

S015897
2004, 2005, 2006

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE
 If the information below is inaccurate, please line it out in red and provide current information.
 Notify this office if ownership or address changes occur during the coming year.

Please Complete and Return this Form by **JULY 1, 2007**

Primary Owner: SACRAMENTO MUNICIPAL UTILITY DISTRICT

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING
 SACRAMENTO MUNICIPAL UTILITY DISTRICT
 C/O KEITH D SHOREY
 6201 S ST
 SACRAMENTO, CA 95814

STATEMENT NO.: **S015897**
 CONTACT PHONE NO.: **(916) 716-2300**

Source Name: **SACRAMENTO RIVER**
 Tributary To: **SUISUN BAY**
 County: **Solano**
 Diversion Within: **SW¼ of SW¼ Section 22 T03N, R02E, MB&M**

Year of First Use: **2003**
 Parcel Number: **090-210-001**

RECEIVED
 DIVISION OF WATER RIGHTS
 SACRAMENTO
 JUL 3 10 31 AM '07

- A. **Water Is Used Under:** Riparian claim XXX Pre-1914 right _____ Other (explain): _____
- B. **Year of First Use:** (Please provide if missing above) _____
- C. **Amount of Use:** Enter the amount (or the approximate amount) of water used each month, using the table below.

Amounts below are in: Gallons X Million Gallons (MG) _____ Acre-feet (AF) _____ Other _____

2007

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
2004													
2005													
2006				0.4M	1m	1m	0.6m	0.4m	0.2m	0.2m	0.2m		

- D. **Purpose of Use** – Specify number of acres irrigated, stock watered, persons served, etc.
 Irrigation _____ acres; Stockwatering _____; Domestic _____;
 Other (specify) DUST CONTROL DURING CONSTRUCTION PERIODS
- E. **Changes in Method of Diversion** – Describe any changes in your project since your previous statement was filed.
 (New pump, enlarged diversion dam, location of diversion, etc.) N/A
- F. Please answer only those questions below which are applicable to your project.

1. Conservation of water
 a. Are you now employing water conservation efforts? YES ___ NO X
 Describe any water conservation efforts you have initiated: _____

b. If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved:

Reduction in Diversions:
 Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

Reduction in consumptive use:
 Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

I have data to support the above surface water use reductions due to conservation efforts. YES ___ NO ___

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree, which unreasonably affects such water for other beneficial uses? YES ___ NO X.
- b. If you are claiming credit due to the substitution of reclaimed water, desalinated water or polluted water in lieu of a claimed pre-1914 appropriative right under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of substitute water supply used:

Amount of reduced diversion:
 Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

State the type of substitute water supply: _____

Amount of substitute water supply used:
 Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

I have data to support the above surface water use reductions due to the use of a substitute water supply. YES ___ NO ___.

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES X NO ___.
- b. If you are claiming credit due to the substitution of groundwater for a claimed pre-1914 appropriative right under section 1011.5 of the Water Code, please show the amounts of groundwater used:

Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

I have data to support the above surface water use reductions due to the use of groundwater. YES ___ NO ___.

I understand that it may be necessary to document the water savings claimed in "F" above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: June 25, 2007 at SACRAMENTO, California

SIGNATURE: Keith D. Shorey

PRINTED NAME: KEITH D. SHOREY
(first name) (middle initial) (last name)

COMPANY NAME: SACRAMENTO MUNICIPAL UTILITY DISTRICT

If there is insufficient space for your answers, please use the space provided below.

ITEM	CONTINUATION
_____	_____
_____	_____
_____	_____
_____	_____

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

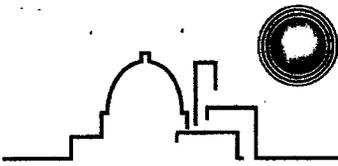
There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.



SMUD

SACRAMENTO MUNICIPAL UTILITY DISTRICT
The Power To Do More.®

S 15897

P.O. Box 15830, Sacramento, CA 95852-1830; 1-888-742-SMUD (7683)

February 12, 2007

RECEIVED
JUL -3 PM 3:16
OFFICE OF THE ATTORNEY GENERAL

State of California
State Water Resources Control Board
Division of Water Rights
901 P Street
Sacramento, CA 95814

SUBJECT: 333:PLM:S015897 Supplemental Sacramento Municipal Utility District Statement of Water Diversion and Use

The Sacramento Municipal Utility District, through its Project Manager, URS Corporation, is filing a Supplemental Statement of Water Diversion and Use for the taking of water from the Sacramento River. The water will be used for dust control during the final construction of Phase 2B for SMUD's wind-powered electric generation project on 3,000 acres of land owned by SMUD. The project is located on Montezuma Hills Road, approximately 4.5 miles southwest of Rio Vista and 15 miles southeast of the cities of Fairfield and Suisun.

