



United States Department of the Interior

BUREAU OF RECLAMATION
Mid-Pacific Regional Office
2800 Cottage Way
Sacramento, California 95825-1898

JUN 30 2010

IN REPLY
REFER TO:

MP-460
WTR-4.10

Ms. Victoria A. Whitney
Deputy Director for Water Rights
State Water Resources Control Board
P.O. Box 2000
Sacramento, CA 95812-2000

Subject: Petitions for Temporary Change – Permits 11885, 11886, and 11887 (Applications 234, 1465, and 5638), Friant Division, Central Valley Project, California

Dear Ms. Whitney:

Please find enclosed Petitions for Temporary Change (Petitions) for the subject permits filed pursuant to Water Code Sections 1725 and 1707. The Bureau of Reclamation has filed these Petitions in order to continue to implement the Stipulation for Settlement dated September 13, 2006, in the matter of *Natural Resources Defense Council et al. v. Kirk Rodgers, et al.*, United States District Court, Eastern District of California, Civ. Case No. S-88-1658-LKK/GGH, as authorized and directed by the San Joaquin River Restoration Settlement Act, PL 111-11, 123 Stat. 1349 (Settlement Act).

On October 1, 2009, the Division of Water Rights (Division) issued Order WR 2009-0058-DWR, authorizing the temporary transfer of Water Year (WY) 2010 Interim Flows from October 1, 2009, through September 30, 2010, with a maximum of 355,000 acre-feet of water approved for the transfer, to implement the Settlement Act. In order to furnish WY 2011 Interim Flows from October 1, 2010, through September 30, 2011, pursuant to the Settlement Act, Reclamation requests the addition of Fish and Wildlife Preservation and Enhancement as a purpose-of-use, as well as additional points of rediversion and places-of-use, for the subject permits. The proposed WY 2011 action is a temporary continuation of the WY 2010 action previously approved in Order WR 2009-0058-DWR.

Each of the enclosed Petitions contains a pre-printed statement that an \$850.00 fee made payable to the California Department of Fish and Game (CDFG) must accompany each Petition. Therefore a check for \$850.00 made payable to the CDFG is enclosed. Since all three Petitions will be reviewed and considered together for the same transfer, only one fee is enclosed pursuant to Section 10005(e) of the California Public Resources Code.

However, the primary purpose of these Petitions is to benefit fish resources in the San Joaquin River. Therefore, pursuant to Section 10005(d)(4) of the California Public Resources Code, please advise Reclamation as soon as CDFG has made its written determination that the subject petitions are exempt from the \$850.00 fee and what arrangements will be made to return the enclosed fee to Reclamation.

Reclamation understands that the administrative filing fee required to process these Petitions is covered by the water right fees program to the extent that sufficient funds are available. Any administrative costs

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incurred as a result of processing Reclamation's Petitions that exceed the funds available under the water right fees program will be covered under the existing contract between Reclamation and the State Water Resources Control Board (Board) for services rendered by Board staff.

Reclamation appreciates the assistance that the Division will be providing in processing these Petitions. Reclamation's point of contact for these Petitions is Mr. Bob Colella, Water Rights Specialist, at 916-978-5256 or email rcolella@usbr.gov.

Sincerely,



Richard J. Woodley
Regional Resources Manager

Enclosures - 3

Identical Letter Sent to:

Department of Fish and Game
Attn: Mr. John Battistoni
1234 E. Shaw Avenue
Fresno, CA 93710

San Joaquin County Board of Supervisors
Courthouse, Room 701
222 East Weber Avenue
Stockton, CA 95202

Central Valley Regional
Water Quality Control Board
Attn: Mr. Lonnie Wass
1685 E Street
Fresno, CA 93706

Stanislaus County Board of Supervisors
City/County Administration Building
1010 10th Street, Suite 6500
Modesto, CA 95354

Central Valley Regional
Water Quality Control Board
Attn: Mr. Greg Vaughn
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670

Contra Costa County Board of Supervisors
651 Pine St
Martinez, CA 94553

Kern County Board of Supervisors
1115 Truxton Avenue
Bakersfield, CA 93301

Alameda County Board of Supervisors
Administration Building
1221 Oak St #536
Oakland, CA 94612

Merced County Board of Supervisors
2222 M Street
Merced, CA 95340

Madera County Board of Supervisors
200 West 4th Street
Madera, CA 93637

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Fresno County Board of Supervisors
2281 Tulare Street #301
Hall of Records
Fresno, CA 93721

Tulare County Board of Supervisors
2800 West Burrel Avenue
Visalia, CA 93291

Sacramento County Board of Supervisors
County Administration Center
700 H Street, Room 1450
Sacramento, CA 95814

Friant Water Users Authority
Attn: Mr. Ronald Jacobsma
854 North Harvard Avenue
Lindsay, CA 93247

Natural Resources Defense Council
Attn: Mr. Monty Schmitt
111 Sutter St, 20th Floor
San Francisco, CA 94104

California Department of Water Resources
Attn: Mr. Kevin Faulkenberry
3374 East Shields Avenue
Fresno CA 93726

San Joaquin River Exchange Contractors
Attn: Mr. Steve Chedester
P.O. Box 2115
Los Banos, CA 93635

San Luis National Wildlife Refuge Complex
U.S. Fish and Wildlife Service
Attn: Ms. Kim Forrest
P.O. Box 2176
Los Banos, CA 93635

San Luis & Delta Mendota Water Authority
Attn: Mr. Daniel G. Nelson
P.O. Box 2157
Los Banos, CA 93635

San Joaquin River Resource Management
Coalition
Attn: Mr. Mari Martin
P.O. Box 2115
Los Banos, CA 93635

Lower San Joaquin Levee District
Attn: Mr. Reggie Hill
11704 Henry Miller Ave
Dos Palos, CA 93620

San Joaquin Area Flood Control Agency
22 East Weber Avenue, Suite 301
Stockton CA 95202

Paramount Farming Company
Attn: Mr. William D. Phillimore
33141 E. Lerdo Highway
Bakersfield, CA 93308

ATTACHMENTS AVAILABLE
FROM YOUR CLERK