

State of California
State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. Box 2000, Sacramento, CA 95812-2000
Info: (916) 657-2170, FAX: (916) 657-1485, Web: <http://www.waterrights.ca.gov>

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
SACRAMENTO
00 SEP 22 PM 2:05

PETITION FOR CHANGE
(WATER CODE 1700)

X Point of Diversion, _____ Point of Rediversion, _____ Place of Use, _____ Purpose of Use
Application 7219 Permit 3912 License 1827 Statement or Other _____

I (we) hereby petition for change(s) noted above and shown on the accompanying map and described as follows:

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

Present: South 45 degrees twenty five minutes east, 2012 ft. east from the west one-quarter corner section 9 T4S, R27E MDBM and being within the SE1/4 of the SW1/4 of said section 9.

Proposed: Lake Mary - South 1000 ft. and East 2150 ft. from the NW corner of section 16, T4S, R27E, MDBM and being within the NE1/4 of the NW1/4 of said section 16.

Place of Use (If irrigation then state number of acres to be irrigated within each 40-acre tract.)

Present : SW1/4 of NW1/4 of section 9 T4S, R27E, MDBM (Twin Lakes Campground)

Proposed: 1/4 of NW1/4 of section 9 T4S, R27E, MDBM (Twin Lakes Campground)

Purpose of Use

Present : domestic use for campers

Proposed domestic use for campers

Does the proposed use serve to preserve or enhance wetlands habitat, fish and wildlife resources, or recreation in or on the water (See WC 1707)? yes, enhances recreation near Twin Lakes, also enhances wildlife habitat at unnamed spring (old point of diversion) by reducing diversions at that location.

(yes/no)

GIVE REASON FOR PROPOSED CHANGE: Water is supplied to Twin Lakes campground via the Mammoth County Water District (MCWD) treatment and distribution system using Forest Service held water rights under a master operating agreement signed November 23, 1983 in order to meet California State Health regulations for treatment of domestic water supplies. This petition is to correct the license record to match the current place of diversion. In March 1985 the SWRCB approved a similar petition for change for another water right (License 2133, Application 5928) to serve the campground. Apparently, the need to change the diversion point for License (Application 7219) was mistakenly overlooked at that time. Both water rights are needed to supply sufficient water to the campground.

- WILL THE OLD POINT OF DIVERSION OR PLACE OF USE BE ABANDONED? yes, it already has been, however there are other users with diversions at that same general location of the spring.
- WATER WILL BE USED FOR domestic use PURPOSES.

I (we) have access to the proposed point of diversion or control the proposed place of use by virtue of? ownership
(ownership, lease verbal or written agreement)

Are there any persons taking water from the stream between the old point of return flow and the new point of return flow? yes, others are still diverting at the old point of diversion, and the new point of diversion is used by the MCWD

If by lease or agreement, state the name and address of party(s) from whom access has been obtained: NA

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: The letter from SWRCB to Inyo National Forest received July 28, 2000 (reference to:363:DR7219) lists the other known users at the old diversion point.

THIS CHANGE DOES NOT INVOLVE AN INCREASE IN THE AMOUNT OF THE APPROPRIATION OR SEASON OF USE.

I (we) declare under penalty of perjury that the above is true and correct to the best of my (our) knowledge and belief.

dated September 18, 2000 at Bishop, California

Kirk Bergant
Signature(s)
Forest Soil Scientist and
Acting Watershed Program Manager

760 873-2457
Telephone No.

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**ENVIRONMENTAL INFORMATION
FOR PETITIONS**

(THIS IS NOT A CEQA DOCUMENT)

APPLICATION NO. 7219 PERMIT NO. 3912 LICENSE NO. 1827

The following information will aid in the environmental review of your change petition as required by the California Environmental Quality Act (CEQA). IN ORDER FOR YOUR CHANGE PETITION TO BE ACCEPTED AS COMPLETED, ANSWERS TO THE QUESTIONS LISTED BELOW MUST BE COMPLETED TO THE BEST OF YOUR ABILITY. Failure to answer all questions may result in your change petition being returned to you, causing delays in processing. If you need more space, attach additional sheets. Additional information may be required from you to amplify further or clarify the information requested in this form.

DISCRIPTION OF CHANGES TO PROJECT

1. 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, changes in land use, and project operational changes, including changes in how the water will be used.

