State of California
State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. Box 2000, Sacramento, CA 95812-2000
Info: (916) 341-5300, FAX: (916) 341-5400, Web: http://www.waterrights.ca.gov

PETITION FOR CHANGE

(WATER CODE 1700)

Point of Diversion, _____ Point of Rediversion, __X__ Place of Use, _____ Purpose of Use
Application **5630, 14443, 14445A, 17512, 17514A DWR** Permit **16478, 16479, 16481, 16482, 16483 DWR**
As well as License and Permits of the US Bureau of Reclamation as shown on the Supplement

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 CCR, tit. 23, section 715, and the 40-acre subdivision in which the present and proposed points of diversion lie.)

Present Barker Slough Pumping Plant, Harvey O. Banks Pumping Plant, Jones (formerly Tracy) Pumping Plant as described in D1641, Contra Costa Canal as described in D1629

Proposed No Change

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

Present See Supplement

Proposed See Supplement

Purpose of Use

Present Municipal, Domestic, Irrigation, Fish & Wildlife Enhancement, Recreation, Streamflow Enhancement, Salinity Control, Incidental Power

Proposed No Change

Does the proposed use serve to preserve or enhance wetlands habitat, fish and wildlife resources, or recreation in or on the water (See Water Code section 1707)? No (yes/no)

- GIVE REASON FOR PROPOSED CHANGE: See Supplement
- WILL THE OLD POINT OF DIVERSION OR PLACE OF USE BE ABANDONED? No (yes/no)
- WATER WILL BE USED FOR See Supplement 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? No (yes/no)

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

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.

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 March 20, 20 09 at Sacramento, California

Mary Hu — Signature(s)
916 · 653 · 0190 — Telephone No.

Dated 20 March 2009, 20 09 at Sacramento, California

P. Miller — Signature(s)
(916) 979-2199 — Telephone No.

NOTE: All petitions must be accompanied by the **fee (see fee schedule at www.waterrights.ca.gov)**, made payable to the State Water Resources Control Board (State Water Board) and an **$850 fee** made payable to the Department of Fish and Game must accompany the petition. Separate petitions are required for each water right. Separate State Water Board fees are required if both a change and time extension petition are being filed.

Supplement

U.S. Bureau of Reclamation License and Permits for the Central Valley Project
Application Numbers: 23, 234, 1465, 5638, 13370, 13371, 5628, 15374, 15375, 15376, 16767, 16768, 17374, 17376, 5626, 9363, 9364, 9366, 9367, 9368, 15764, 22316

Permit Numbers: 273, 11315, 11316, 11885, 11886, 11887, 11967, 11968, 11969, 11970, 11971, 11972, 11973, 12364, 12721, 12722, 12723, 12725, 12726, 12727, 12860, 15735

License Number: 1986

Requested Change

The Department of Water Resources (DWR) and the United States Bureau of Reclamation (Reclamation) request that the State Water Resources Control Board (SWRCB) modify the permits and license listed in this petition to temporarily change the authorized place of use of: (1) the above Reclamation permits and license to include the State Water Project (SWP) authorized place of use downstream of the Barker Slough and Harvey Banks Pumping Plants as shown on the maps on file with the State Water Resources Control Board (SWRCB), and (2) the above DWR permits to include the Central Valley Project (CVP) authorized place of use downstream of the confluence of the Sacramento and Feather Rivers as shown on the maps on file with the SWRCB.

DWR and Reclamation request that the above changes for the purposes of water transfers and exchanges remain in effect for two years from the date of any order approving this Petition under the provisions of Water Code section 1700.

The changes are being requested to accomplish the directives contained in Governor Schwarzenegger's February 27, 2009, proclamation of a state of emergency addressing California's water shortage and Executive Order S-06-08 (Executive Order), issued June 4, 2008. The changes will allow DWR and Reclamation to more effectively and efficiently utilize the operational flexibility of the combined SWP and CVP facilities to facilitate water transfers and exchanges and provide water to the combined SWP and CVP service areas to minimize the potential impacts of the current critical water shortage within California. The CVP and SWP are collectively referred to herein as the "Projects."

All other provisions of the above permits and license, as modified in accordance with previous petitions submitted by DWR and Reclamation to and previously granted by the SWRCB, would remain in effect.

Reason for the Requested Change

In response to California's third consecutive year of drought, Governor Schwarzenegger proclaimed a state of emergency on February 27, 2009. In the proclamation, the Governor found that the drought conditions and water delivery limitations identified in last year's Executive Order and Emergency Proclamation still exist, and have worsened in this third year of drought, creating emergency conditions throughout the State of California.

The Governor's Proclamation highlights the fact that 2009 has the potential to be one of the most severe drought years in California's recorded history. Water supplies in major reservoirs and many groundwater basins are already well below average. The three-year cumulative water deficit is so large there is only a 15 percent chance that California will replenish its water supply this year. California's water supply system is less able to provide adequate drought year supplies than in previous multi-year drought periods. Regulatory restrictions have reduced the flexibility of the Projects' operations throughout the year, substantially limiting the Projects' ability to store and export natural flow during the winter and spring periods in dry years. Since the last significant drought period, California has experienced a substantial increase in the planting of permanent, high-value crops that cannot be fallowed on an annual basis in response to fluctuating water supplies. In addition, California's population is growing rapidly, but our statewide water system has not kept pace.

