



Linda S. Adams
Secretary for
Environmental Protection

State Water Resources Control Board



Arnold Schwarzenegger
Governor

Division of Water Rights

1001 I Street, 14th Floor ♦ Sacramento, California 95814 ♦ 916.341.5300
Mailing Address: P.O. Box 2000 ♦ Sacramento, California 95812-2000
FAX: 916.341.5400 ♦ www.waterrights.ca.gov

NOTICE OF APPLICATIONS TO APPROPRIATE WATER BY PERMIT AND CHANGE PETITIONS

PETITIONS FOR PARTIAL ASSIGNMENT OF STATE FILED APPLICATIONS:

13333 through 13338 (Temporarily Numbered Application Nos. 31536, 31537, 31538, 31539, 31540, and 31541)

APPLICATIONS: 31534 and 31535

DATE FILED: September 14, 2004

APPLICATION: 30602

DATE FILED: April 4, 1997

CHANGE PETITIONS

APPLICATIONS: 30603A AND 30603B

DATE FILED: July 17, 2006

STREAM SYSTEMS: Application 31534 Calaveras River, Applications 30602, 31535, 31536 through 31541 San Joaquin River; and Applications 30603A and 30603B Stanislaus River

COUNTIES: Calaveras, San Joaquin, Stanislaus, and Tuolumne

Notice is hereby given that Stockton East Water District (SEWD) has filed a Petition for Partial Assignment of State Filed Applications 13333, 13334, 13335, 13336, 13337, and 13338 and they have been temporarily numbered Applications 31536, 31537, 31538, 31539, 31540, and 31541. Any permits issued on these applications will be issued on the State Filing and not on the temporary application numbers. SEWD has also filed applications for water right permits that have been assigned Applications 30602, 30603A, 30603B, 31534, and 31535. In addition, SEWD has filed change petitions to redistribute the direct diversion to storage, modify the points of re-diversion, place of use and purpose of use under Applications 30603A and 30603B.

The State Water Board will determine whether water right permits should be issued for the applications and, if so, whether conditions should be included in the permits to protect the environment and other downstream water users. This notice provides a description of the proposed project and also describes the procedure and time frame for submittal of a protest against the applications. This notice may be viewed at the Division of Water Rights' (Division) website at www.waterrights.ca.gov. Any correspondence to the applicant shall be mailed to:

Stockton East Water District
c/o Jeanne M. Zolezzi
Herum Crabtree Brown
2291 West March Lane, Suite 100
Stockton, CA 95207

Overview

SEWD seeks State Water Board approval of Petitions for Partial Assignment of State Filed Applications 13333 through 13338.

Applications 13333 through 13338 were filed by the State of California on September 6, 1949 under the provisions of Water Code section 10500 (State Filing) and later assigned to the State Water Board for administration as provided by Water Code section 10500 et. seq. The State Water Board shall hold a public hearing in accordance with section 10500 of the Water Code before any application made and filed pursuant to section 10500 is assigned or released from priority. The hearing shall be for the purpose of determining whether the applications should be assigned pursuant to sections 10504 and 10505 and whether the proposed completed applications submitted by the petitioner should be approved in whole or in part.

In addition, SEWD has filed Applications 30602 and 31535 to divert water from Littlejohns and Rock Creeks.

SEWD filed Application 31534 to divert water from the Calaveras River in Calaveras and San Joaquin counties.

SEWD also filed Application 30603 to divert water from the Stanislaus River in Calaveras and Stanislaus counties. Application 30603 was noticed on January 1, 1999. SEWD requested bifurcation of Application 30603 to address the outstanding protests filed against this application and the State Water Board granted the request on September 10, 2004. The application numbers are 30603A and 30603B. SEWD has filed change petitions to redistribute the direct diversion to storage, modify the points of re-diversion, place of use and purposes of use.

Under Application 30603A, SEWD seeks to appropriate water from December 1 through March 31 of the succeeding year that is in addition to the water sought under Application 30603B.

Under Application 30603B, SEWD seeks to appropriate water currently subject to appropriation under water rights held by the United States Bureau of Reclamation (Reclamation) pursuant to Applications 14859, 19303, and 19304 (the New Melones Reservoir Project) and also seeks to obtain priority over Reclamation's permits for this water pursuant to Water Code section 11460 (Watershed of Origin principles). SEWD and Central San Joaquin Water Conservation District (CSJWCD) have a water supply contract with Reclamation for water from the New Melones project that provides 155,000 acre-feet annually (afa) on an interim basis. The application states that in the absence of obtaining priority over the Reclamations permits, up to 51,900 afa is available by direct diversion and up to 60,000 afa is available for diversion to storage.

The water sought by Applications 30603A and 30603B along with Applications 30602, 31534 through 31541 are part of the Farmington Groundwater Recharge Seasonal Habitat Study (Farmington Report).