The new roads and tower sites will disturb approximately 40 acres on the 3,000-acre parcel. Dust control will be required for site preparation for the erection of towers, primarily from April 2007 through December 2007.

As reported in the original EIR 1993 and the Supplemental EIR #2 2003, it is estimated that up to 101,500 gallons of Sacramento River water will be used daily for 40 days. This was not considered to be a significant environmental impact.

Water trucks will be used to apply the water. The water intake pipe will be screened to preclude the capture of fish, such as the Delta smelt. No wind turbines or new access roads will be placed within one-quarter mile of the river. Site runoff is not considered to be an issue.

Construction is scheduled to begin March 2007. Tower and turbine erection will take place from January 2008 through April 2008. If additional information is required, please contact me at (916) 716-2300.

Sincerely,

Keith D. Shorey
Keith D. Shorey

KDS:rrd

c: Dick Wallace, SMUD
Ron Scott, SMUD
Dennis Dudzik, URS Corporation

S 15 897
2003 JUL -3 PM 3:18
SACRAMENTO
STATE WATER RIGHTS

State of California
State Water Resources Control Board
DIVISION OF WATER RIGHTS
1001 I Street, 14th Floor, Sacramento, CA 95814
P.O. Box 2000, Sacramento, CA 95812-2000
Info: (916) 341-5300, FAX: (916) 341-5400, Web: <http://www.waterrights.ca.gov>

STATEMENT OF WATER DIVERSION AND USE

(This is not a Water Right)

This Statement should be typewritten or legibly written in ink and submitted to the address above.
A separate statement should be filed for each point of diversion. A duplicate copy will be returned for your file.

A. Name of person diverting water Sacramento Municipal Utility District
Address 6201 S Street, Sacramento, CA 95814
Telephone: (916) 716-2300

B. Water is used under: Riparian claim; XXX Pre 1914 right; _____ Other (explain) _____

C. Name of the body of water at the point of diversion
Sacramento River
Tributary to Suisun Bay

D. Point of diversion is located within Solano County on Assessors Parcel # 090-210-001, being within the SW 1/4 of SW 1/4 of Section 22, of Township 3 North, Range 2 East, MD B&M.

Name of works Unnamed diversion facility to be by skid mounted pump. Intake pipe to be screened to prevent capture of aquatic life such as river smelt.

E. Do you own the land at the point of diversion? Yes XX NO _____ The name and address of the owner of the land is: _____

F. Capacity of diversion works 102,000 gpd (cfs, gpm, or gpd) Capacity of storage tanks or reservoir A 500-1000 (gallons or acre-feet) gallons +/- temporary storage tank will be used to transfer water to the water trucks.
Type of diversion facility: Gravity _____ Pump _____

Method of measurement: Weir _____ Fume _____ Electric Meter _____ Estimate _____

G. Enter the amount (or approximate amount) of water used each month.
Amounts below are shown in: Gallons XXX Acre-feet _____ Other _____

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
				0.4m	1m	1m	0.6m	0.4m	0.2m	0.2m	0.2m		

- H. Annual water use in recent years: Maximum 200,000 gal (gallons or acre-feet) Minimum _____ (gallons or acre-feet)
Year of first use (nearly as known) 2003 for dust control during construction of Phase I of the Wind Powered Electrical Generation Project. No "annual" use is made of the water rights.
- I. Purpose of use: What is the water being used for: (example, number of acres and type of crop irrigated, average number of persons served, number of stock watered, etc.) Water will be pumped from the river into water trucks for spreading as dust control on the roads and tower pad sites on the 3000 acre parcel of land. Approximately 20 acres will be disturbed for the project.
- J. General description or location of place of use (example: 40 acres of pasture located 3 miles from Happyville on Alpha Road) The project is located on 3000 acre parcel on Montezuma Hills Road approximately 4.5 miles southwest of Rio Vista and 15 miles southeast of the cities of Fairfield and Suisun.
- K. Map: Please locate the point of diversion and place of use on a print of a USGS quad map, or make a sketch on the section grid provided on the reverse side of this form. The sketch should identify the section lines, prominent local landmarks and roads, your point of diversion, and your place of use (your house, acreage irrigated, etc.).
- L. Please answer only those questions below which are applicable to your project.

Additional copies of this form and water right information can be obtained at www.waterrights.ca.gov.