To combat the dire conditions, the Governor ordered immediate action to manage the crisis. The Governor's Proclamation directs state agencies to implement a range of activities intended to prevent, remedy or mitigate the effects of the extreme drought emergency. Importantly, the proclamation directs DWR to, among other things, facilitate and expedite water transfers and related efforts by water users and suppliers and to work with the Federal Drought Action Team (FDAT)[1] to coordinate federal and state drought response activities. The Governor also ordered the SWRCB to expedite the processing and consideration of a request like this, which seeks to consolidate the places of use for the Projects to allow flexibility among the projects and to facilitate water transfers and exchanges.

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[1] Secretary of the Interior Ken Salazar and Agriculture Secretary Tom Vilsack recently announced the creation of a Federal Drought Action Team that will work cooperatively to respond to communities facing significant drought. The Drought Action Team will work with California's state drought response team to minimize the social, economic and environmental impacts of California's current drought. Importantly, Secretary Salazar directed USBR to work closely with State authorities to facilitate water transfers for the Drought Water Bank that is operated by the State. He also directed USBR to provide operational flexibility to convey and store water to facilitate additional transfers and exchanges that can move water to critical-need areas.

DWR and Reclamation believe that this petition furthers the directives of the Emergency Proclamation, Executive Order and the recently created FDAT. The requested change is necessary to allow the Projects to help alleviate the impacts of the severe water shortages to users throughout California. Due to the combination of dry conditions and increased regulatory restrictions on the Projects, water transfers and exchanges are more important than ever. The consolidation of the Projects' places of use will provide an important tool that will help the Projects and water suppliers manage the water supplies that are currently available more effectively.

The change will not result in the delivery of more water to any water supplier than would have been delivered historically. Instead, the requested change will provide the Projects with operational flexibility that will allow DWR and Reclamation to assist in delivering water to areas with critical needs more efficiently. Due to the extremely dry conditions, regulatory and operational constraints, the allocation to the SWP water users is only 20 percent of requested demand. If the SWP 2009 allocation is not increased over the course of the year, this would represent the lowest allocation for Municipal and Industrial (M&I) contractors since the construction of the SWP. In addition, the allocation to CVP agricultural water service contractors south of the Delta is 0 percent. As a result of the limited or non-existent Projects supplies, thousands of acres of agricultural land will be fallowed this year and cities across the state have imposed, or will soon impose, water rationing programs. Water transfers and exchanges can provide supplemental supplies to help mitigate the devastating crop losses or risks to human health and safety.

In sum, the combination of a critically dry year following two dry years, regulatory and operational constraints, and the resulting adverse environmental, economic, and social impacts of the drought (conditions described in the Governor's Emergency Proclamation) has created the need for the requested change.

Potential Projects Requiring Change in Authorized Place of Use

DWR and Reclamation are currently aware of the following potential projects being proposed to address this year's dire water supply conditions and that would benefit from this petitioned action.

2009 Drought Water Bank

The 2009 Drought Water Bank (DWB) will be a mechanism for acquiring and transferring water to replace supplies lost due to the current hydrologic conditions and the increased regulatory restrictions on the Projects. To implement the DWB, DWR, through the formation of an acquisition team, will purchase water from willing sellers located upstream of the Sacramento-San Joaquin Delta. The water will be transferred primarily using the Projects' facilities and sold to water suppliers that are experiencing water shortages in 2009. Water acquired by the

DWB would be available for purchase by public and private water users in California based on certain needs criteria. Participation in the DWB is open to all water suppliers that can obtain water from the Sacramento River, Feather River or Delta either directly or by exchange with other water suppliers who have access to those water supplies.

While not all the water moved under the DWB will be Project water, a portion of the water purchased is expected to be Project supply. Consolidating the Projects' places of use will provide operational flexibility to convey and store DWB supplies and will expedite the delivery of DWB supplies to the DWB participants. It is expected that less than 100,000 acre/feet of Project water will be transferred through the DWB. DWB purchases that involve diversions authorized under individual water rights within the jurisdiction of the SWRCB, other than the Projects, will require separate petitions by the agencies proposing the transfer. This requested change will only affect water diverted under DWR and Reclamation's water rights for the Projects.

As an example of the benefit of this petition, without the requested change DWR would have to sell a SWP seller's allocation to a SWP buyer or, in order for it to sell the SWP allocation to a CVP buyer, it would have to petition the SWRCB. This petition would allow DWR to sell a SWP allocation to a CVP buyer without the need for another petition and would, thereby, streamline and expedite the regulatory process.

Empire West Side ID/Westlands Water District Transfer

Empire West Side Irrigation District (EWSID), a SWP contractor, is proposing to transfer up to 1,000 acre-feet of its 2009 SWP allocation to land within Westlands Water District (WWD) to allow a water user that farms land in both EWSID and WWD to utilize its SWP water on its landholdings in WWD. The current CVP allocation for WWD is 0 percent. Even if hydrologic conditions improve, CVP allocations to WWD are not expected to exceed 10 percent. Even at that level, an allocation of CVP water this year would be insufficient to provide enough water for survival of the permanent, high-value crops currently growing within WWD. The land within EWSID has access to alternate supplies from the Kings River depending on local hydrology. If alternate supplies are not available, the land within EWSID will be fallowed to allow the water to be transferred to WWD. Even with the transfer from EWSID, the combined water supply to the land within WWD will likely only provide sufficient water for crop survival.