SEWD is located within the boundary of the Eastern San Joaquin County Groundwater Basin that is critically over-drafted. SEWD is pursuing a conjunctive use program that proposes to use natural waterways to provide opportunities for infiltration and groundwater recharge. In addition, water diverted or re-diverted from natural channels will be conveyed by existing and proposed pump stations, gravity-flow turnouts, canals, and pipelines to various off-stream recharge facilities, including flooded fields (created by the construction of low berms), shallow excavated spreading basins, and deeper excavated pits. No injection wells are planned due to high pre-treatment costs. Individual re-diversion rates are generally expected to be between 4 and 5 cubic feet per second (cfs), but the full range of diversions could be from 1 to 50 cfs.

The table below summarizes SEWDs applications described in this notice.

STOCKTON EAST WATER DISTRICT – APPLICATIONS 30602 and 31535; 31536 through 31541; 31534; and 30603A and 30603B				
Application No. Source	Quantity Direct Diversion in Cubic Feet per Second (cfs) Storage - Acre-Feet Annually (afa)	Season of Diversion	Combined Direct Diversion and Storage	Purpose of Use
<i>Littlejohns and Rock Creeks Applications</i>				
Application 30602*	350 cfs 104,000 afa	12/01-04/30	104,000 afa	Municipal, Industrial, Irrigation, Fish and Wildlife Enhancement, Water Quality, Saline Repulsion, and Groundwater Recharge
Application 31535*	525 cfs 156,000 afa	12/01-04/30	156,000 afa	Same as A30602
Total (Applications 30602 and A31535)			260,000 afa*	
Application 31536 State Filed A13333	150 cfs 31,100 afa	09/01-06/30 11/01-05/01	90,150 afa	Same as A30602
Application 31537 State Filed A13334	150 cfs 31,100 afa	09/01-06/30 11/01-05/01	90,150 afa	Same as A30602
Application 31538 State Filed A13335	65 cfs 14,100 afa	09/01-06/30 11/01-05/01	39,065 afa	Same as A30602
Application 31539 State Filed A13336	65 cfs 14,100 afa	09/01-06/30 11/01-05/01	39,065 afa	Same as A30602
Application 31540 State Filed A13337	100 cfs 9,000 afa	09/01-06/30 11/01-05/01	60,100 afa	Same as A30602
Application 31541 State Filed A13338	100 cfs 9,000 afa	09/01-06/30 11/01-05/01	60,100 afa	Same as A30602
Combined Direct Diversion & Storage Appls. 31536-31541			260,000 afa	
<i>Calaveras River and Mormon Slough</i>				
A31534	800 cfs 288,000 afa	11/01-04/30 11/01-04/30	288,000 afa	Same as A30602
Total Direct Diversion & Storage-Application 31534			288,000 afa	
<i>Stanislaus River</i>				
A30603A* Stanislaus River	750 cfs (3,900 afa) 108,000afa	12/01-03/31 12/01-03/31	111,900 afa	Same as A30602
A30603B* Stanislaus River	750 cfs (156,000 afa) 251,000 afa	11/01-06/30 11/01-06/30	407,000 afa	Same as A30602
Total A30603A & 30603B			407,000 afa	
*Total sought under Applications 30603A and 30603B shall not exceed 407,000 afa.				
TOTAL			1,215,000 afa	

Description of Project – Application 31534

SEWD proposes to directly divert water from Mormon Slough and the Calaveras River to recharge the groundwater basin by percolation. Other methods of groundwater recharge, including percolation of unlined flat canals, flooded fields, and in-lieu delivery may also be used. Water will be diverted at New Hogan Dam (1-Point A) located on the Calaveras River and conveyed downstream roughly 16 miles to the Belotta Weir (2-Point B) located at the confluence of the Calaveras River and Mormon Slough. Water is diverted at the Belotta Weir via a 54-inch diameter RCP pipe (Belotta Pipeline), 68,600-feet in length with a total fall of 60 feet and estimated capacity of 75 cfs. Water is then diverted into the existing 13 mile Belotta pipeline that conveys water to Stockton East Water Treatment Plant. Water is diverted from the Calaveras River Headwork's (3-Point C) control gates that divert water to the Old Calaveras River and re-diverts water to Mosher Creek. Water is also diverted from Mormon Slough Re-diversion Facility to the Proposed Alliance Canal (4-Point D) that is roughly 8.7 miles long with a proposed capacity of 800 cubic feet per second (cfs). The Alliance Canal is an earthen channel and will run southerly from Mormon Slough to where the terminus of the existing Lower Farmington Canal ends and Peter's Pipeline begins, approximately 48,000-feet in length. Water conveyed southerly through the Alliance Canal will be re-diverted into the Peters Pipeline or discharged to the Lower Farmington Canal. Although the Lower Farmington canal slopes in a general southeast to northwest direction (towards Peters Pipeline) its relatively flat slope will allow water discharged from the Alliance Canal to surcharge the Lower Farmington Canal sufficient to allow releases into Potter Creek, South Fork Potter Creek, and Duck Creek. Water released into Duck Creek will be re-diverted to Littlejohns Creek by way of the existing Littlejohns and Duck Creek Flood Control Cross Canal. The capacity of the Littlejohns and Duck Creek Flood Control Cross Canal is about 2,000 cfs and its primary purpose is flood control. Water released into Littlejohns Creek will distribute to various downstream watercourses that include North Fork Littlejohns Creek, South Branch Littlejohns Creek, and French Camp Slough. Water can also be distributed from Littlejohns Creek into the existing CSJWCD system through various existing canals and pipelines for release into North and South Forks Temple Creek, Temple Creek, and Lone Tree Creek. Point of Diversion 5-Point E, Old Calaveras River Re-diversion Facility to Proposed Alliance Canal runs northerly from Mormon Slough to Mosher Creek. Water is conveyed from Point 4-D to Point 5-E via a 7,500-foot length channel. Point 5-E is also a point of re-diversion. Water diverted at Points 4-D and 5-E will be pumped from the channels with a pump discharge rate of 800 cfs using a 2,500 horsepower pump into the Alliance Canal that travels northerly and southerly. In addition, SEWD proposes to re-divert water from the Alliance Canal to Lone Tree Creek from the southern terminus of the Alliance Canal southerly to Lone Tree Creek through existing conveyance facilities in CSJWCD.