S 15897

1. Conservation of water

a. Describe any water conservation efforts you may have started: NOT APPLICABLE TO THIS PROJECT

2. Water quality and wastewater reclamation

a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES ___ NO ___
NOT APPLICABLE TO THIS PROJECT

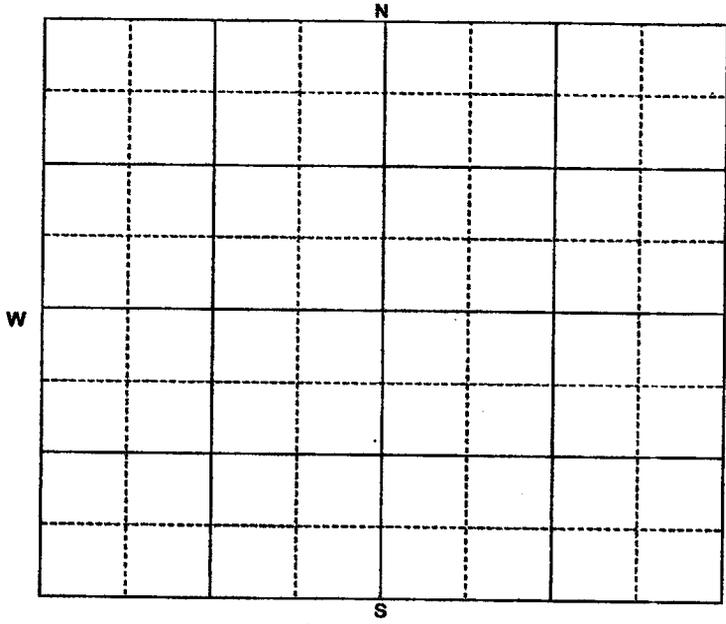
I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATE: _____ at _____, California

SIGNATURE: Keith D. Shorey

PRINTED NAME: KEITH D. SHOREY
(first name) (middle init.) (last name)

COMPANY NAME: SACRAMENTO MUNICIPAL UTILITY DISTRICT



The location of the diversion point and the place of use may be sketched on the section grid provided. If it is used, please enter the section(s), township, range and the base & meridian below. Also, show any streams or other landmarks that will assist in identifying the area.

Section(s) _____
Township _____
Range _____
_____ B&M

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

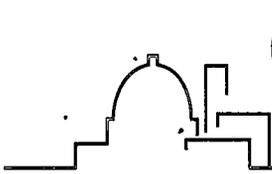
There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the source of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to 1) store water for later use 2) divert water which originates in a different watershed 3) divert water released from storage, or 4) divert return flows from groundwater use.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by a riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Right in California and (3) Appropriation of Water in California.



SMUD

SACRAMENTO MUNICIPAL UTILITY DISTRICT
The Power To Do More.SM

file
S015897

P.O. Box 15830, Sacramento, CA 95852-1830; 1-888-742-SMUD (7683)

2009 MAY 14 AM 11:41

May 11, 2009
DPG 09-163

SWRCB
Division of Water Rights
PO Box 2000
Sacramento, CA 95812-2000

Re: Supplemental Statement of Water Diversion and Use

Dear Water Board:

Enclosed are the following forms:

- (1) Supplemental statement of water diversion and use form for S015897.
- (2) Change of name/address form for this statement.

Sincerely,

Dudley E. McFadden, III, PE

SMUD
5015897

Leslie DUNSWORTH
Asst. General Counsel
SMUD

Fax 916 732-6581

9/7/05

SMUD ←

[Sacto River
Keep]

Mr. Shorey
SMUD

(916) 716-2300 cell

1st -

Statements

SMUD
PO BOX 15830
SACTO, CA 95832-1830

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>

S015897
2006, 2007, 2008

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FORM

Owner(s) of Record:

SACRAMENTO MUNICIPAL UTILITY DISTRICT

Notifying the Division of Water Rights of ownership or address changes is the responsibility of the claimant

Please Complete and Return This Form by JULY 1, 2009

Primary Contact:

SACRAMENTO MUNICIPAL UTILITY DISTRICT
6201 S ST
SACRAMENTO, CA 95814

Agent:

Address:

Phone No. 916-716-2300

Phone No.

Fax No.

Fax No.

E-mail Address:

E-mail Address:

Source Name: SACRAMENTO RIVER

Year of First Use: 2003

Tributary To:

Name of Diversion works:

County: Solano

Assessor Parcel Number

Diversion within: SW 1/4 of SW 1/4 Section 22, T 3 N, R 2 E, MDB&M

of the Diversion site: 090-210-001

A. **Water Is Used Under:** Riparian claim Pre-1914 claim Court Decree No.: _____ Other (explain): _____

B. **Year of First Use:** (Please provide if missing in the Division of Rights database (ewrims)) _____

C. **Rate of Diversion:** The rate of diversion of water for each month used and entered in the table below is shown in units of:
Gallons per minute (gpm) _____ Gallons per day (gpd) Cubic feet per second (cfs) _____