CVP-SWP Exchange under a Consolidated Place of Use Petition to Facilitate Conveyance of Water to Santa Clara Valley Water District

Santa Clara Valley Water District (SCVWD) contracts for a water supply from both the SWP and CVP. The SWP water is delivered through the South Bay Aqueduct and the CVP water is delivered from San Luis Reservoir through the

San Felipe Division. Due to Delta pumping constraints and shortages in SWP and CVP supplies, extremely low water levels in San Luis Reservoir are projected to occur in 2009. SCVWD is concerned that these low water levels will limit or prevent delivery of its CVP water supplies through the San Felipe Division during critical peak summer demand months. DWR and Reclamation propose to exchange SWP and CVP water to increase SCVWD operational flexibility by allowing more SWP water to be conveyed through the South Bay Aqueduct to SCVWD to compensate for potentially severe conveyance constraints on the San Felipe Division in 2009. Specifically, SCVWD CVP water would be pumped at Jones and delivered to DWR at O'Neill Forebay, in exchange for an equal amount of SWP project water pumped at Banks and delivered to SCVWD through the South Bay Aqueduct. DWR would deliver the CVP water to SWP service areas south of O'Neill Forebay. SCVWD anticipates that up to 50,000 acre-feet of its CVP water supply may need to be exchanged for delivery through the South Bay Aqueduct from May through the end of November, 2009.

SCVWD depends on imported water supplies to meet half of its annual water needs in an average year. In 2009, given very limited local supplies, SCVWD's dependence on reliable conveyance of imported water is much greater. Even with median precipitation for the remainder of the year, inflows to local reservoirs will be below normal. Under continuing dry conditions, SCVWD would draw upon almost all of its local reservoir reserves, leaving only a few thousand acre-feet above the emergency pool available for 2010. By the end of 2009, it is anticipated that groundwater reserves may decline to levels triggering a "severe" stage in the SCVWD drought contingency plan. On February 10, in response to these drought contingency scenarios, the SCVWD Board of Directors voted to implement mandatory rationing. Details of the 2009 plan are expected to be formulated in coordination with retail water agencies over the next two months.

SCVWD's CVP supplies are typically conveyed through San Luis Reservoir to Pacheco Pumping Plant, part of the federal San Felipe Division. As storage levels in the reservoir drop below 300,000 acre-feet, "Low Point", capacity of the pumps at Pacheco Pumping Plant decreases. In addition, algae in the reservoir may impact SCVWD's ability to use the supply for treated drinking water. Pumping capacity and water quality continue to decline until the reservoir reaches the level of Pacheco Pumping Plant's lower intake (approximately 110,000 acre-feet). At that point, the Reclamation is unable to deliver CVP water through the San Felipe Unit to SCVWD and to San Benito County Water District. Recent projections by DWR and Reclamation indicate that in 2009, San Luis Reservoir storage will drop below 300,000 acre-feet for a period of four to five months, with storage dropping below 170,000 acre-feet for three months and below the lower intake of Pacheco Pumping Plant for up to one month. The Consolidated Place of Use will allow the continued delivery of water to SCVWD during the San Luis Low Point period, and minimize negative impacts to the economy of the SCVWD service area, water levels within the regions

groundwater basin and local environmental resources.

Compounding the expected 2009 San Luis Reservoir low point problem is the need to proceed with a critical San Felipe Division maintenance project from February 15 through April 23, 2009. During a 2008 inspection, it was determined that recoating the Pacheco Pumping Plant regulating tank cannot be postponed. Having the San Felipe Division out of service for two months for maintenance prior to the low point of San Luis Reservoir increases the need to ensure that SCVWD can continue to receive its water supply through the low point months. For these reasons, the consolidation of the Projects places of use is urgently needed to offset operational constraints limiting conveyance of SCVWD's water supplies through the San Felipe Division.

Kern County/Westlands Water District Exchange

Another proposal involves the transfer of up to 13,486 acre-feet of SWP water from the Kern County Water Agency (KCWA) to WWD to allow the return of WWD CVP supplies previously stored in Semitropic Groundwater Storage Bank for use during future drought periods. Semitropic will return the previously banked water in one of two ways. 1) Semitropic will pump CVP water previously stored in KCWA for use within KCWA. KCWA would then deliver an equivalent amount of its currently allocated SWP Table A water to WWD. 2) KCWA Table A water will be delivered to WWD and the groundwater storage account in Semitropic will be adjusted by an equivalent amount. In the absence of the transfer, the CVP water would remain in groundwater storage and KCWA would take delivery of its full SWP allocation. The proposed transfer will provide some critical relief for WWD but will replace only a small fraction of the reduction in 2009 CVP deliveries. Total deliveries to WWD will remain well below the recent historic average.

Eastside CVP to Westside CVP Transfers and Exchanges

Contractors within the Friant Division of the CVP (Eastside CVP) could transfer Friant Division CVP water supplies to CVP contractors within the San Luis Division, Delta Mendota Canal Division, San Felipe Division and the Mendota Pool Division of the CVP (Westside CVP). Facilitating these transfers requires exchanges with SWP contractors (KCWA, Tulare Lake Basin Water Storage District (TLBWSD) or the Metropolitan Water District of Southern California (MWD)) where CVP Friant Division supplies would be delivered via existing points of diversion both into and out of the Friant-Kern Canal to KCWA or TLBWSD and/or delivered into the California Aqueduct via the Cross Valley Canal or Arvin-Edison WSD Aqueduct turnout. An equivalent quantity of SWP Table A water would be made available at O'Neill Forebay by the SWP contractor taking delivery of the Friant supplies for delivery to the participating Westside CVP contractor. Thus, the consolidation of the places of use would allow East Side CVP water supplies to be delivered into all of the SWP service

area as well as allow SWP water supplies to be delivered to all of the Westside CVP service area.