Water will be re-diverted at various locations along Mosher Creek, Calaveras River, Stockton Diverting Canal, Mormon Slough, North and South Forks Potter Creek, Potter Creek, Duck Creek, Rock Creek, South Branch Littlejohns Creek, North Fork Littlejohns Creek, Littlejohns Creek, North and South Forks Temple Creek, Temple Creek, Bear Creek, Belotta Pipeline, Peters Pipeline, CSJWCD Ditch, and Lower Farmington Canal for use within the SEWD and CSJWCD service areas and vicinity as shown on a map on file with the State Water Board dated July 2006.

The water will be used for municipal, industrial, irrigation, fish and wildlife enhancement, water quality, saline repulsion and groundwater recharge. The applicant plans to irrigate up to 100,000 acres of crops within a gross area of 232,500 acres that includes orchards, vineyard, vegetables, alfalfa, grain, legumes and irrigated pastures.

Underground Storage

The location of the proposed spreading grounds is the Calaveras River channel above Belotta and within

the Old Calaveras River channel and Mormon Slough below Belotta. Water diverted or re-diverted from natural channels will be conveyed by existing and proposed pump stations, gravity-flow turnouts, canals, and pipelines to various off-stream recharge facilities, including flooded fields (created by construction of low berms), shallow excavated spreading basins, and deeper excavated pits. Individual diversion rates are expected to be between 4 to 5 cfs, however the full range of diversions could be from 1 to 50 cfs. The Farmington Report indicates the rate of percolation in the region varies from 0.25 to over 1.0 foot per day. For infiltration rates in this range, 1,600 to 6,400 acres of land will be required to infiltrate all the water sought under this application. Additional recharge facilities will be determined by field percolation studies, and the total of all recharge sites for the subject applications listed in this notice will not exceed 25,000 acres located within the place of use as identified on a map on file with the State Water Board dated July 2006. SEWD anticipates natural waterways will also provide opportunity for infiltration and groundwater recharge. The 19 channel reaches for recharge to underground storage include Mosher Creek, Mosher Slough, Calaveras River, Stockton Diverting Canal, Mormon Slough, North and South Forks Potter Creek, Potter Creek, North Fork Duck Creek, Duck Creek, North Fork Littlejohns Creek, South Branch Littlejohns Creek, Littlejohns Creek, North and South Forks Temple Creek, Temple Creek, Lone Tree Creek, French Camp Slough and Bear Creek as described on a map on file with the State Water Board dated July 2006. SEWD has identified four existing and six proposed groundwater recharge facilities that it will use to enhance percolation to groundwater storage and intends to develop additional recharge facilities in the future. Any facilities not currently shown on the maps will be analyzed at a later date. The purposes of use include municipal, industrial, irrigation, water quality, saline repulsion and groundwater recharge.