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Average Rate
2006	20,000	20,000	20,000	20,000	20,000	—	—	—	—	—	—	—	20,000
2007	20,000	20,000	20,000	20,000	20,000	20,000	20,000	40,000	40,000	40,000	40,000	40,000	28,000
2008	—	—	—	4,000	—	—	4,000	—	—	8,000	8,000	8,000	6,400

D. **Quantity of Water Used:** The quantity of water used each month and entered in the table below is shown in units of:
Gallons _____ Million Gallons (MG) Acre-feet (AF) _____

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
2006	.62	.56	.62	.60	.62	0	0	0	0	0	0	0	3.62
2007	.62	.56	.62	.60	.62	.60	.62	1.24	1.20	1.24	1.20	1.24	10.36
2008	0	0	0	.12	0	0	.12	0	0	.25	.24	.25	.98

E. **Purpose of Use** – Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation _____ acres; Stockwatering _____; Domestic _____;
Other (specify) Dust abatement, soil compaction, general construction at wind turbine power plant
Parcel Number(s) of Place of Use: various parcels adjacent to diversion site
some

F. **Changes in Method of Diversion** – Describe any changes in your project since your previous statement was filed.
(New pump, enlarged diversion dam, location of diversion, etc.) No changes

G. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES NO
Describe any water conservation efforts you have initiated: _____

b. If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved:

Reduction in Diversions:
Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

Reduction in consumptive use:
Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

I have data to support the above surface water use reductions due to conservation efforts. YES _____ NO _____

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES _____ NO _____.
- b. If you are claiming credit due to the substitution of reclaimed water, desalinated water or polluted water in lieu of a claimed pre-1914 appropriative right under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of substitute water supply used:

Amount of reduced diversion:
Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

State the type of substitute water supply: _____

Amount of substitute water supply used:
Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

I have data to support the above surface water use reductions due to the use of a substitute water supply. YES _____ NO _____.

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES _____ NO _____.
- b. If you are claiming credit due to the substitution of groundwater for a claimed pre-1914 appropriative right under section 1011.5 of the Water Code, please show the amounts of groundwater used:

Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

I have data to support the above surface water use reductions due to the use of groundwater. YES _____ NO _____.

I understand that it may be necessary to document the water savings claimed in "F" above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: May 11, 2009 at Sacramento, California, California

SIGNATURE: DE McFadden

PRINTED NAME: Dudley E. McFadden
(first name) (middle initial) (last name)

COMPANY NAME: Sacramento Municipal Utility District

If there is insufficient space for your answers, please use the space provided below or add an attachment sheet.
CONTINUATION

ITEM E Most water used at APN 090-210-001.

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

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An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. After the formation of the California Water Commission back on December 19, 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

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CHANGE OF NAME/ADDRESS OR OWNERSHIP

Regulations require the owner of a water right to directly notify the State Water Resources Control Board (State Water Board) with information regarding either a change in the name and/or address of the current water right holder or a change in ownership of the water right (Cal. Code Regs., Title 23, §830-831). All correspondence pertaining to a water right, including the bill for fees, is mailed to the owner (or agent) of record at the most recent address supplied to the State Water Board. Until such time as the State Water Board is notified of a change in ownership, the owner of record is liable for all fees and related charges assessed to the billing account.

To inform the State Water Board of any updates to the name or address of the current water right holder, please complete Box 1 and return this form to the Division of Water Rights at the address above. To inform the State Water Board of a change in ownership of a water right, please complete Boxes 1 and 2. If there are joint owners of this water right, you must provide the names and addresses of all joint owners and designate one person to receive all correspondence from the State Water Board regarding the joint application (Water Code, § 1290; Cal. Code Regs., Title 23, § 691.) For multiple owners, please attach additional sheets as necessary.

Box 1: Current or New Owner: (complete for Change of Name/Address or Change of Ownership)

Provide the water right identification number for all that apply:

Application No. _____ Permit No. _____ License No. _____ Statement No. S015897

Small Domestic/Livestock Registration or Stockpond Certificate No. _____ Groundwater Recordation No. _____

Select One: Individual/Sole Proprietor _____ Husband/Wife Co-Ownership _____ Estate _____ Trust _____ Joint Venture _____
Partner/Co-Ownership _____ Limited Partnership _____ Limited Liability Partnership _____ Government Agency _____
Corporation Unincorporated Business _____ Limited Liability Company _____ Organization/Association _____

Owner Name: Sacramento Municipal Utility District

Co-Owner: _____

Mailing Address: PO Box 15830, MS B355

City, State, Zip: Sacramento, CA 95852-0830

Phone Number: (916) 452-3211 E-Mail Address: _____

Assessors Parcel Number(s) (APN) associated with the water right: 090-210-001

Box 2: Former Owner: (complete only for Change of Ownership)

I have assigned all my right, title, and interest in the above water right(s) to the party(s) named above.