Similarly, Eastside to Westside CVP exchanges would be enabled by facilitating future return (within the two year timeframe provided by this petition) of Westside CVP water supplies via exchange with SWP contractors for use within the Friant Division service area. Again, the consolidation of the places of use would allow CVP Westside water supplies to be delivered into all of the SWP service area to be exchanged for SWP water supplies that could be delivered to all of the CVP Friant Division service area.

Multi-Party Exchange

A proposed water exchange between SWP and the CVP contractors located south of the Delta will require approval of the change in place of use by the SWRCB. The proposed exchange program will include Friant Unit (Friant) contractors' surface water and WWD ground water exchanged for surface water supplies from the SWP. The project involves the three following activities:

In the first activity, WWD will convey local ground water into the California Aqueduct. The groundwater will be delivered within the SWP place of use to meet a portion of the State contractors' demands for the period April through September 2009.

The second activity is the conveyance of surface water from the CVP place of use (Friant Unit) into the Cross Valley Canal and the Arvin Edison Intertie for subsequent delivery to SWP contractors via the California Aqueduct. The first activity will occur concurrently with the second activity to allow for blending with the groundwater pumped in by WWD for improved water quality.

The third activity is storage of a negotiated amount of 2009 SWP Table A water in San Luis Reservoir in exchange for WWD's ground water and Friant surface water conveyed to the SWP contractors'. The SWP Table water stored in San Luis Reservoir will be for use within the CVP place of use by either Friant or WWD.

Del Puerto WD/Oak Flat WD Transfers and Exchanges

The Del Puerto Water District is a CVP contractor from the Delta-Mendota Division of the CVP taking delivery of CVP water from the Delta-Mendota Canal. The Oak Flat Water District is a SWP contractor taking delivery of SWP water from the California Aqueduct. Both districts are geographically adjacent to each other, are served with common management and share many common landowners. Given the shortages of both CVP and SWP water supplies, these districts and their common landowners would like to be able to optimize the management of these limited water resources within and between the two

districts. Thus, this could involve the transfer and delivery of CVP water to lands currently served by SWP supplies as well as the transfer and delivery SWP water to lands currently served with CVP supplies.

Similarly, exchanges between the two districts could be facilitated by being able to return future water supplies (within the two year timeframe provided by this petition).

Semitropic WSD Groundwater Banking Project Returns

Individual water users within WWD, a CVP San Luis Division contractor, the San Luis Water District (SLWD), also a San Luis Division CVP contractor, and the City of Tracy (Tracy), a Delta Mendota Canal Division contractor, have previously banked CVP, SWP and non-Project water supplies within purchased storage capacity of the Semitropic Water Storage District's (SWSD) Groundwater Banking Project. SWSD is a member unit of the Kern County Water Agency, a SWP contractor. Given the shortage of CVP water supplies within Tracy, WWD and SLWD, these water users would like to take delivery of this previously banked water for use within their CVP districts. This return of banked groundwater is facilitated with the pumping and delivery of the groundwater within SWSD to its growers or by direct delivery of the pumped groundwater to the California Aqueduct with an equivalent amount of SWSD's KCWA SWP contract water or KCWA's other SWP supplies made available to WWD and/or SLWD at WWD's and/or SLWD's turnouts from the San Luis Canal. Water bound for return to Tracy will be facilitated by DWR making a release of a like amount of KCWA's SWP Table A water for delivery to O'Neill Forebay. The SWP water will be delivered to Reclamation at O'Neill Forebay for use within the CVP service area south of O'Neill Forebay in Kings, Fresno and Merced counties. In exchange, Reclamation will provide like amount of allocated 2008-09 CVP water to Tracy from the Delta Mendota Canal (DMC).

Arvin-Edison WSD Groundwater Banking Project Returns

Arvin-Edison is engaged to return banked SWP water to MWD this year. Currently, the previously banked SWP water must be recovered from banking facilities via groundwater extraction. The ability to return CVP water pursuant to a consolidated POU approval, in exchange for a like amount of banked SWP water, could enhance the return quantity, timing, and water quality this year.

This would be a "bucket-for-bucket" exchange only.

Quantity of Likely Transfers/Exchanges

Given the shortages of both CVP and SWP water supplies, the quantity of transfers and exchanges will be very limited but would allow water users to be

able to optimize the management of these limited water resources within the two Projects.

The transfers and exchanges described above illustrate the type of exchanges to be facilitated by the consolidation of the Projects places of use. Due to the critically dry water supply conditions in 2009, water agencies are actively pursuing supplemental water supplies to mitigate the impacts of the loss of Projects' supplies, particularly in the San Joaquin Valley where some districts are receiving no CVP water. DWR and Reclamation believe the consolidation of the Projects' places of use will provide the operational flexibility to allow agencies to quickly and efficiently get water supplies to areas with critical needs.

Future Projects

DWR and Reclamation anticipate that as we move into the summer more needs and opportunities for changing where SWP or CVP water is applied will be developed. In order for this petition to also cover these future transfers or exchanges of SWP and/or CVP project water while, at the same time, providing enough information to allow the SWRCB to make the necessary findings, DWR and Reclamation offer the following parameters within which the aforementioned projects and any future project will be conducted.