- Water is supplied to Twin Lakes campground via the Mammoth County Water District (MCWD) treatment and distribution system using Forest Service held water rights under a master operating agreement signed November 23, 1983 in order to meet California State Health regulations for treatment of domestic water supplies. This petition is to correct the license record to match the current place of diversion. In March 1985 the SWRCB approved a similar petition for change for another water right (License 2133, Application 5928) to serve the campground. Apparently, the need to change the diversion point for License (Application 7219) was mistakenly overlooked at that time. Both water rights are needed to supply sufficient water to the campground. The initial diversion was from an unnamed spring above Twin Lakes. The new diversion point is from Lake Mary using existing approved treatment and distribution facilities. There is no new construction, changes in land use, type of water use, or project operations as a result of this proposal.

GOVERNMENTAL REQUIREMENTS

Before a final decision can be made on your change petition, we must consider the information contained in an environmental document prepared in compliance with the requirements of CEQA. If an environmental document has been prepared for your proposed changes by another agency, we must consider it. If one has not been prepared, a determination must be made as to who is responsible for the preparation of the environmental document for your change petition. The following questions are designed to aid us in that determination:

No record exists that NEPA documentation was completed at the time of the implementation of the

SWRCB will be preparing any environmental documentation, however if your office determines that additional environmental documentation is required then arrangements can be made to do so.

5. Will your proposed changes, during construction or operation, generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or cause erosion, turbidity or sedimentation? No If so, explain: _____

If yes or you are unsure of your answer, contact your local Regional Water Quality Control Board for the following information (See attachment for address and telephone number):

Will a waste discharge permit be required for your petition? No

Person contacted _____ Date of contact _____

What method of treatment and disposal will be used? no waste will be generated as a result of this petition

6. Have any archeological reports been prepared on this project, or will you be preparing an archeological report to satisfy another public agency? No

Do you know of any archeological or historic sites located within the general project area?

Yes If so, explain: There are numerous historic and prehistoric sites within the Mammoth Lakes Basin. Many have been surveyed and a few have been recorded for specific projects that have occurred in the general area, such as special use permit renewals, road and bridge improvements, mining operations, recreation residences. There is no known site at the old diversion nor the existing diversion (proposed).

ENVIRONMENTAL SETTING

7. Attach **THREE COMPLETE SETS** of color photographs, clearly dated and labeled, showing the vegetation currently existing at the following locations:
see attached photo sets including diversion structure and channel at Lake Mary, the natural Lake Mary outlet (to Lake Mamie), and the old diversion. The vegetation at the Twin Lakes Campground is very similar to that of Lake Mary. (duplicate sets were provided, if more are needed please request them and they can be reprinted.)

- Along the stream channel immediately downstream from the proposed point(s) of diversion.
- Along the stream channel immediately upstream from the proposed point(s) of diversion.
- At the place(s) where the water is to be used.

Note: It is very important that you submit no less than three complete sets of photographs as required above. If less than three sets are submitted, processing of your change petition will be delayed until you furnish the remaining sets!

8. From the list given below, mark or circle the general plant community types which best describe those which occur within you project area (Note: See footnote denoted by * under Question 11 below):

water and discuss whether or not any of these fish species or their habitat has been or would be affected by your proposed changes. (Note: See footnote denoted by * under Question 11 below):

There are no known natural fisheries in the reach below the unnamed spring. Recreational fish stocking of trout occurs in Lake Mary and other associated tributaries.

11. Identify the typical species of riparian and terrestrial wildlife in the area and discuss whether or not any of these species and/or their habitat has been or would be affected by your proposed changes through construction of additional water diversion and distribution works and/or changes in land use in the place of water use. (Note: See footnote denoted by * below):

Wildlife is typical of subalpine red fir, lodgepole forested ecosystems. Willow, wet meadow, and riparian species are common around the shores of Lake Mary and the streams and springs of the Lakes Basin. Sensitive species include Yosemite Toad, Pine Marten, and Goshawks. Changing the point of diversion from the unnamed spring to Lake Mary has probably improved conditions somewhat at the spring by reducing impacts/diversions at that particular location.

*Note: The purposes of Question 10 and 11 are to provide a preliminary assessment of the presence of typical plant and animal species in the area and whether these species might be affected by your proposed changes. Detailed site surveys to quantify populations of specific species or determine the presence of rare or endangered species may be required at a later date. It is very important that you answer these questions accurately. If you are unable to obtain appropriate answers from your local California Department of Fish and Game biologists (See attachment for address and telephone number) or you do not have adequate information or expertise to complete your answers, you should hire a fishery consultant and/or a wildlife consultant to review your project and prepare suitable answers for you. For information on available qualified fishery or wildlife consultants near you, consult your local telephone directory yellow pages under Environmental and Ecological Services, or call the California Environmental Protection Agency, Registered Environmental Assessor (REA) Program, at (916) 324-6881 or the University of California, Cooperative Extension Service (See your local telephone directory white pages).