Owner Name: _____

Mailing Address: _____

City, State, Zip: _____

Phone Number: () _____ E-Mail Address: _____

Please sign and return this form to the Division of Water Rights at the address above. (Keep a copy for your records if desired)

Name: Dudley E. McFadden, III, PE
(Please Print Legibly)

Signature: 

Date: 05/09/09

EW 15/10/09
5/18/09
DL
5/12/09



State Water Resources Control Board



Linda S. Adams
Secretary for
Environmental Protection

Division of Water Rights
1001 I Street, 14th Floor ♦ Sacramento, California 95814 ♦ 916.341.5300
P.O. Box 2000 ♦ Sacramento, California 95812-2000
Fax: 916.341.5400 ♦ www.waterrights.ca.gov

Arnold Schwarzenegger
Governor

FAX TRANSMISSION



Date and Time:	4/25/07
To:	LESLIE DUNSWORTH ASST. GENERAL COUNSEL
Company:	SMUD
Fax No.:	(916) 732-6581
From:	BILL RIGBY
Company:	STATE WATER RESOURCES CONTROL BOARD, DIVISION WATER RIGHTS, RECORDS UNIT
Phone No.:	(916) 341-5421
Fax No.:	341-5400
No. of Pages:	5 - 6

Message: LESLIE! THIS IS EVERYTHING WE HAVE
ON FILE,
SO 15897

Fyi — THE POINT OF DIVERSION CAN BE FOUND ON
THE U.S.G.S. QUAD MAP "ANTIOCH NORTH, CALIF."



State Water Resources Control Board



Alan C. Lloyd, Ph.D.
Agency Secretary

Division of Water Rights
1001 I Street, 14th Floor ♦ Sacramento, California 95814 ♦ 916.341.5300
P.O. Box 2000 ♦ Sacramento, California 95812-2000
FAX: 916.341.5400 ♦ www.waterrights.ca.gov

Arnold Schwarzenegger
Governor

In Reply Refer
to:333:PLM:S015897

JUL 17 2006

Sacramento Municipal Utility District
c/o Keith Shorey
6201 S Street
Sacramento, CA 95814

Dear Mr. Shorey:

STATEMENT OF WATER DIVERSION AND USE NO. S015897 FOR DIVERSION FROM
SACRAMENTO RIVER TRIBUTARY TO SUISUN BAY IN SOLANO COUNTY

The State Water Resources Control Board (State Water Board), Division of Water Rights (Division), received your Statement of Water Diversion and Use (Statement) filed on August 19, 2005. Your Statement has been assigned identification Number S015897. A copy of the Statement is enclosed for your records. Please reference this number in any correspondence regarding this Statement.

Please notify us of any change in mailing address, or if there is a change of ownership.

State Law requires that supplemental statements be filed at three-year intervals. The form is automatically sent to you by the State Water Board at the close of the three-year period.

Thank you for your cooperation. If you have any questions or concerns, please contact me at (916) 341-5315.

Sincerely,

original signed by

Susan J. Wilson
Sanitary Engineering Associate
Water Rights Processing Unit

Enclosure: Copy of Statement

bcc: sjw (without enclosure)

PLMiner:DCL:3-28-06
u:/PERDRV/PLMiner/S015897 First Notice

California Environmental Protection Agency

SURNAME

First Notice 1-06

PLM 3-28-06 sjw 4/12/06

Recycled Paper

STATEMENT OF WATER DIVERSION & USE

CLAIMANT: SMUD

FILE NUMBER: S015897 NAME INDX(S): _____

CLAIM(S) RECEIVED BY: MAIL OC _____ DATE REC'D: 8/19/05

ACCEPT: RETURN: _____ STREAM CODE: 000100000

QUAD MAP CODE: HH-045 QUAD MAP NAME: ANTIOCH NORTH

CALIF COORD: ZONE 2+3 N 152,750 E 2,071,200

REMARKS: _____



SMUD

SACRAMENTO MUNICIPAL UTILITY DISTRICT
The Power To Do More.®

5015897

SJW

P.O. Box 15830, Sacramento, CA 95852-1830; 1-888-742-SMUD (7683)

August 17, 2005

State of California
State Water Resources Control Board
Division of Water Rights
901 P Street
Sacramento, CA 95814

Subject: Sacramento Municipal Utility District Filing of Statement of Water Diversion & Use

The Sacramento Municipal Utility District through its project Manager, URS Corporation, is filing a Statement of Water Diversion & Use for the taking of water from the Sacramento River. The water will be used for dust control during the construction of Phase II of SMUD's wind powered electric generation project on 3000 acres of land owned by SMUD. The project is located on Montezuma Hills Road approximately 4.5 miles southwest of Rio Vista and 15 miles southeast of the cities of Fairfield and Suisun.