A. For any project involving a transfer of SWP or CVP water through the Delta, DWR and Reclamation will continue to operate the Projects in accordance with the 2008 delta smelt biological opinion, which analyzed the effects of a maximum of 600,000 acre-feet of transfers exported only from July through September.

B. Carriage loss will be deducted from any water transferred through the Delta.

C. The total quantity of water delivered to SWP or CVP contractors as a result of the change will not exceed historic average deliveries.[2]

D. No transfer or exchange will take place that results in the net loss of San Joaquin River or Sacramento River flow.

E. No transfer or exchange will take place that results in the net loss of any Eastside CVP water from the San Joaquin Valley.

[2] Historic deliveries for both SWP and CVP contractors are attached as Exhibits 1 (SWP) and 2 (CVP). Importantly, only the CVP contractors that are expected to receive water as a result of this petition have been included. If, in the future, a CVP contractor needs to be added to the list, the historic delivery information for that particular contractor will be provided.

F. DWR and Reclamation will develop, in coordination with SWRCB staff, a reporting plan that will account for all water transferred or exchanged under the provisions of any order approving the consolidated place of use. The reporting plan will include the parties to the transfer or exchange, how much water is to be transferred, how the water will be made available, the facilities required to affect the transfer, any anticipated changes to streamflow or drainage resulting from the transfer and how the transfer will affect the overall water supply of the agency receiving the transfer water.

No Injury to Other Legal Users or the Environment

The change requested by DWR and Reclamation will not result in unreasonable impacts to fish and wildlife or the environment and will not result in injury to legal users of water.

This petition will not result in any increase in water appropriated by the Projects. Instead, this petition, if approved, would provide the Projects with more flexibility to help ensure water is available in areas where it is critically needed.

All water exported at the SWP and CVP pumping plants is pumped consistent with the criteria and protective measures contained in D1641, the biological opinions for the protection of Sacramento River Winter-run Chinook salmon, Delta smelt, spring-run Chinook salmon, and steelhead. Approval of DWR and Reclamation's petition to consolidate the places of use will not affect the compliance with the water quality objectives specified in D-1641 over which the Projects have control, or any other orders adopted by the SWRCB.

The total quantity of water delivered to SWP or CVP contractors as a result of the change will not exceed historic deliveries to any individual water user or be applied to any service areas that do not already receive water from the SWP or CVP. The petition will not result in a reduction in San Joaquin River flows or an increase in drainage to the San Joaquin River beyond that typically experienced.

Water delivered under the provisions of this petition to agencies that potentially discharge surface or subsurface flows to the San Joaquin Basin will not exceed historical CVP deliveries to these agencies. There will be no net increase in the quantity of return flow discharged to the San Joaquin River. As a result of the low 2009 allocations, return flow will be less than average historic quantities. Each of the Districts whose drainage has the potential to result in return flow to the San Joaquin River will continue to discharge in conformance with its existing discharge requirements.

In addition, approval of this petition may reduce reliance on groundwater pumping in the San Joaquin River Basin. This groundwater is typically of much lower quality than the alternative supplies that would be available if the SWRCB were to approve this petition. To the extent that these return flows reach the San

Joaquin River, approval of this petition will lead to lower salt loads to the San Joaquin River than would have existed absent its approval.

For the above reasons, DWR and Reclamation believe the facts support a finding that approval of this Petition would not result in injury to other legal water users or unreasonable impacts to the environment.

Exhibit 1

2000 - 2008 Deliveries to SWP Contractors[1] Within the Proposed Consolidated Place of Use

(All Figures in Acre-Feet)

