



State Water Resources Control Board

NOTICE OF PETITION FOR RELEASE FROM PRIORITY OF STATE-FILED APPLICATIONS 5633 AND 5634 IN FAVOR OF WATER RIGHT LICENSE 11120 (APPLICATION 10221) OF SOUTH SUTTER WATER DISTRICT IN YUBA AND PLACER COUNTIES

COUNTIES: Yuba and Placer

STREAM SYSTEM: Bear River

On October 25, 2016, South Sutter Water District (SSWD) filed a petition for release from priority of State-filed water right Applications 5633 and 5634 in favor of SSWD’s water right License 11120 (Application 10221) with the State Water Resources Control Board, Division of Water Rights. SSWD requests this release from priority for storage of up to 40,000 acre-feet annually (afa) at Camp Far West Reservoir on the Bear River in Yuba and Placer Counties. SSWD’s water right License 11120 has a priority date of June 13, 1941. Applications 5633 and 5634 have a priority date of July 30, 1927. The effect of the requested release from priority is that any water rights issued under Applications 5633 and 5634 would have a lower priority than up to 40,000 afa of water stored under SSWD’s water right License 11120.

Summary of SSWD’s License 11120 (Application 10221)

Source	Bear River tributary to Feather River thence the Sacramento River
Point of Diversion	<u>Camp Far West Dam</u> on Bear River located within the NE¼ of SW¼ of Section 21, T14N, R6E, MDB&M
Season of Diversion	Direct Diversion: March 1 through June 30 and September 1 through October 31 of each year Storage: October 1 of each year to June 30 of the succeeding year
Amount	Direct Diversion: 250 cubic feet per second (cfs) Storage: 40,000 afa
Purposes of Use	Irrigation and Domestic
Place of Use	Domestic use and irrigation of 59,000 acres within a gross area of 65,796 acres, within the boundaries of South Sutter Water District; and irrigation of a net area of 4,180 acres (including 102 acres located outside District boundaries and served by contract) within Camp Far West Irrigation District, as shown on maps filed with the State Water Board.

E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

Summary of State-Filed Application 5633

Source	Bear River tributary to Feather River thence the Sacramento River in Nevada and Placer Counties
Point of Diversion	Located within the NW¼ of Section 30, T14N, R9E, MDB&M
Season of Diversion	Direct Diversion: January 1 through December 31 Storage: January 1 through December 31
Amount	Direct Diversion: 120 cfs Storage: 110,000 afa
Purpose of Use	Power generation
Place of Use	Just below the proposed dam located within the NW¼ of Section 30, T14N, R9E, MDB&M

Summary of State-Filed Application 5634

Source	Bear River tributary to Feather River thence the Sacramento River in Nevada and Placer Counties
Point of Diversion	Located within the NW¼ of Section 30, T14N, R9E, MDB&M
Season of Diversion	Direct Diversion: January 1 through December 31 Storage: October 1 through September 30
Amount	Direct Diversion: 400 cfs Storage: 110,000 afa
Purposes of Use	Domestic, Irrigation, Flood Control, Salinity Control and Navigation
Place of Use	2,500,000 acres on the floor of the Sacramento and San Joaquin Valleys

Administrative Record

The Administrative Hearings Office (AHO) has prepared an initial administrative record for this petition. It contains the documents referenced in this notice and other documents regarding this petition, Applications 5633 and 5634, and License 11120. The AHO has posted this initial administrative record on the AHO-FTP site in the folder titled "Nevada ID – South Sutter WD," which is in the folder titled "Water-Right Permitting." The AHO's May 5, 2020 Notice of Availability of FTP Site, which is posted at https://www.waterboards.ca.gov/water_issues/programs/administrative_hearings_office/docs/2020_05_05_notice_ftp.pdf, describes the AHO-FTP site and how to access it.

SSWD's 2016-10-25 Petition for Release of Priority Application 10221 is also available at the following link:
https://www.waterboards.ca.gov/water_issues/programs/administrative_hearings_office/docs/2016-10-25-sswd-petition.pdf

Protests

Any interested person may file a written protest against approval of this petition for release from priority. A form for filing a protest is available here:

https://www.waterboards.ca.gov/water_issues/programs/administrative_hearings_office/docs/petition_protest_form.pdf

Instructions for preparing the protest form are available here:

https://www.waterboards.ca.gov/water_issues/programs/administrative_hearings_office/docs/protest_submittal_info.pdf

Protests must be received by the Administrative Hearings Office by **5:00 p.m. on August 04, 2023**. A person or entity may file a protest by any of the following methods:

(Preferred Method) By e-mail to:

AdminHrgOffice@Waterboards.ca.gov

with "Protest to South Sutter Water District Petition" in the e-mail subject line. The e-mail must be transmitted before the deadline.

By mail to:

State Water Resources Control Board
Administrative Hearings Office
P. O. Box 100
Sacramento, CA 95812-0100

The envelope mailing the protest must be postmarked before the deadline.

By hand-delivery to:

Administrative Hearings Office
c/o Water Rights Records Unit
Joe Serna Jr. CalEPA Building
1001 I Street, 2nd Floor, Room 114
Sacramento, CA 95814

The hand-delivery must occur before the deadline.

The protestant must send a copy of the written protest to SSWD. Correspondence to SSWD including copies of any protest should be addressed to South Sutter Water District c/o Austin Cho, Downey Brand LLP, 621 Capitol Mall, 18th Floor, Sacramento, CA 95814 or by email at acho@DowneyBrand.com. Protests filed with the AHO must indicate the manner in which service upon SSWD of a copy of the protest has been made.

Skyler Anderson is the staff person presently assigned to this matter. He can be reached by e-mail at skyler.anderson@waterboards.ca.gov or by U.S. Mail at

State Water Resources Control Board, Administrative Hearings Office, Attn: Skyler Anderson, P.O. Box 100, Sacramento, CA, 95812-2000.

DATE OF NOTICE: **June 05, 2023**