The roads and tower sites will disturb approximately 20 acres on the 3000 acre parcel. Dust control will be required for site preparation for the erection of towers primarily in the months of October, November and December of 2005. Final completion of the project is scheduled for April 30, 2006.

As reported in the Original EIR 1993 and the Supplemental EIR 2003 it is estimated that up to 101,500 gallons of water will be used daily for 40 days. This was not considered to be a significant environmental impact.

. Water trucks will be used to apply the water. The water intake pipe will be screened to preclude the capture of fish such as river smelt. No wind turbines or new access roads will be placed within one-quarter mile of the river. Site runoff is not considered to be an issue.

Construction is scheduled to begin September 15, 2005. Tower and turbine erection will be in January, February and possibly March of 2006.

If additional information is required please contact me at (916) 716- 2300.

Sincerely,


Keith D. Shorey

cc: Dick Wallace, SMUD; Ron Scott, SMUD; Dennis Dudzik, URS Corporation

S015897

STATEMENT OF WATER DIVERSION AND USE

(This is not a Water Right)

This Statement should be typewritten or legibly written in ink and submitted to the address above.
 A separate statement should be filed for each point of diversion. A duplicate copy will be returned for your file.

- A. Name of person diverting water : **Sacramento Municipal Utility District**
 Address: **6201 S Street Sacramento, CA 95814**
 Telephone: **(916) 716-2300**
- B. Water is used under : Riparian claim; XXX Pre 1914 right; _____ Other (explain) _____
- C. Name of the body of water at the point of diversion : Sacramento River
 Tributary to: Suisun Bay
- D. Point of diversion is located within Solano County on Assessors Parcel # 090-210-001, being within the SW 1/4 of SW 1/4 of Section 22, of Township 3 North, Range 2 East, MDB&M.

 Name of works: Unnamed diversion facility to be by skid mounted pump. Intake pipe to be screened to prevent capture of aquatic life such as river smelt.
- E. Do you own the land at the point of diversion? Yes XX NO ___ The name and address of the owner of the land is: _____
- F. Capacity of diversion works Estimate 102,000 GPD (cfs, gpm, or gpd)
 Capacity of storage tanks or reservoir: A 500-1000 gallon (+/-) temporary storage tank will be used to transfer water to the water trucks. (gallons or acre-feet)
- G. Enter the amount (or approximate amount) of water used each month.
 Amounts below are shown in: Gallons XXX Acre-feet _____ Other _____

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
									1m	2m	1m		

6.2 cfs

- H. Annual water use in recent years: Maximum 200,000 gallons (gallons or acre-feet) Minimum _____ (gallons or acre-feet)
 Year of first use (nearly as known) 2003 for dust control during construction of Phase I of the Wind Powered Electrical Generation Project. No "annual" use is made of the water rights.
- I. Purpose of use: What is the water being used for: (example, number of acres and type of crop irrigated, average number of persons served, number of stock watered, etc.) Water will be pumped from the river into water trucks for spreading as dust control on the roads and tower pad sites on the 3000 acre parcel of land. Approximately 20 acres will be disturbed for the project.
- J. General description or location of place of use (example: 40 acres of pasture located 3 miles from Happyville on Alpha Road) The project is located on 3000 acre parcel on Montezuma Hills Road approximately 4.5 miles southwest of Rio Vista and 15 miles southeast of the cities of Fairfield and Suisun.
- K. Map: Please locate the point of diversion and place of use on a print of a USGS quad map, or make a sketch on the section grid provided on the reverse side of this form. The sketch should identify the section lines, prominent local landmarks and roads, your point of diversion, and your place of use (your house, acreage irrigated, etc.).

L. Please answer only those questions below which are applicable to your project.

Additional copies of this form and water right information can be obtained at www.waterrights.ca.gov.

1. Conservation of water

a. Describe any water conservation efforts you may have started. **Not Applicable to this project**

2. Water quality and wastewater reclamation

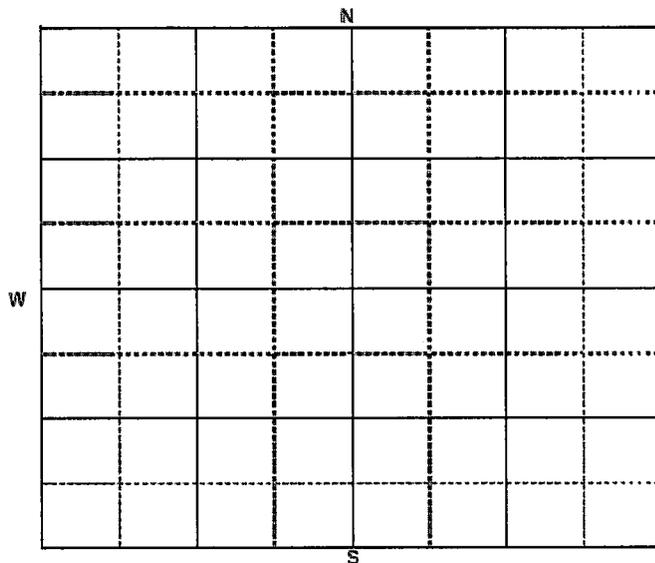
a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES ___ NO ___ **Not Applicable to this project.**