Region/Contractor	2000	2001	2002	2003	2004	2005	2006	2007	2008	2000-2008 Average	2009 SWP Allocation[2]	2009 Table A Amount
Annual SWP Allocation	**90%**	**39%**	**70%**	**90%**	**65%**	**90%**	**100%**	**60%**	**35%**		**20%**	
North Bay Area												
Napa County FCWCD	4,958	9,345	6,875	7,646	8,134	7,669	7,789	11,457	13,292	8,574	4,705	23,525
Solano County WA	37,015	34,586	38,560	33,951	43,002	37,819	35,516	46,928	41,320	38,744	9,491	47,456
North Bay Total	**41,973**	**43,931**	**45,435**	**41,597**	**51,136**	**45,488**	**43,305**	**58,385**	**54,612**	**47,318**	**14,196**	**70,981**
South Bay Area												
Alameda County FCWCD, Zone 7	58,617	34,409	53,261	45,450	52,364	47,512	54,528	40,157	44,370	47,852	16,124	80,619
Alameda County	35,978	18,004	27,811	36,590	27,884	44,599	43,079	24,391	23,389	31,303	8,400	42,000
Santa Clara Valley WD	101,988	77,922	62,186	108,981	59,458	128,249	128,210	75,382	59,160	89,060	20,000	100,000
South Bay Total	**196,583**	**130,335**	**143,258**	**191,021**	**139,706**	**220,360**	**225,817**	**139,930**	**126,919**	**168,214**	**44,524**	**222,619**
Central Coastal Area												
San Luis Obispo County FCWCD	3,962	4,283	4,355	4,453	4,165	4,251	4,209	3,776	3,402	4,095	5,000	25,000
Santa Barbara County FCWCD	22,741	18,946	27,636	26,968	29,705	23,344	23,275	27,740	18,393	24,305	9,097	45,486
Central Coastal Total	**26,703**	**23,229**	**31,991**	**31,421**	**33,870**	**27,595**	**27,484**	**31,516**	**21,795**	**28,400**	**14,097**	**70,486**
San Joaquin Valley Area												
Dudley Ridge WD	60,539	41,548	48,915	46,082	49,080	79,005	72,080	45,135	22,174	51,618	11,469	57,343
Empire West Side ID	1,799	1,360	1,405	1,436	3,562	3,834	3,282	2,084	947	2,190	600	3,000
Kern County WA	1,178,369	654,291	828,831	964,230	843,931	1,397,981	1,262,869	981,037	769,760	986,811	199,746	998,730
County of Kings	3,600	1,560	2,854	3,692	9,053	19,806	9,530	5,746	3,836	6,631	1,861	9,305
Oak Flat WD	4,508	3,592	4,885	4,266	4,629	4,194	4,242	3,567	1,985	3,985	1,140	5,700
Tulare Lake Basin WSD	198,313	84,726	96,502	105,841	90,021	140,002	108,207	87,083	33,904	104,955	19,184	95,922
San Joaquin Valley Total	**1,447,128**	**787,077**	**983,392**	**1,125,547**	**1,000,276**	**1,644,822**	**1,460,210**	**1,124,652**	**832,606**	**1,156,190**	**234,000**	**1,170,000**
Southern California Area												
Antelope Valley-East Kern WA	83,577	62,857	58,171	60,029	59,731	59,831	80,384	78,823	48,563	65,774	28,280	141,400
Castaic Lake WA	40,680	31,939	68,817	55,736	83,761	59,456	62,752	60,190	42,878	56,245	19,040	95,200
Coachella Valley WD	42,323	9,100	16,755	14,443	15,465	42,519	121,100	73,228	46,791	42,414	24,220	121,100
Crestline-Lake Arrowhead WA	1,194	1,057	2,189	1,563	2,006	205	641	1,768	1,595	1,358	1,160	5,800
Desert WA	58,234	15,010	27,640	23,819	21,190	49,089	50,000	30,234	26,428	33,516	10,000	50,000
Littlerock Creek ID	0	0	0	0	0	0	0	1,380	25	156	460	2,300
Mojave WA	11,380	4,433	4,346	14,435	13,176	13,561	34,014	20,109	25,396	15,650	15,160	75,800
Palmdale WD	9,060	10,427	18,496	11,547	12,162	11,712	12,492	19,634	14,256	13,310	4,260	21,300
San Bernardino Valley MWD	18,399	26,488	72,069	27,415	56,150	33,977	35,331	54,185	39,145	40,351	20,520	102,600
San Gabriel Valley MWD	15,140	2,360	24,851	21,934	12,541	13,984	16,284	10,000	7,212	13,812	5,760	28,800
San Gorgonio Pass WA	0	0	0	116	841	692	4,278	4,009	4,905	1,649	3,460	17,300
The Metropolitan Water District	1,541,816	1,023,169	1,408,919	1,686,973	1,724,380	1,528,045	1,512,186	1,504,688	894,313	1,424,943	382,300	1,911,500
Ventura County FCD	4,050	1,850	4,998	5,000	5,250	1,665	1,850	3,000	3,798	3,496	4,000	20,000
Southern California Area Total	**1,825,853**	**1,188,690**	**1,707,251**	**1,923,010**	**2,006,653**	**1,814,736**	**1,931,312**	**1,861,248**	**1,155,305**	**1,712,673**	**518,620**	**2,593,100**
Total	**3,538,240**	**2,173,262**	**2,911,327**	**3,312,596**	**3,231,641**	**3,753,001**	**3,688,128**	**3,215,731**	**2,191,237**	**3,112,796**	**825,437**	**4,127,186**

Source: DWR Bulletin 132-08 Appendix B

[1] Includes all water delivered under the provisions of the SWP water supply contracts including Table A, Article 21, and purchase water.

[2] Deliveries for 2009 are projected based on SWP allocation as of 3/18/09 of 20% of contractor requests.

EXHIBIT 2
2000 - 2008 Historical Delivery Data – CVP South of Delta Contractors To Be Included in the Consolidated Place of Use
(All Figures in Acre-Feet for Calendar Year)
(SEE COMMENTS BELOW)

CVP South of Delta Contractors[1, 2, 3]
Unit/Contractor

San Luis Canal	2000	2001	2002	2003	2004	2005	2006	2007	2008	2000-2008 Average
City of Avenal	2,473	2,341	2,655	2,597	2,796	2,771	2,908	2,892	2,262	**2,633**
City of Coalinga	4,893	4,599	5,393	6,943	7,592	6,899	7,414	7,807	6,481	**6,447**
City of Dos Palos	1,321	1,365	1,421	1,335	1,470	1,470	1,436	1,720	1,515	**1,450**
City of Huron WSA	977	987	1,053	1,050	1,049	1,081	1,191	1,207	1,186	**1,087**
Pacheco WD	10,224	9,461	6,267	7,015	8,284	5,668	5,957	10,557	3,055	**7,388**
Panoche WD	50,815	56,924	60,215	61,547	60,780	58,317	59,347	53,209	34,685	**55,093**
San Luis WD	84,335	78,577	85,724	90,537	89,653	92,366	94,134	93,304	76,215	**87,205**
Westlands WD	944,313	862,721	915,178	1,008,480	983,420	1,051,519	1,115,972	928,571	565,959	**930,681**
Total San Luis Canal	**1,099,351**	**1,016,975**	**1,077,906**	**1,179,504**	**1,155,044**	**1,220,091**	**1,288,359**	**1,099,267**	**691,358**	**1,091,984**

