



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

KDM: DCC: 10/26/10

Kdm:Metropolitan Certification.doc

SURNAME	RD 10/26/10	RSATLOW SKI	Kassef 12/31/10	
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This is to certify that the application of which the foregoing is a true and correct copy has been considered and is hereby approved subject to vested rights, provisions of the Water Code of the State of California, and the following limitations and conditions:

1. The amount of water appropriated under this application shall be limited to the amount which can be beneficially used; shall not exceed 155 cubic feet per second to be diverted from January 1st to December 31st of each season, and shall be limited to 112,000 acre feet in any calendar year.
2. The Colorado River flows along a part of the Eastern Boundary of the State of California and is the subject of an interstate compact (the Colorado River Compact signed at Santa Fe, New Mexico, November 24, 1922) to which the State of California is a party. Under authority of an Act of Congress (45 Stat. 1057), the United States has contracted to deliver to the Metropolitan Water District of Southern California, a municipal corporation of the State of California, at the District's point of diversion known as Intake pumping plant, N 1° 0' 21" E. 1876.08' from SW Cor. Sec. 28; being within the NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 28, Township 3 N, R 27 E, SBB & M, in the County of San Bernardino, 1,212,000 acre feet of water annually, from storage constructed by the United States at Hoover Dam on said River outside of the State of California. The facts are found to be such as bring the case within the terms of Section 1005 of the Water Code of California.
3. As required by said Act of Congress, California has by act of its Legislature (Stats. 1929, p. 38) agreed to limit its consumptive use of the water of the Colorado River, and this permit is issued subject to the conditions of said Limitation Act.
4. By contract dated October 4, 1946, entitled "Contract Merging Rights of The City of San Diego and The Metropolitan Water District of Southern California Under Contracts with the United States Dated February 15, 1933, and April 24, 1930 (Amended September 28, 1931), Respectively," the rights of the City of San Diego to the storage and delivery of Colorado River water as evidenced by the said San Diego Water Delivery Contract were merged with and added to the rights of The Metropolitan Water District of Southern California under the District's said water delivery contract so that, as between the parties to said Merger Contract there is presently no distinction between priority No. 4 and priority No. 5, as set out in the Seven Party Priority Agreement hereinafter referred to, all rights under both priorities vesting in The Metropolitan Water District of Southern California.
5. This permit supplements, and is without prejudice to, rights held or claimed by applicant under said contracts with the United States, or under appropriation, user or

Paragraph 1

This application is made to supplement and complement the rights acquired by applicant under its contract with the United States of America for the delivery of water, dated April 24, 1930, as amended by supplementary contract dated September 28, 1931, and as said contract may hereafter be amended or supplemented from time to time.

Paragraph 2a

Total annual diversion under this application and under Applications 6406 and 6840 shall be limited in accordance with that certain agreement of August 18, 1931, by and between Palo Verde Irrigation District, Imperial Irrigation District, Coachella Valley County Water District, The Metropolitan Water District of Southern California, The City of Los Angeles, The City of San Diego, and the County of San Diego.

Paragraph 6

(a) Diversion will be made by pumping from the reservoir created by Parker Dam. Capacity of plant, 897,660 gallons per minute (2000 cubic feet per second). The grade tunnels, grade conduits, and lined canals on the main aqueduct have been constructed to full capacity as part of the first development. The pressure conduits, pumping plants, and reservoirs, being susceptible of economic construction in stages or parallel sections, have been constructed of adequate initial size as part of the first development, and will be increased from time to time until the ultimate capacity is attained.

(b) The diversion by pumping is aided by Parker Dam, said dam being 80 feet in height (stream bed to level of overflow); 852 feet long at roadway level; and constructed of concrete, with five structural steel crest gates, each 50' x 50' in size.

Paragraph 8a

Main aqueduct 242 miles long, ultimate capacity 2000 second feet.

Paragraph 11

Place of Use. The Metropolitan Water District of Southern California, a municipal corporation, as now or hereafter composed, on the coastal plain of Southern California, within the area shown on accompanying map and described as follows:

That part of Los Angeles County lying southerly of the crest of the Santa Susana and the San Gabriel or Sierra Madre mountains, excluding the islands known as Santa Catalina and San Clemente islands; that part of San Bernardino County lying southerly of the crest of the San Gabriel or Sierra Madre mountains, and southerly and westerly of the crest of the San Bernardino Mountains; that part of Riverside County lying westerly of San Gorgonio pass and of the crest of the San Jacinto Mountains and Santa Rosa Mountains; all of Orange County; and that part of San Diego County lying westerly of a line beginning at the intersection of the crest of the Santa Rosa Mountains with the north line of San Diego County, extending thence southwesterly in a direct line to the most easterly point on the boundary of Cuyamaca Reservoir, continuing thence southwesterly in a direct line to Otay Mountain, and continuing thence due south to the international boundary line between the United States and Mexico.