Summary of Application 31534

Counties: San Joaquin and Calaveras.
Source: (1) Calaveras River tributary San Joaquin River and (2) Mormon Slough tributary Stockton Diverting Canal thence Calaveras River.
Points of
Diversion: (1-Point A) New Hogan Dam located within the SW¹/₄ of SW¹/₄ of section 31, T4N, R11E, MDB&M;
(2-Point B) Belotta Weir located within the NE¹/₄ of SW¹/₄ of section 5, T2N, R9E, MDB&M;
(3-Point C) Old Calaveras River Headworks located within the NE¹/₄ of SW¹/₄ of section 5, T2N, R9E, MDB&M;
(4-Point D) Mormon Slough Re-diversion Facility to Proposed Alliance Canal located within the SW¹/₄ of NE¹/₄ of section 7, T2N, R9E, MDB&M; and
(5-Point E) Old Calaveras River Re-diversion Facility to Proposed Alliance Canal located within the NW¹/₄ of SE¹/₄ of section 1, T2N, R8E, MDB&M.
Points of
Re-diversion: 45 locations within SEWD and 57 locations within CSJWCD as shown on a map dated July 2006 on file with the State Water Board.
Amount: a. 800 cubic feet per second of direct diversion, not to exceed a total of 288,000 af per year.
b. 288,000 af for storage.
Combined amount taken by direct diversion and storage during any one year shall not exceed 288,000 af.
Season: November 1 through April 30 of the succeeding year.
Purposes: Municipal, Industrial, Irrigation, Fish and Wildlife Enhancement, Water Quality, Saline Repulsion and Groundwater Recharge.
Place of Use: Located within SEWD and CSJWCD service areas and vicinity as shown on a map dated July 2006 on file with the State Water Board.

Description of Project - Applications 30602 and 31535

SEWD is seeking rights under these two applications to divert a total of 260,000 afa from Littlejohns and Rock Creeks. Water will be directly diverted from Littlejohns Creek and Rock Creek at the existing Rock Creek diversion facility located on the Farmington Flood Control Dam into an existing diversion structure on Rock Creek located in San Joaquin County.

Water from the Rock Creek diversion facility is placed into the 8.6-mile Lower Farmington Canal. Water is carried through a 9.6 mile-long buried pipeline to SEWDs treatment plant where it is distributed to the City of Stockton, California Water Service Company and San Joaquin County service districts. These components of the conveyance system are complete.

Water from the existing Rock Creek diversion facility will be conveyed through SEWD and CSJWCD pipelines and canal systems for use by its customers. SEWD seeks a right for Rock Creek and Littlejohns Creek flows that percolate into the natural channels through existing and future re-diversion and conveyance facilities. The 20 channel reaches for recharge to underground storage include Mosher Creek, Mosher Slough, Calaveras River, Stockton Diverting Canal, Mormon Slough, North and South Forks Potter Creek, Potter Creek, North Fork Duck Creek, Duck Creek, Rock Creek, North Fork Littlejohns Creek, South Branch Littlejohns Creek, Littlejohns Creek, North and South Forks Temple Creek, Temple Creek, Lone Tree Creek, French Camp Slough and Bear Creek.

Water will be re-diverted at various locations along Mosher Creek, Calaveras River, Stockton Diverting Canal, Mormon Slough, North and South Forks Potter Creek, Potter Creek, Duck Creek, Rock Creek, South Branch Littlejohns Creek, North Fork Littlejohns Creek, Littlejohns Creek, North and South Forks Temple Creek, Temple Creek, Bear Creek, Belotta Pipeline, Peters Pipeline, CSJWCD Ditch, and Lower Farmington Canal for use within the SEWD and CSJWCD service areas and vicinity as shown on a map dated July 2006 on file with the State Water Board.

SEWD proposes to irrigate a maximum of 100,000 acres within a gross area of 232,500 acres that include orchards, vineyard, vegetables, alfalfa, grain, legumes and irrigated pastures. SEWD proposes to irrigate 30,000 acres of orchards and 30,000 acres of row crops, each using a maximum of 15,000 acre-feet per year. The methods of irrigation vary. From time to time, SEWD also plans water will be diverted from various channels to flood lands within the place of use for the purpose of wildlife enhancement.

Underground Storage

Water will be recharged by percolation in 19 natural channels that are identified in the preceding paragraph and shown on a map on file with the State Water Board dated July 2006. Water will also be re-diverted to off-stream recharge facilities through existing and future re-diversion and conveyance facilities, including flooded fields (created by construction of low berms), shallow excavated spreading basins, and deeper excavated pits. A 60-acre site that is reconstructed is expected to accept approximately 25 cfs on a continuous basis. Average percolation rates for sites identified to date range from 0.25 to over 1.0 foot of water per day. Using infiltration rates that range from 0.25 to 1.0 foot per day, it is estimated that 700 to 2,700 acres of land will be required to infiltrate all of the water sought by Application 30602. It is estimated that 1,000 to 4,100 acres of land will be required to infiltrate all of the water sought under Application 31535. Additional recharge facilities will be determined by field percolation studies and the total of all recharge sites for the subject applications will not exceed 25,000 acres located within the place of use as identified on a map on file with the State Water Board dated July 2006. Any future facilities not

shown on the map will be studied at a later date. The purposes of use include municipal, industrial, irrigation, water quality, saline repulsion and groundwater recharge.

