

VAW

YUBA COUNTY



WATER AGENCY

July 14, 2003

Ms. Victoria Whitney, Assistant Division Chief
Division of Water Rights
State Water Resources Control Board
Post Office Box 10
Sacramento, California 95812-100

Re: Draft Order Vacating Water-Right Decision 1644 and Adopting
Revised
Decision 1644

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Dear Ms. Whitney:

In light of the very short amount of time that the SWRCB has provided between the release of the above-referenced 56-page draft order late on Friday, July 11, 2003, and the SWRCB's July 16 meeting, Yuba County Water Agency cannot provide extensive comments on the draft order. Instead, the Agency incorporates all of the comments and arguments that it previously made in the SWRCB's lower Yuba River proceedings.

One matter that the Agency discovered during its necessarily brief review of the SWRCB's draft order requires clarification. On page 52, in numbered paragraph 3, the draft order would add a sentence at the end of the last full paragraph on page 22 of Decision 1644. The new sentence would contain statements regarding the amounts of water that the SWRCB approved for transfers by the Agency during 2001, 2002 and 2003. Because the SWRCB did not include the Agency's water transfers as an issue for its June 5-6, 2003 hearing, the Agency did not offer evidence concerning those transfers or their benefits to Yuba County during that hearing. The SWRCB's proposed discussion of those transfers, however, suggests that the full transfer amounts authorized by the SWRCB are always transferred. This is not always correct. Specifically, while the draft order correctly describes the amount of water that the SWRCB authorized the Agency to transfer during 2003, the Agency will not in fact transfer that amount of water this year. Because of unusually wet conditions during April and early May 2003, demand for water from the authorized transfers declined significantly after the SWRCB authorized the proposed transfers. The Agency now anticipates that it will transfer 70,000 acre-feet of water in 2003, rather than the authorized 200,000 acre-feet. Accordingly, the Agency respectfully requests that the SWRCB add the following text at the end of the last full paragraph on page 22 of Decision 1644 after the new sentence in the draft order:

Following these orders, Yuba transferred approximately the authorized amounts in 2001 and 2002, but anticipates that it will transfer only 70,000 acre-feet of water in 2003 due to reduced demand for water transfers following the unusually wet conditions in April and early May 2003.

Thank you for your consideration of this requested edit.

Very truly yours,


Thomas Johnson
Assistant General Manager