Paragraph 15 - Municipal Use

The estimated average daily consumption during the month of maximum use under this application and Applications No. 6406 and 6840 at the end of each 5-year period until full amount applied for is put to beneficial use is as follows:

Year	Estimated average daily consumption during month of maximum use (second-feet)	Estimated average daily diversion during month of maximum use (second-feet)
1940	200	225
1945	410	450
1950	620	675
1955	835	900
1960	1050	1125
1965	1270	1350
1970	1490	1575
1975	1710	1800
1980	1900	2000

Paragraph 20

The point of diversion is on Government land which has been withdrawn from entry and applicant has made filing with the United States Land Office covering the point of diversion.

otherwise. So much water is to be diverted under this permit, permits 7641, 7642 and any permit issued in the matter of Application 4056 as may be necessary to supply the District the total quantity, including all other waters diverted for use of the District from the Colorado River, set forth in that certain agreement known as the Seven Party Priority Agreement, dated August 18, 1931 (as modified by the 1946 Merger Contract referred to in paragraph 4 hereof), which provides in part, as follows:

"The waters of the Colorado River available for use within the State of California under the Colorado River compact and the Boulder Canyon Project Act shall be apportioned to the respective interests below named and in amounts and with priorities therein named and set forth, as follows:

SECTION 1. A first priority to Palo Verde Irrigation District for beneficial use exclusively upon lands in said district as it now exists and upon lands between said district and the Colorado River, aggregating (within and without said district) a gross area of 104,500 acres, such waters as may be required by said lands.

SEC. 2. A second priority to Yuma project of the United States Bureau of Reclamation for beneficial use upon not exceeding a gross area of 25,000 acres of land located in said project in California, such waters as may be required by said lands.

SEC. 3. A third priority (a) to Imperial Irrigation District and other lands under or that will be served from the All-American Canal in Imperial and Coachella Valleys, and (b) to Palo Verde Irrigation District for use exclusively on 16,000 acres in that area known as the 'Lower Palo Verde Mesa,' adjacent to Palo Verde Irrigation District, for beneficial consumptive use, 3,850,000 acre-feet of water per annum less the beneficial consumptive use under the priorities designated in sections 1 and 2 above. The rights designated (a) and (b) in this section are equal in priority. The total beneficial consumptive use under priorities stated in sections 1, 2, and 3 of this article shall not exceed 3,850,000 acre-feet of water per annum.

SEC. 4. A fourth priority to the Metropolitan Water District of Southern California and/or the City of Los Angeles, for beneficial consumptive use, by themselves and/or others, on the Coastal Plain of Southern California, 550,000 acre-feet of water per annum.

SEC. 5. A fifth priority (a) to the Metropolitan Water District of Southern California and/or the City of Los Angeles, for beneficial consumptive use, by themselves and/or others, on the Coastal Plan of Southern California, 550,000

acre-feet of water per annum, and (b) to the City of San Diego and/or County of San Diego, for beneficial consumptive use, 112,000 acre-feet of water per annum. The rights designated (a) and (b) in this section are equal in priority.

SEC. 6. A sixth priority (a) to Imperial Irrigation District and other lands under or that will be served from the All-American Canal in Imperial and Coachella Valleys, and (b) to Palo Verde Irrigation District for use exclusively on 16,000 acres in that area known as the 'Lower Palo Verde Mesa,' adjacent to Palo Verde Irrigation District, for beneficial consumptive use, 300,000 acre-feet of water per annum.

SEC. 7. A seventh priority of all remaining water available for use within California, for agricultural use in the Colorado River Basin in California, as said basin is designated on Map No. 23000 of the Department of the Interior, Bureau of Reclamation."

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This permit is issued and permittee takes it subject to the following provisions of the Water Code:

Section 1390. A permit shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code), but no longer.

Section 1391. Every permit shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a permit is issued takes it subject to the conditions therein expressed.

Section 1392. Every permittee, if he accepts a permit, does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any permit granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any permittee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any permittee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Witness my hand and the seal of the
Department of Public Works of the State of California
this 6th day of January 1950


EDWARD HYATT, State Engineer

Permit 7640



STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
STATE ENGINEER

AMENDED Application No. 4997 Filed April 15, 1926 at 3:30 P. M.