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATE: **August 19, 2005 at Sacramento, California**

SIGNATURE: Keith D. Shorey

PRINTED NAME: **Keith D. Shorey**
 COMPANY NAME: **Sacramento Municipal Utility District**
(916) 716-2300



The location of the diversion point and the place of use may be sketched on the section grid provided. If it is used, please enter the section(s), township, range and the base & meridian below. Also, show any streams or other landmarks that will assist in identifying the area.

Section(s) _____
 Township _____
 Range _____
 _____ B&M

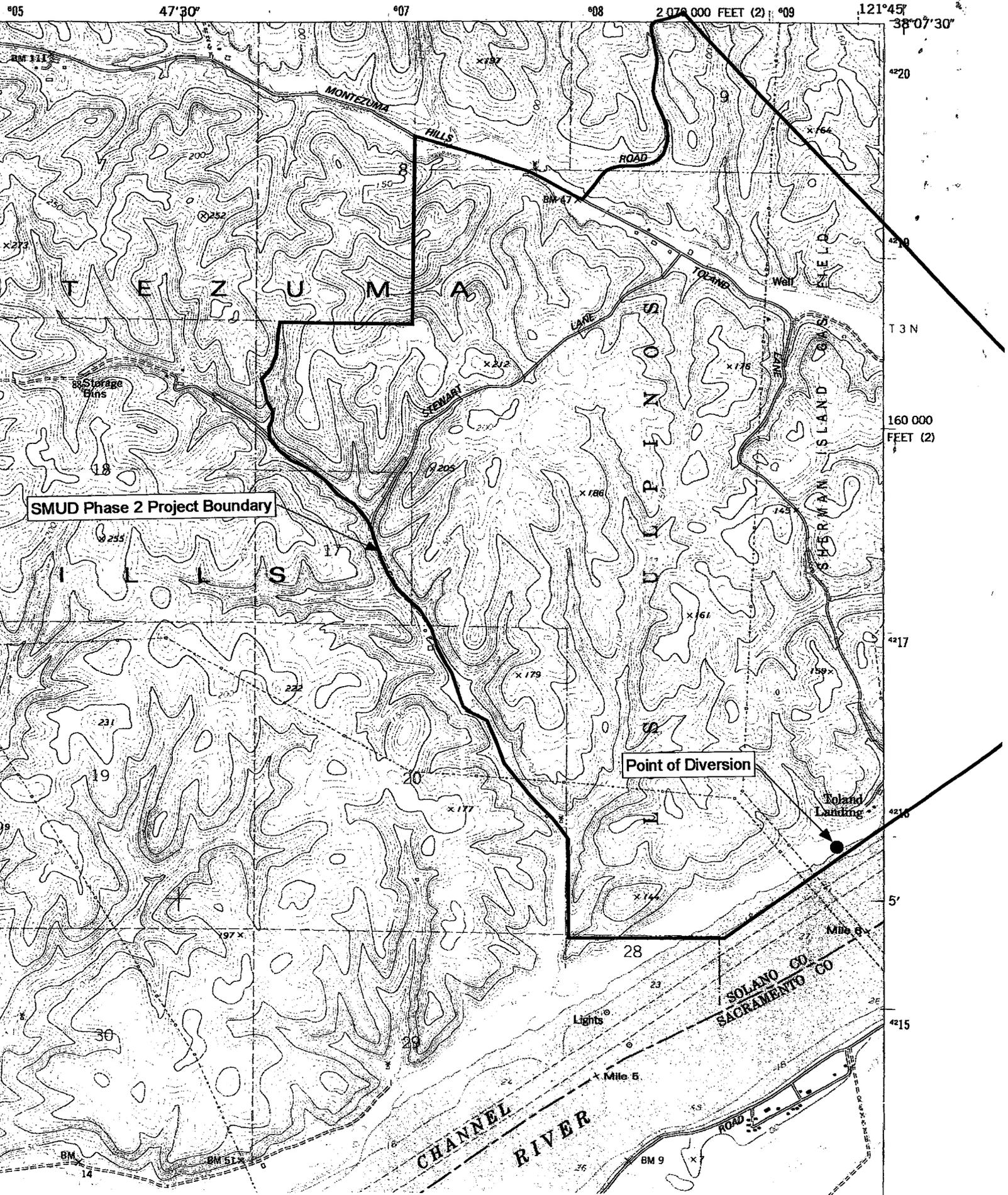
GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights. A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the source of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to 1) store water for later use 2) divert water which originates in a different watershed 3) divert water released from storage, or 4) divert return flows from groundwater use. An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State. Statements of Water Diversion and Use must be filed by a riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators. The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Right in California and (3) Appropriation of Water in California.