Delta-Mendota Canal	2000	2001	2002	2003	2004	2005	2006	2007	2008	2000-2008 Average
Banta Carbona ID	2,193	1,852	2,671	2,177	2,689	1,615	1,556	1,189	1,987	**1,992**
Byron Bethany ID*	6,671	2,933	3,618	3,299	2,996	3,122	3,589	3,367	3,305	**3,656**
Del Puerto WD	70,494	69,908	79,736	83,451	87,404	80,928	79,894	84,527	58,936	**77,253**
Eagle Field WD	3,479	810	1,435	2,680	3,360	2,544	3,494	2,813	119	**2,304**
Mercy Springs WD	2,381	2,865	1,435	1,818	1,690	565	1,029	1,166	1,103	**1,561**
Oro Loma WD	3,955	1,739	610	1,103	2,365	181	1,362	258	133	**1,301**
Patterson ID	6,726	6,455	5,791	6,078	6,006	6,221	6,054	5,729	6,275	**6,148**
City of Tracy	7,792	7,189	7,695	10,102	11,216	8,941	5,992	6,427	6,991	**8,038**
West Side ID	1,294	1,058	1,070	400	270	865	1,195	915	1,334	**933**
West Stanislaus ID	23,706	25,650	36,878	39,202	29,631	35,224	34,108	27,821	17,764	**29,998**
Widren WD	138	0	0	132	328	0	0	0	0	**66**
Total Delta Mendota Canal	**128,829**	**120,459**	**140,939**	**150,442**	**147,955**	**140,206**	**138,273**	**134,212**	**97,947**	**133,251**

*Byron Bethany ID assumed Plainview WD's contract in 2005 - deliveries for Plainview in 2000-2004 are attributed to Byron Bethany.

EXHIBIT 2 (cont)

Exchange Contractors	2000	2001	2002	2003	2004	2005	2006	2007	2008	2000-2008 Average
Central California ID	503,460	499,895	509,009	520,296	586,896	499,720	524,347	495,613	489,163	**514,267**
Columbia Canal Co.	56,855	56,101	57,955	56,962	55,495	52,274	40,978	54,980	54,022	**53,958**
Firebaugh Canal WD	61,483	63,647	61,068	63,829	59,630	54,590	55,656	63,660	55,800	**59,929**
San Luis Canal Co.	144,589	147,472	138,825	135,634	147,547	130,196	139,030	133,220	131,237	**138,639**
Total Exchange Contractors	**766,387**	**767,115**	**766,857**	**776,721**	**849,568**	**736,780**	**760,011**	**747,473**	**730,222**	**766,793**

Mendota Pool	2000	2001	2002	2003	2004	2005	2006	2007	2008	2000-2008 Average
Fresno Slough WD	3,260	2,270	2,532	4,310	4,056	2,900	2,586	3,575	1,118	**2,956**
James ID	33,496	28,716	33,953	38,120	39,488	38,043	47,437	33,938	20,455	**34,850**
Laguna WD	0	0	0	0	688	0	0	0	0	**76**
Reclamation District 1606	310	397	564	227	500	441	116	402	453	**379**
Tranquility ID	27,009	27,472	27,110	27,985	28,313	22,923	25,725	28,151	29,612	**27,144**
Total Mendota Pool	**64,075**	**58,855**	**64,159**	**70,642**	**73,045**	**64,307**	**75,864**	**66,066**	**51,638**	**65,406**

Cross Valley Canal	2000	2001	2002	2003	2004	2005	2006	2007	2008	2000-2008 Average
Arvin-Edison WSD*	0	5,110	15,518	0	0	0	0	0	0	**2,292**
County of Fresno	0	0	0	216	1,950	0	0	1,500	1,200	**541**
Hills Valley ID	0	0	0	242	1,751	0	0	1,673	1,338	**556**
Kern Tulare WD	0	0	39,975	1,075	23,277	0	0	20,000	16,000	**11,147**
Lower Tule River ID	0	0	0	0	20,603	2,469	0	15,551	8,722	**5,261**
Pixley ID	0	0	40,432	0	11,885	2,469	0	15,551	8,722	**8,784**
Rag Gulch ID	0	7,541	0	358	7,656	0	0	6,650	5,320	**3,058**
Tri-Valley ID	0	0	0	82	597	0	0	571	457	**190**
County of Tulare	0	0	0	383	2,778	0	0	2,654	2,123	**882**
Total Cross Valley Canal	**0**	**12,651**	**95,925**	**2,356**	**70,497**	**4,938**	**0**	**64,150**	**43,882**	**32,711**

*Received water from the Cross Valley Canal in 2001-2002 as part of an exchange agreement.