SEP 26 1947

AMENDED APPLICATION RECEIVED

APPLICATION TO APPROPRIATE UNAPPROPRIATED WATER

This application involves in no way the right to construct a dam

I, The Metropolitan Water District of Southern California, successor
Name of applicant to The City of San Diego,
of 306 W. Third St., Los Angeles 13, County of Los Angeles,
Post office
State of California

, do hereby make application for a permit to appropriate the following described unappropriated waters of the State of California, **SUBJECT TO EXISTING RIGHTS:**

Source, Amount, Use and Location of Diversion Works

1. The source of the proposed appropriation is the Colorado River
Give name of stream, lake, etc., if named; if unnamed state nature of source and that it is unnamed
located in San Bernardino County, tributary to Gulf of Calif. (See Supplement)

2. The amount of water which applicant desires to appropriate under this application is as follows:

(a) For diversion to be directly applied to beneficial use without storage 155 cubic feet per
1 cubic foot per second equals 40 statute miner's inches or 446,317 gallons per day
second, to be diverted from January 1 to December 31 of each season.
Beginning date each season Closing date each season (See Supplement)

(b) For diversion to be stored temporarily and later applied to beneficial use _____ acre-feet
1 acre-foot equals 325,851 gallons
per annum, to be collected between _____ and _____ of each season.
Beginning date each season Closing date each season

NOTE.—Answer (a) or (b) or both (a) and (b) as may be necessary. The amounts stated must be in definite terms of some established unit of measurement. Neither these amounts nor the season may be increased after application is filed.

3. The use to which the water is to be applied is Municipal and Domestic
Domestic, irrigation, power, municipal, mining, industrial, recreational
_____ purposes.

4. The point of diversion is to be located at Intake pumping plant N 1° 0' 21" E.
State bearing and distance or coordinate distances to section or quarter section corner
1876.08' from SW Cor. Sec. 28;

being within the NW-1/4 of SW-1/4
State 40-acre subdivision of U. S. Government survey or projection thereof
of Section 28, Tp. 3 N., R. 27 E., S.B.B. & M., in the County of San Bernardino

5. The main conduit terminates in SE-1/4 of NE-1/4, Sec. 10, Tp. 4 S., R. 5 W., SBB & M.
State 40-acre subdivision of U. S. Government survey or projection thereof

Description of Diversion Works

NOTE.—An application can not be approved for an amount grossly in excess of the estimated capacity of the diversion works

6. Intake or Headworks (fill only those blanks which apply)

(a) Diversion will be made by pumping: Capacity of plant 897,660 gallons per minute.
aided (See Supplement)

(b) Diversion will be ~~by~~ gravity, the diverting dam being 80 feet in height (stream bed to
at roadway level
level of overflow); 852 feet long ~~and~~ and constructed of concrete (See Supplement)
Concrete, earth, brush, etc.

(c) The storage dam will be _____ feet in height (stream bed to overflow level); _____ feet
long on top; have a freeboard of _____ feet, and be constructed of _____
Concrete, earth, etc.

7. Storage Reservoir None (See Supplement Par. 1.)

The storage reservoir will flood lands in _____
Indicate section or sections, also 40-acre subdivisions unless shown upon map

It will have a surface area of _____ acres, and a capacity of _____ acre-feet.

In case of insufficient space for answers in form, attach extra sheets at top of page 3 and cross reference.

8. Conduit system (describe) _____ feet; width at bottom _____

(a) Canal, ditch, flume: _____ feet on top (at water line) _____ feet; width at bottom _____
Cross out two not used _____
feet; depth of water _____ feet; length _____ feet; grade _____ feet per 1,000 feet; materials
of construction _____
Earth, rock, timber, etc.

(b) Pipe line: Diameter _____ inches; length _____ feet; grade _____ feet per
1,000 feet; total fall from intake to outlet _____ feet; kind _____
Riveted steel, cement, wood-stave, etc.

NOTE.—If a combination of different sizes or kinds of conduit is to be used, attach extra sheets with complete description, also show location of each clearly on map.

9. The estimated capacity of the diversion works proposed is 2,000 cubic feet per second upon completion of second development. as presently constructed was _____
The approximate cost of the diversion works proposed is \$189,000,000
Give only cost of intake, or headworks, pumps, storage reservoirs and main conduits described herein

The estimated cost of the diversion works when constructed to full capacity is \$274,000,000.

Completion Schedule

10. Construction work ~~will begin on or before~~ was started in 1932.
it is estimated that construction will be completed
Construction work ~~will~~ be completed ~~on or before~~ for preliminary operation in 1941; to half capacity in 1950; and to full capacity in 1980.
The water will be completely applied to the proposed use on or before 49 years after approval of this application.