S015897

ANTIOCH NORTH QUADRANGLE
CALIFORNIA
7.5 MINUTE SERIES (TOPOGRAPHIC)
SE/4 PITTSBURG 15' QUADRANGLE

1860 II NW
(RIO VISTA)



SMUD Phase 2 Project Boundary

Point of Diversion

SOLANO CO
SACRAMENTO CO

CHANNEL RIVER

05 47'30" 07 08 2 070 000 FEET (2) 09 121°45'

38°07'30"

420

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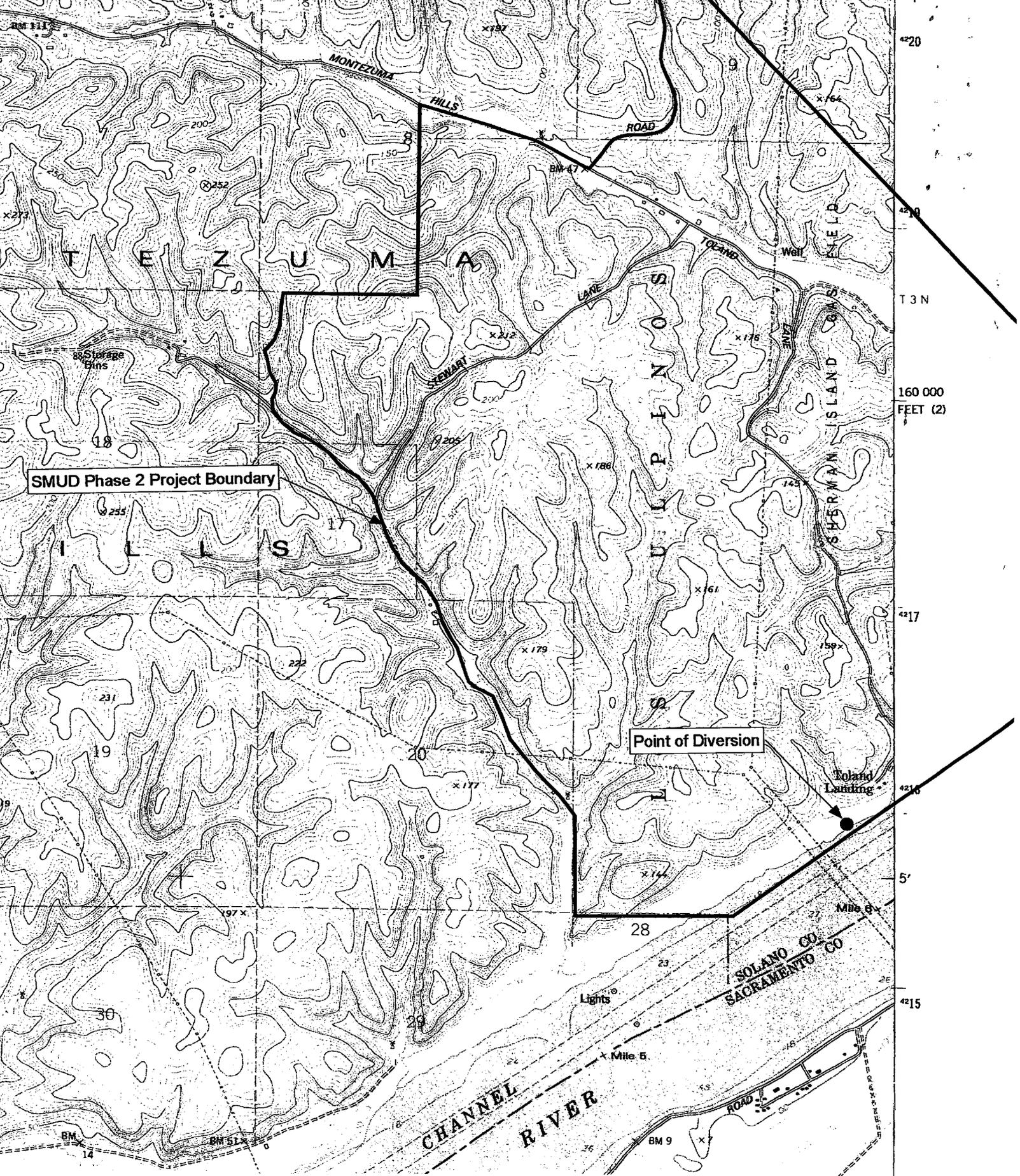
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