Summary of Application 30602

County: San Joaquin.
Source: Littlejohns Creek and Rock Creek tributary French Camp Slough thence San Joaquin River.
Point of Diversion: Farmington Dam Outlet to Rock Creek Diversion Facility.
located within the NE¼ of NW¼ of section 25, T1N, R9E, MDB&M.
Points of Re-diversion: 45 locations within SEWD and 57 locations within CSJWCD as shown on a map dated July 2006 on file with the State Water Board.
Amount: a. 350 cfs of direct diversion,
not to exceed a total of 104,000 acre-feet (af) per year.
b. 104,000 af per year of storage.
Combined amount taken by direct diversion and storage during any one year shall not exceed 104,000 af. Maximum amount to be diverted under this application and A31535 shall not exceed 260,000 afa.
Season: December 1 through April 30 of the succeeding year.
Purposes: Municipal, Industrial, Irrigation, Fish and Wildlife Enhancement, Water Quality, Saline Repulsion and Groundwater Recharge.
Place of Use: Located within SEWD and CSJWCD service areas and vicinity as shown on a map dated July 2006 on file with the State Water Board.

Summary of Application 31535

County: San Joaquin.
Source: Littlejohns Creek and Rock Creek tributary French Camp Slough thence San Joaquin River.
Point of Diversion: Farmington Dam Outlet to Rock Creek Diversion Facility.
located within the NE¼ of NW¼ of section 25, T1N, R9E, MDB&M.
Points of Re-diversion: 45 locations within SEWD and 57 locations within CSJWCD as shown on a map dated July 2006 on file with the State Water Board.
Amount: 525 cfs of direct diversion,
not to exceed a total of 156,000 af per year.
Combined amount taken by direct diversion and storage during any one year shall not exceed 156,000 af.
Maximum amount to be diverted under this application and A30602 shall not exceed 260,000 afa.
Season: December 1 through April 30 of the succeeding year.
Purposes: Municipal, Industrial, Irrigation, Fish and Wildlife Enhancement, Water Quality, Saline Repulsion and Groundwater Recharge.
Place of Use: Located within SEWD and CSJWCD service areas and vicinity as shown on a map dated July 2006 on file with the State Water Board.

Description of Projects – Petitions for Partial Assignment of State Filed Applications 13333 through

13338

Water will be diverted from Littlejohns and Rock Creeks at the existing Rock Creek diversion facility (see description under Application 30602 and 31535 and Underground Storage) on the Farmington Flood Control Dam in San Joaquin County. Water used for municipal and industrial purposes will be conveyed to the SEWD treatment plant for distribution. Water used for irrigation will be re-diverted from the various channels for use from September 1 through June 30 of the succeeding year. SEWD proposes to irrigate a maximum of 100,000 acres within a gross area of 232,500 acres that include orchards, vineyard, vegetables, alfalfa, grain, legumes and irrigated pastures. SEWD proposes to irrigate 30,000 acres of orchards and 30,000 acres of row crops, each using a maximum of 15,000 acre-feet per year. The methods of irrigation vary.

The applicant plans to divert water from various channels to flood on lands within the place of use for the purpose of wildlife enhancement. The place of use is located within the SEWD and CSJWCD service areas and vicinity as shown on a map dated July 2006 on file with the State Water Board.

The maximum amount to be appropriated under Applications 31536 through 31541 pursuant to State Filed Applications 13333 through 13338 shall not exceed 260,000 afa.

Applications 31536 and 31537

The Petition seeks a partial assignment of State Filed Application 13333 to temporarily numbered Application 31536 for direct diversion of 150 cfs from September 1 through June 30 of the succeeding year from Littlejohns and Rock Creeks for municipal, industrial, irrigation, fish and wildlife enhancement, water quality, saline repulsion and groundwater recharge. The Petition also seeks a right to store 31,100 afa from November 1 through May 1 of the succeeding year. The maximum amount to be diverted by direct diversion and storage under this application is 90,150 afa.

The Petition seeks a partial assignment of State Filed Application 13334 to temporarily numbered Application 31537 for direct diversion of 150 cfs from September 1 through June 30 of the succeeding year from Littlejohns and Rock Creeks for municipal, industrial, irrigation, fish and wildlife enhancement, water quality, saline repulsion and groundwater recharge. Application 31537 also seeks a right to store 31,100 afa from November 1 through May 1 of the succeeding year. The maximum amount to be diverted by direct diversion and storage under this application is 90,150 afa.

Average percolation rates for sites identified to date range from 0.25 to over 1.0 foot of water per day. Using infiltration rates that range from 0.25 to 1.0 foot per day, it is estimated that 170 to 680 acres of land will be required to infiltrate all of the water sought by Applications 31536 and 31537. Additional recharge facilities will be determined by field percolation studies and the total of all recharge sites for the subject applications will not exceed 25,000 acres located within the place of use as identified on a map dated July 2006 on file with the State Water Board.

Applications 31538 and 31539

The Petition seeks a Partial Assignment of State Filed Application 13335 to temporarily numbered Application 31538 for direct diversion of 65 cfs from September 1 through June 30 of the succeeding year from Littlejohns and Rock Creeks for municipal, industrial, irrigation, fish and wildlife enhancement, water quality, saline repulsion and groundwater recharge. Application 31538 also seeks a right to store 14,100 afa from November 1 through May 1 of the succeeding year. The maximum amount to be diverted by direct diversion and storage under this application is 39,065 afa.

