a point of rediversion; and a portion of the service area of the CVP is proposed to be added as a place of use. The purposes of use proposed to be added are municipal, industrial, and domestic, in addition to the existing purpose of use for irrigation. These proposed additions would authorize the transfer of water to SLDMWA in order to provide an additional water supply during the current drier hydrologic conditions. There are no changes to the Petitioner's existing points of diversion, place of use, or purpose of use.

The Petitioner is a shareholder of PGV which holds Contract No. 14-06-200-5520A-R-1 (Contract) with the U.S. Bureau of Reclamation (Reclamation). The water rights held by the Joint Petitioners and the other shareholders of PGV serve as the basis for the Base Supply under PGV's Contract. This Petition is one of 11 petitions (Joint Petitions) being filed by participating shareholders of PGV (Joint Petitioners) pursuant to their individual water rights. The Joint Petitions include the following:

Joint Petitioner	Application	License	Proposed Transfer Quantity (Up to Amount, AF)
E. D. Willey and Son, Inc.	7641A	6389A	4,311.5
River Ranch Partnership	7641C	6389C	802.6
D44 C-11-1-1	7641B	6389B	1,160
Brett Scheidel	15606	11001	1,760
Nicoli C Nicholo	7641D1	6389D1	630
Nicoli G. Nicholas	15856A	7064A	1,697
Maria John Nicholas	7641D2	6389D2	630
Kelly Ranch, LLC	15856B	7064B	1,473
Manufact Later France	15856C	7064C	2,205*
Murphy Lake Farms	15858	6399	500*
William L. Spangler	16182	10848	270.4

Because the proposed project involves the transfer of water under PGV's Contract these petitions are being filed jointly and should be treated as a single project. PGV has been authorized to act on behalf of the Joint Petitioners, each of which is filing similar petitions in order to facilitate the proposed transfer. Thus, this consolidated environmental information form accompanies each petition for the water rights listed above. The quantities shown in the table above are up to amounts for each Petitioner. PGV will coordinate with the Joint Petitioners to assure the maximum quantity to be transferred under the Joint Petitions will not exceed 15,139.2 AF†.

The quantity of surface water proposed to be made available by groundwater substitution involves the use of groundwater pumped upon overlying lands in exchange for a like amount of surface water that will remain instream for diversion at the proposed additional points of diversion. The quantity of surface water proposed to be made available for transfer by crop idling/shifting involves only the consumptive use savings as a result of actions within PGV's boundaries. These proposed quantities would be made available by the Petitioner during May

February 2022

<sup>\*</sup> Proposed upper limit quantities identified for each water right, limited to a combined quantity of up to 2,404.7 AF under Licenses 6399 and 7064C.

<sup>†</sup> PGV is currently coordinating with growers to determine the volume of water to be transferred by groundwater substitution and crop idling/shifting. The quantities identified in each of the Petitions are up-to limits for each transfer mechanism and total 20,764 AF (12,055 AF by groundwater substitution and 8,709 AF by crop idling/shifting); however, the Company will not transfer more than 15,139.2 AF. These initial up-to limits are included to allow for flexibility. The Company will submit a Proposal for review by Reclamation and the Department of Water Resources which will include refined volumes and meet other requirements explained further below.

through September 2022. Water made available for transfer will remain instream for diversion at the proposed additional points of diversion, or when necessary, temporarily retained in Shasta Reservoir for rediversion at the proposed additional points of rediversion. The quantity made available under this Petition will be limited to actions consistent with the terms and conditions of this license. At this time, the quantity of surface water to be made available by groundwater substitution versus crop idling/shifting is unknown. The split between water being made available by each mechanism will be determined after executing a Purchase Agreement with SLDMWA. Absent the proposed temporary transfer, surface water would be diverted to meet the irrigation demands of the Joint Petitioners and in accordance with its Sacramento River Settlement Contract with the U.S. Bureau of Reclamation (Reclamatiom). The proposed temporary transfer does not involve any construction or other physical changes to the Petitioners's facilities.

Petitions for temporary transfer of water pursuant to Water Code Section 1725 are exempt from the California Environmental Quality Act (CEQA). Reclamation and SLDMWA have prepared a *Final Long-Term Water Transfers Environmental Impact Statement/Environmental Impact Report* (Final EIS/EIR), dated September 2019, pursuant to the requirements under the National Environmental Policy Act (NEPA) and CEQA. A copy of the Final EIS/EIR, dated September 2019, is available at: <a href="https://www.usbr.gov/mp/nepa/nepa\_project\_details.php?Project\_ID=18361">https://www.usbr.gov/mp/nepa/nepa\_project\_details.php?Project\_ID=18361</a>> Based on the requirements associated with the Final EIS/EIR, and in accordance with the Draft Technical Information for Preparing Water Transfer Proposals, dated December 2019 published by the Department of Water Resources and Reclamation, the Petitioner will implement the relevant, applicable measures for the proposed 2022 Water Transfer.

#### **PHOTOGRAPHS**

The present points of diversion and the proposed additional points of diversion and rediversion include existing facilities that are well known and documented with the Division of Water Rights (Division). In addition, the present and proposed places of use are also well known and documented with the Division. Therefore, for these reasons, the Petitioner respectfully requests that said documentation be made a part of the record for the petition.

#### **MAPS**

The present points of diversion and place of use are shown on a map filed with the Division. The proposed additional point of diversion for the SWP's Banks Pumping Plant and the proposed additional point of rediversion for San Luis Reservoir are shown on maps filed with the Division for Application 5630. The proposed additional point of diversion for the CVP's Jones Pumping Plant is shown on maps filed with the Division for Application 5626. The proposed additional place of use is a portion of the CVP service area, as shown on Map 214-208 – 12581 on file with the Division under Application 5626. The Petitioner respectfully requests that said maps be made a part of the record for the petition.

#### PLEASANT GROVE-VERONA

MUTUAL WATER COMPANY 1510 W CATLETT ROAD PLEASANT GROVE, CA 95668-9718 916-991-3265

120 W COURT STREET WOODLAND CA 95695

**US BANK** 

90-2267/1211

**DOLLARS** 

2/16/2022 DATE

PAY TO THE ORDER OF

DEPT OF FISH & WILDLIFE

\$ \*\*850.00

DEPT OF FISH & WILDLIFE

Eight Hundred Fifty and 00/100'

2022 Transfer, Petition A007641A et al

#### PLEASANT GROVE-VERONA

**MUTUAL WATER COMPANY** 

1510 W CATLETT ROAD PLEASANT GROVE, CA 95668-9718

916-991-3265

Twenty-Nine Thousand Six Hundred Sixty-Four and 75/100°

PAY TO THE ORDER OF

State Water Resources

**US BANK** 

120 W COURT STREET WOODLAND, CA 95695 90-2267/1211

DATE

2/16/2022

2/18 3713

DOLLARS

\$ \*\*29,664.75

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State Water Resources Control Board P.O. Box 942879 Sacramento, CA 94279-0001

МЕМО

2022 Transfer Petition A007641A et al

Propol Nicholas

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