Description of Proposed Use

11. Place of Use. (See Supplement)
State 40-acre subdivisions of the public land survey. If area is unurveyed indicate the location as if lines of the public land

survey were projected. In the case of irrigation use state the number of acres to be irrigated in each 40-acre tract, if space permits. If space does not permit listing all 40-acre tracts, describe area in a general way and show detail upon map. These blanks need not be filled in when municipal use is proposed.

Does applicant own the land whereon use of water will be made? No.
Yes or No

Applicant will furnish a public water supply for its cities and municipal-
If applicant does not own land whereon use of water will be made, state what arrangements have been made with owner. ities and inhabitants.

12. Domestic Use. Domestic use is proposed as follows: House and Garden
Describe nature of use which may include stock water and the irrigation of domestic

gardens not exceeding one-half acre each in area connected with places of residence.

The amount for which application is made was determined by immediate shortages and reserves neces-
sary for estimated increase in population ~~and annexations to appli-~~ and annexations to appli-
cant.

13. Irrigation Use. The area to be irrigated is _____ acres.
State net acreage to be irrigated

The segregation of acreage as to crops is as follows: Rice _____ acres; alfalfa _____ acres;
orchard _____ acres; general crops _____ acres; pasture _____ acres.

NOTE.—Care should be taken that the various statements as to acreage are consistent with each other, with the statement in Paragraph 11, and with the map.

The irrigation season will begin about _____ and end about _____
Beginning date each season Closing date each season

The land to be irrigated has another water right or source of water supply other than that herein applied for. The nature
no other
and amount of the additional supply referred to is _____

14. Power Use. The total fall to be utilized is _____ feet.
Difference between nozzle or draft tube water level and first free water surface above

The maximum amount of water to be used through the penstock is _____ cubic feet per second.

The maximum theoretical horsepower capable of being generated by the works is _____ horsepower.
Second feet \times fall \div 5.5

The use to which the power is to be applied is _____
For distribution and sale or private use, etc.

The nature of the works by means of which power is to be developed is _____
Turbine, Pelton wheel, etc.

The size of nozzle to be used is _____ inches.

The water will be returned to _____ in _____ of
will not
Name of stream State 40-acre subdivision

Sec. _____, Tp. _____, R. _____, M. _____

15. Municipal Use. This application is made for the purpose of serving The Metropolitan Water District of Southern California, a municipal corporation, as ^{Name city or cities, town or towns, cities or cities} now or hereafter composed, on coastal plain of Southern California, having a present population of 2,045,000 within the area described in supplement to paragraph 11 hereof and shown on accompanying map. The estimated average daily consumption during the month of maximum use at the end of each five-year period until the

full amount applied for is put to beneficial use is as follows:

(See Supplement)

16. Mining Use. The name of the mining property to be served is _____

Name of claim

and the nature of the mines is _____

Gold placer, quartz, etc.

The method of utilizing the water is _____

It is estimated that the ultimate water requirement for this project will be _____

Cubic feet per second, gallons per minute. State basis of estimate

The water ^{will} ~~will not~~ be polluted by chemicals or otherwise _____

Explain nature of pollution, if any

and it ^{will} ~~will not~~ be returned to _____

Name stream

State 40-acre subdivision

Sec. _____, Tp. _____, R. _____, _____ M.

17. Industrial Use. The nature of the use proposed is _____

Describe nature and method of use

The amount for which application is made was determined by _____

Describe basis of estimate of quantity needed

18. Recreational Use. Water will be used for _____

Describe nature and method of use

The amount for which application is made was determined by _____

Describe basis of estimate of quantity needed

General

19. Are the maps as required by the Rules and Regulations filed with Application? Yes If not, state specifically the time required for filing same _____
Yes or No

20. Does the applicant own the land at the proposed point of diversion? No If not, state what steps have been taken to secure right of access thereto _____
Yes or No (See Supplement)

21. What is the name of the post office most used by those living near the proposed point of diversion?

Earp, San Bernardino County, California

22. What are the names and addresses of claimants of water from the source of supply below the proposed point of diversion?
Imperial Irrigation District, El Centro, California
Palo Verde Irrigation District, Blythe, California
Yuma Irrigation Project, Yuma, Arizona
The City of Los Angeles, Los Angeles, California
The City of San Diego, San Diego, California

Attest:

THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

A. L. Gram
Executive Secretary

[SIGNATURE OF APPLICANT]

By [Signature]
General Manager and Chief Engineer

Approved as to form
[Signature]