The Petition seeks a Partial Assignment of State Filed Application 13336 to temporarily numbered Application 31539 for direct diversion of 65 cfs from September 1 through June 30 of the succeeding year

from Littlejohns and Rock Creeks for municipal, industrial, irrigation, fish and wildlife enhancement, water quality, saline repulsion and groundwater recharge. Application 31539 also seeks a right to store 14,100 afa from November 1 through May 1 of the succeeding year. The maximum amount to be diverted by direct diversion and storage under this application is 39,065 afa.

Average percolation rates for sites identified to date range from 0.25 to over 1.0 foot of water per day. Using infiltration rates that range from 0.25 to 1.0 foot per day, it is estimated that 80 to 310 acres of land will be required to infiltrate all of the water sought by Applications 31538 and 31539. Additional recharge facilities will be determined by field percolation studies and the total of all recharge sites for the subject applications will not exceed 25,000 acres located within the place of use as identified on a map dated July 2006 on file with the State Water Board.

Applications 31540 and 31541

The Petition seeks a partial assignment of State Filed Application 13337 to temporarily numbered Application 31540 for direct diversion of 100 cfs from September 1 through June 30 of the succeeding year from Littlejohns and Rock Creeks for municipal, industrial, irrigation, fish and wildlife enhancement, water quality, saline repulsion and groundwater recharge. Application 31540 also seeks a right to store 9,000 afa from November 1 through May 1 of the succeeding year. The maximum amount to be diverted by direct diversion and storage under this application is 60,100 afa.

The Petition seeks a partial assignment of State Filed Application 13338 to temporarily numbered Application 31541 for direct diversion of 100 cfs from September 1 through June 30 of the succeeding year from Littlejohns and Rock Creeks for municipal, industrial, irrigation, fish and wildlife enhancement, water quality, saline repulsion and groundwater recharge. The Petition also seeks a right to store 9,000 afa from November 1 through May 1 of the succeeding year. The maximum amount to be diverted by direct diversion and storage under this application is 60,100 afa.

Average percolation rates for sites identified to date range from 0.25 to over 1.0 foot of water per day. Using infiltration rates that range from 0.25 to 1.0 foot per day, it is estimated that 50 to 200 acres of land will be required to infiltrate all of the water sought by Applications 31540 and 31541. Additional recharge facilities will be determined by field percolation studies and the total of all recharge sites for the subject applications will not exceed 25,000 acres located within the place of use as identified on a map dated July 2006 on file with the State Water Board.

Summary of Applications 31536, 31537, 31538, 31539, 31540, and 31541

The following elements are the same for Applications 31536 through 31541.

County: San Joaquin.
Source: (1) Littlejohns Creek tributary French Camp Slough thence San Joaquin River and (2) Rock Creek tributary Littlejohns Creek thence French Camp Slough thence San Joaquin River.
Point of Diversion: Farmington Dam Outlet to Rock Creek Diversion Facility located within the NE¼ of NW¼ of section 25, T1N, R9E, MDB&M.
Points of Re-Diversion: 45 locations within SEWD and 57 locations within CSJWCD as shown on a map dated July 2006 on file with the State Water Board.
Purposes: Municipal, Industrial, Irrigation, Fish and Wildlife Enhancement, Water Quality, Saline Repulsion and Groundwater Recharge.
Place of Use: Located within SEWD and CSJWCD service areas and vicinity as shown on a map on file with the State Water Board.

Amount: **Application 31536**
a. 150 cfs of direct diversion, not to exceed a total of 31,100 af per year.
b. 31,100 afa for storage.
Combined amount taken by direct diversion and storage during any one year shall not exceed 31,100 af.
Maximum amount to be diverted under this application shall not exceed 90,150 afa.

Season: a. September 1 through June 30 of the succeeding year for direct diversion and
b. November 1 through May 1 of the succeeding year for storage.

Amount: **Application 31537**
a. 150 cfs of direct diversion, not to exceed a total of 31,100 af per year.
b. 31,100 afa for storage.
Combined amount taken by direct diversion and storage during any one year shall not exceed 31,100 af.
Maximum amount to be diverted under this application shall not exceed 90,150 afa.

Season: a. September 1 through June 30 of the succeeding year for direct diversion and
b. November 1 through May 1 of the succeeding year for storage.

Amount: **Application 31538**
a. 65 cfs of direct diversion, not to exceed a total of 14,100 af per year.
b. 14,100 afa for storage.
Combined amount taken by direct diversion and storage during any one year shall not exceed 39,065 afa.

Season: a. September 1 through June 30 of the succeeding year for direct diversion and
b. November 1 through May 1 of the succeeding year for storage.

