



STATE OF CALIFORNIA
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

**Certificate for Water Rights OTHER THAN
Riparian or Appropriative Rights
and
Certificate for Appropriative Water Rights**

CERTIFICATE NO: 52

Under the provisions of Section 26013 of the Public Resources Code or Section 2821 of the Public Utilities Code.

METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

Claims a water right for water from the DIAMOND VALLEY LAKE SMALL CONDUIT HYDROELECTRIC PROJECT hydroelectric facility.

In the opinion of the State Water Resources Control Board (State Water Board) the above named private energy producer possesses contractual rights for water with: (a) the California Department of Water Resources (DWR) for water delivered by the State Water Project from sources north of the Sacramento-San Joaquin Delta. DWR has water right permits issued by the State Water Board for operation of the State Water Project; and (b) the Secretary of the Interior authorized by section 5 of the Boulder Canyon Project Act (43 U.S.C. § 617d) for water from the Colorado River. The Colorado River rights are acknowledged in Permits 7640, 7641 and 7642 (Applications 4997, 6406 and 6840).

This certification is only intended to cover water routed through Diamond Valley Lake for power generation. This certification does not: (a) cover water obtained from the watershed where Diamond Valley Lake is situated, (b) certify that DWR is operating the State Water Project in compliance with its water rights, (c) address whether Diamond Valley Lake should be listed as a place of offstream storage in the DWR permits, or (d) address whether Diamond Valley Lake should be listed as a place of offstream storage in Permits 7640, 7641 and 7642.

The hydroelectric facility is exempt from federal licensing pursuant to Section 823a of Title 16, United States Code, which exempts facilities located on non-federal land and that use only manmade conduits operated for distribution of water for municipal purposes. The Federal Energy Regulatory Commission issued an exemption from licensing on February 21, 2001. Consequently, Federal Clean Water Act section 401 Certification is not required for this facility.

STATE WATER RESOURCES CONTROL BOARD

ORIGINAL SIGNED BY:

Barbara Evoy
Deputy Director for Water Rights

Dated: **JAN 10 2011**