12. Do your proposed changes involve any construction or grading-related activity which has significantly altered or would significantly alter the bed or bank of any stream or lake? No

If so, explain: _____

CERTIFICATION

I hereby certify that the statements I have furnished above and in the attached exhibits are complete to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge.

Date 9-18-00

Signature _____

Lisa Bryant
Forest Soil Scientist and
Acting Watershed Program Leader

Tree Dominated Communities

Subalpine Conifer

Red Fir

Lodgepole Pine

Mixed Conifer

Sierran Mixed Conifer

White Fir

Klamath Mixed Conifer

Douglas-Fir

Jeffrey Pine

Ponderosa Pine

Eastside Pine

Redwood

Pinyon-Juniper

Juniper

Aspen

Closed-Cone Pine-Cypress

Montane Hardwood-Conifer

Montane Hardwood

Valley Foothill Hardwood

Blue Oak Woodland

Valley Oak Woodland

Coastal Oak Woodland

Valley Foothill Hardwood-Conifer

Blue Oak-Digger Pine

Eucalyptus

Montane Riparian

Valley Foothill Riparian

Desert Riparian

Palm Oasis

Joshua Tree

Shrub Dominated Communities

Alpine Dwarf-Shrub

Low Sage

Bitterbrush

Sagebrush

Montane Chaparral

Mixed Chaparral

Chamise-Redshank Chaparral

Coastal Scrub

Desert Succulent Shrub

Desert Wash

Desert Scrub

Alkali Desert Scrub

Herbaceous Dominated Communities

Annual Grassland

Perennial Grassland

Wet Meadow

Fresh Emergent Wetland

Saline Emergent Wetland

Pasture

Aquatic Communities

Riverine

Lacustrine

Estuarine

Marine

Developed Communities

Cropland

Orchard-Vineyard

Urban

Literature source: Mayer, K.E., and W.F. Laudenslayer, Jr., (eds). 1988. A Guide to Wildlife Habitats of California. California Department of Forestry and Fire Protection, Sacramento. 166 pp. (Note: You may view a copy of this document at our public counter at the address given at the top of this form or you may purchase a copy by calling the California Department of Fish and Game, Wildlife Habitat Relationships (WHR) Program at (916) 653-7203).

9. Provide below an estimate of the type, number, and size (trunk/stem diameter at chest height) of trees and large shrubs that are planned to be removed or destroyed due to implementation of the proposed changes. Consider all aspects of your change petition, including changes in diversion structures, water distribution and use facilities, and changes in the place of use due to additional water development.

There is no plan to remove or destroy any vegetation as a result of this petition

FISH AND WILDLIFE CONCERNS

10. Identify the typical species of fish which occur in the source(s) from which you propose to divert

master operating agreement (11/23/1983). In the last several years there has been ongoing analysis of the Mammoth Creek watershed flow regime by MCWD, no final NEPA or CEQA has been completed to my knowledge.

2. Contact your county planning or public works department for the following information:

- a. Person contacted: NA Date of contact _____
Department _____ Telephone () _____
- b. Assessor's Parcel No. NA _____
- c. County Zoning Designation NA _____
- d. Are any county permits required for your proposed changes? No _____
If yes, check appropriate space below:
_____ Grading Permit, _____ Use Permit, _____ Watercourse
Obstruction Permit, _____ Change of Zoning, _____ General Plan
Change, Other (explain): _____
- e. Have you obtained any of the required permits described above? NA _____
If yes, provide a complete copy of each permit obtained.

3. Are any additional state or federal permits required for your proposed changes? No
(i.e., from Federal Energy Regulatory Commission, U.S. Forest Service, Bureau of Land Management, Soil Conservation Service, Department of Water Resources (Division of Safety of Dams), Reclamation Board, Coastal Commission, State Lands Commission, etc.) For each agency from which a permit is required provide the following information:

Permit type NA _____
Person (s) contacted _____ Agency _____
Date of contact _____ Telephone () _____

Has any public agency prepared an environmental document for any aspect of your proposed changes? No record exists that NEPA documentation has been completed. In the last several years there has been ongoing analysis of the Mammoth Creek watershed flow regime by MCWD, no final NEPA or CEQA has been completed to my knowledge.

4.

If so, please submit a copy of the latest environmental document (s) prepared, including a copy of the notice of determination adopted by the public agency. If not, explain below whether you expect that a public agency other than the State Water Resources Control Board will be preparing an environmental document for your change petition or whether the applicant, if it is a California public agency, will be preparing the environmental document for your change petition:

Note: When completed, please submit a copy of the final environmental document (including notice of determination) or notice of exemption to the State Water Resources Control Board. Processing of your change petition cannot proceed until such documents are submitted.

It is not expected that NEPA will be required for this petition or that any agency other than the