Amount: **Application 31539**
a. 65 cfs of direct diversion, not to exceed a total of 14,100 af per year.
b. 14,100 afa for storage.
Combined amount taken by direct diversion and storage during any one year shall not exceed 39,065 afa.

Season: a. September 1 through June 30 of the succeeding year for direct diversion and
b. November 1 through May 1 of the succeeding year for storage.

Amount: **Application 31540**
a. 100 cfs of direct diversion, not to exceed a total of 9,000 af per year.
b. 9,000 afa for storage.
Combined amount taken by direct diversion and storage during any one year shall not exceed 60,100 afa.

Season: a. September 1 through June 30 of the succeeding year for direct diversion and
b. November 1 through May 1 of the succeeding year for storage.

Amount: **Application 31541**
a. 100 cfs of direct diversion, not to exceed a total of 9,000 af per year.
b. 9,000 afa for storage.
Combined amount taken by direct diversion and storage during any one year shall not exceed 60,100 afa.

Season: a. September 1 through June 30 of the succeeding year for direct diversion and
b. November 1 through May 1 of the succeeding year for storage.

Description of Projects and Change Petitions - Applications 30603A and 30603B

SEWD has applied to directly divert and store a total of 407,000 afa. SEWD has completed a project that takes water from the Stanislaus River and delivers water to its treatment plant east of Stockton, CA. The entire project is approximately 40 miles long. Starting from the eastern end of the project, water flows from the New Melones Project into the Stanislaus River and downstream into Goodwin Dam.

The first component of the conveyance system is the diversion structure at Goodwin Dam (completed in 1991). Water is conveyed from here through a 3.3-mile tunnel, and then into and through the 10 miles of Upper Farmington Canal. From the canal, the water is transported through Shirley, Hoods and Rock Creeks; SEWD has completed improvements in these areas to use these 16 miles of natural watercourses. Water is re-diverted from the natural watercourses through a re-diversion structure at Rock Creek at Farmington Dam, and then is placed into an 8.6 mile-long Lower Farmington Canal. Water is carried through a 9.6 mile-long buried pipeline to SEWD's treatment plant where water is distributed to the City of Stockton, California Water Service Company and San Joaquin County service districts. These components of the conveyance system are completed.

Application 30603 was publicly noticed in 1999 and protests were received. Subsequently, SEWD requested bifurcation of Application 30603 to resolve outstanding protests filed against the application. On September 10, 2004, the State Water Board split this application as described under Summary of Application 30603A and 30603B. SEWD filed change petitions on July 17, 2006 that redistribute the direct diversion to storage, modify the points of re-diversion, place of use and purposes of use. SEWD intends to pursue both applications.

The project as noticed in 1999 included direct diversion, at a rate not to exceed 100 cfs for domestic uses, 450 cfs for irrigation and 200 cfs for groundwater recharge; direct diversion will total no more than 252,000 acre-feet (af) per annum. No more than 155,000 acre-feet annually (afa) will be diverted to storage. The total combined amount taken by direct diversion and storage during any one year will not exceed 407,000 afa. The points of diversion include (1) New Melones Dam located within the NW¼ of SW¼ of section 11, T1N, R13E, MDB&M; and (2) Goodwin Dam located within the SE¼ of NE¼ of projected section 10, T1S, R12E, MDB&M.

Summary of Change Petitions for Applications 30603A and 30603B

Counties: Calaveras, Stanislaus, and San Joaquin
Source: Stanislaus River tributary to the San Joaquin River
Points of
Re-diversion 45 locations within SEWD and 57 locations within CSJWCD as shown on a map dated July 2006 on file with the State Water Board.
Amounts: Combined direct diversion and storage under A30603A and A30603B shall not exceed 407,000 afa. The breakdown is as follows:

Application 30603A

Direct Diversion

Season of Diversion: December 1 through March 31 of the succeeding year
Quantity: 750 cfs (not to exceed 3,900 afa)
Combined direct diversion under A30603A and A30603B shall not exceed 159,900 afa.

Storage

Season of Diversion: December 1 through March 31 of the succeeding year

Quantity: 108,000 afa
Combined direct diversion and storage under A30603A shall not exceed 111,900 afa.
Combined storage under A30603A and A30603B shall not exceed 359,000 afa.
Combined direct diversion and storage under A30603A and 30603B shall not exceed 407,000 afa.

Application 30603B

Direct Diversion

Season of Collection: November 1 through June 30 of the succeeding year
Quantity: 750 (not to exceed 156,000 afa)
Combined direct diversion under A30603A and A30603B shall not exceed 159,900 afa

Storage

Season of Collection: November 1 through June 30 of the succeeding year
Quantity: 251,000 afa (for storage in either New Melones Reservoir or underground storage, but limited to a maximum of 155,000 afa in New Melones Reservoir)
Combined storage under A30603A and A30603B shall not exceed 359,000 afa
Combined direct diversion and storage under A30603A and A30603B shall not exceed 407,000 afa

Purpose of Use: Industrial, Fish and Wildlife Enhancement, Water Quality, Saline Repulsion and Groundwater Recharge.