San Felipe Division	2000	2001	2002	2003	2004	2005	2006	2007	2008	2000-2008 Average
Santa Clara Valley WD	91,372	150,516	134,346	106,409	127,741	89,149	64,230	131,158	113,519	**112,049**
San Benito WC and FCD	23,223	20,243	24,403	23,868	28,556	22,460	25,628	23,055	23,092	**23,836**
Total San Felipe Division	**114,595**	**170,759**	**158,749**	**130,277**	**156,297**	**111,609**	**89,858**	**154,213**	**136,611**	**135,885**

EXHIBIT 2 (cont)

Friant Division	2000	2001	2002	2003	2004	2005	2006	2007	2008	2000-2008 Average
Friant-Kern Canal										
Arvin-Edison WSD	107,800	32,198	44,996	116,102	33,795	213,757	178,484	19,787	54,173	**89,010**
Delano-Earlimart ID	134,988	114,949	127,963	121,342	128,219	116,280	121,275	73,916	112,531	**116,829**
Exeter ID	15,285	13,723	12,670	12,659	11,675	13,183	14,414	6,786	10,888	**12,365**
City of Fresno	38,618	58,000	60,696	60,384	55,710	59,971	58,929	39,342	59,450	**54,567**
County of Fresno SA #34*	380	432	474	465	455	460	489	551	540	**472**
Fresno ID	48,558	2,005	6,142	3,887	11,606	7,711	7,542	10	558	**9,780**
Garfield WD	2,749	2,821	2,927	2,462	2,756	2,143	2,326	2,087	2,297	**2,508**
Hills Valley ID**	3,724	3,936	4,833	4,269	4,763	4,250	4,768	5,294	4,992	**4,537**
International WD	1,366	1,456	1,532	1,419	1,544	1,877	1,433	1,069	1,198	**1,433**
Ivanhoe ID	10,751	8,371	8,332	10,897	7,361	12,020	11,604	4,594	6,093	**8,891**
Kern-Tulare WD**	37,152	23,396	27,811	24,209	30,347	45,486	24,846	29,255	30,047	**30,283**
Lewis Creek WD	179	204	120	57	524	495	778	551	457	**374**
Lindmore ID	40,999	37,564	37,916	42,335	38,119	41,952	41,727	20,277	33,984	**37,208**
City of Lindsay	1,697	930	2,231	2,220	2,187	1,959	1,717	1,586	1,882	**1,823**
Lindsay-Strathmore ID	19,177	26,070	21,454	18,304	20,863	16,921	17,026	16,708	17,317	**19,316**
Lower Tule River ID	168,936	77,440	79,875	131,470	71,472	248,439	201,387	30,535	71,872	**120,158**
City of Orange Cove	1,177	1,488	1,588	1,626	2,029	1,890	2,089	2,350	2,067	**1,812**
Orange Cove ID	26,961	30,312	30,310	30,166	32,091	29,022	30,005	26,959	26,455	**29,142**
Pixley ID**	39,175	9,000	13,157	36,448	10,109	66,804	61,009	7,200	12,243	**28,349**
Porterville ID	17,242	14,065	13,660	14,592	14,415	14,697	13,503	8,850	13,808	**13,870**
Rag Gulch WD**	16,488	13,992	9,848	12,672	9,880	17,536	9,930	10,233	10,280	**12,318**
Saucelito ID	37,783	25,391	26,734	31,400	25,421	45,612	44,719	15,408	24,424	**30,766**
Shafter Wasco ID	61,510	56,403	50,925	62,151	53,761	65,505	69,703	34,311	49,366	**55,959**
Southern San Joaquin MUD	122,161	95,955	103,516	111,417	101,178	115,604	118,151	70,112	92,458	**103,395**
Stone Corral ID	7,274	7,643	8,597	8,447	8,931	7,655	6,968	6,972	8,294	**7,865**
Tea Pot Dome WD	6,906	6,526	6,313	6,011	6,391	5,881	6,379	5,276	6,929	**6,290**
Terra Bella ID	18,367	19,888	20,182	18,875	18,822	16,859	21,738	19,499	19,069	**19,255**
Tri-Valley WD**	1,132	1,108	1,519	1,476	1,466	1,092	919	750	919	**1,153**
County of Tulare**	1,217	939	1,008	935	902	16,319	18,194	491	464	**4,497**
Tulare ID	112,600	28,660	42,169	89,521	39,740	218,038	135,297	18,838	20,997	**78,429**
Madera Canal										
Chowchilla WD	128099	65,491	68,113	99,527	68,287	118,479	140,255	36,132	64,859	**87,694**
Madera ID	119,385	103,259	111,682	129,025	125,055	109,899	150,148	86,828	100,098	**115,042**
Millerton Lake										
County of Madera	46	44	57	53	57	44	39	40	39	**47**
Fresno County WWD # 18	143	119	142	144	164	133	148	155	151	**144**
Gravelly Ford WD	5,207	2,555	8,817	8,686	10,135	10,971	11,152	8,075	7,951	**8,172**
Total Friant Division	**1,355,232**	**886,333**	**958,309**	**1,215,653**	**950,230**	**1,648,944**	**1,529,091**	**610,827**	**869,150**	**1,113,752**

* Part of City of Fresno

**Also Cross Valley contractor

Comments:

[1] Deliveries to contractors may include a variety of water supplies, including water available under CVP contracts, water available through transfers, etc.

[2] These contractors are considered San Luis Canal contractors; however, data includes deliveries from the Delta-Mendota Canal and O'Neill Forebay.

[3] CVP South of Delta contractors that are most likely to participate in transactions that require a consolidated place of use are listed; historical delivery data for other CVP contractors will be provided as required by a particular action.

Sources of Data: 2000-2008 delivery data for CVP South of Delta contractors was obtained from the United States Bureau of Reclamation Central Valley Operations Office Website (http://www.usbr.gov/mp/cvo/deliv.html).