Place of Use: Located within SEWD and CSJWCD service areas and vicinity as shown on a map on file with the State Water Board dated July 2006.

Environmental Information

Under the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000, et seq.) and its guidelines, Stockton East Water District is the lead agency and will be responsible for preparation of appropriate environmental documents for the project and for determining whether or not the project will cause a significant effect on the environment. If you are not filing a protest, but wish to submit information that indicates the project may cause a significant effect on the environment, please send this information to the lead agency immediately with a copy to Steven Herrera; State Water Board, Division of Water Rights; P.O. Box 2000; Sacramento, CA 95812-2000. This information will be reviewed in accordance with CEQA.

PROTEST SUBMITTAL INFORMATION

Protest Requirements

A person may file a protest based on any of the following factors:

- Interference with prior water rights.
- Adverse environmental impact.
- Not in the public interest.
- Contrary to law.

- Not within the jurisdiction of the State Water Board.

All protests must clearly describe the objections to approval of the application and the factual basis for those objections. There must be a clear link between the proposed project and the objection to its approval. If the objection is based on interference with prior water rights, the protest must describe specifically what injury would result if the application is approved. In addition, the party claiming interference with prior rights must provide specific information describing the basis of the prior right, the date the use began, the quantity of water used, the purpose of use and the place of use. Please note that any water right permit issued by the State Water Board is subject to vested water rights and will include conditions to protect such rights.

If the protest is based on an allegation that the proposed appropriation would not be within the State Water Board's jurisdiction, would not best conserve the public interest or public trust uses, would have an adverse environmental impact, or would be contrary to law, the protest must be accompanied by a statement of facts supporting the allegation.

For example, public interest protests should clearly indicate how the appropriation will affect the public; environmental protests should identify specific impacts and provide supporting recitals on the effect of the proposed project on plants, animals, fish, erosion, pollution, aesthetics, etc.; public trust protests must identify the navigable waters and public trust values that would be affected by the proposed project and how the project will impact public trust values.

All protests should include a description of any measures that could be taken to resolve the protest. The protest also must state the manner in which the protestant served upon the applicant a duplicate copy of the protest.

If sufficient information is not submitted, the State Water Board may reject the protest or request that the protestant submit additional information. Protests of a general nature (not project specific) or protests that are inconsistent with constitutional or legislated state policy will not be accepted. A request for information or a request that studies be conducted does not constitute a protest.

Procedure for Submitting Protests

Protests should be submitted on standard protest forms available from the Division's website at www.waterrights.ca.gov/forms/ or upon request, in writing or by telephone, from the Division. A pamphlet that provides additional information relating to water rights and the procedure for filing protests is also available on the website or by mail. Any requests or the submittal of the completed protest form should be directed to the individual listed as the contact person at the end of this notice. **A copy of the completed protest form must also be mailed to the applicant.**

Protest Submittal Deadline

Protests submitted in response to this notice must be received by the Division by **3:00 p.m. on September 26, 2006** the 60th day after the date of this notice (the close of the protest period). Protests may be submitted by any of the following methods:

1. Mailed to Division of Water Rights; P. O. Box 2000; Sacramento, CA 95812-2000
2. Faxed to the Division at (916) 341-5400
3. E-mailed to the engineer listed below under the heading "Contact Person"
4. Hand-delivered to the Division office located at 1001 "I" Street, 2nd Floor (File Room), Sacramento, CA

If you choose to fax or e-mail the protest due to the constraints of the noticing period, the fax or e-mail must be followed by timely delivery of an original signed copy, either personally or by mail, to the Division in order for the protest to be accepted. The State Water Board will respond to all protests within 60 days of the final day to file a protest. **Protests not submitted by the close of the protest period will be subject to rejection.**

For good cause, the State Water Board may grant an extension of time to file a protest. It is the protestant's responsibility to contact the engineer listed below as "Contact Person" to request the extension prior to the end of the protest period.

Resolution of Protests

The applicant will have 30 days to respond to a protest once it is received by the Division. The protestant and the applicant are expected to make a good faith effort to resolve the protest within 180 days from the close of the protest period.

This is a "major" project (the proposed diversion is greater than 3 cubic feet per second by direct diversion or greater than 200 acre-feet per year by storage) as defined by section 1348 of the Water Code. Therefore, any protest issues not resolved by the applicant or by provisions of section 1335 of the Water Code will be decided by the State Water Board following an evidentiary hearing.

CONTACT PERSON

To obtain additional information regarding this project, or to obtain copies of protest forms, or general information pamphlets, please contact Patricia Meroney by phone at (916) 341-5354 or by electronic mail at pmeroney@waterboards.ca.gov. Information and protest forms are also available at the Division's website: www.waterrights.ca.gov/forms/.

Date of Notice: **July 28, 2006**

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