

Sample Form last revised
on Feb 19, 2015

**Central & South Delta Water Agency's
SAMPLE ONLINE FORM AND INSTRUCTIONS
"Informational Order Supporting Data"
(Due March 6, 2015)**

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Informational Order Supporting Data (Part 1)

- Please fill out and submit the web form below for *each* Statement of Water Diversion and Use (Statement
- Attachments should be sent to the following email address:
SWRCB-2014informational-order@waterboards.ca.gov with the subject title named as directed in the web

Preview the Complete Form (PDF) in order to gather the necessary information.

Questions regarding this form can be directed to: Phone: 916-341-5342

Top of Form

On this first page, at a minimum, fill in the "required fields" boxed in red, plus the County field. Remember that every Statement Number (S0_ _ _ _ _ no.) needs its own separate form.

Enter the Statement Number associated with this report (e.g., S012345). If you are reporting for multiple water rights, please use a separate web submission for each Statement Number.

Statement Number: * S012345

| Location of Water Right (County): San Joaquin

Adjudication Name:

| Adjudication Diversion No.

Primary Owner:* Jane Doe

Mailing Address:

City: , State: California , Zip:

Telephone: * 209-123-4567

Email: * janedoe@janedoe.com

Person Filing This Form: * Jane Doe

Mailing Address:

City: , State: California , Zip:

Telephone: * 209-123-4567

Email: * janedoe@janedoe.com

(Required*)

Continue to Part 2 ←

WARNING:

Be very careful navigating this form. As of February 18, 2015, if you backtrack to earlier parts of this form and then click on the "Continue to Part 2 (or 3)" boxes to get back to where you left off, it will wipe out any data you inputted in Part 2 (or 3). The SWRCB may fix this. Otherwise, to be safe, use your internet browser's back and forward arrows to backtrack through this form and return to where you left off.

Revised February 4, 2015

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Part 2

Statement Number: S012345
Primary Owner: Jane Doe,
Address: , City: , County: San Joaquin,
State: CA, Zip: ,
Phone: 209-123-4567, EMail: janedoe@janedoe.com,

If water was used for irrigation, select irrigation, then specify the number of acres. **NOTE:** if you had more than one point of diversion (i.e., more than one Statement Number) deliver water to the same field or parcel, then for purposes of these reports, it is recommended that you divide the total acreage of that field or parcel evenly among those Statement Numbers.

Use of Water (select your primary consumptive use only. If power generation is your primary use, select "Power Generation" and do not include other incidental uses.) Completion of this section is required.

- Municipal Population Served
- Domestic Number of People Served
- Stockwatering Number of Stock
- Irrigation 100 Acres Irrigated

Is all water diverted for power generation returned to the source with no storage?
 Yes | No

If No, please describe your power operation and what months and percentage of water diverted, on average, is collected to storage:

Other (describe):

Enter the patent date associated with your Statement Number provided by the CDWA or SDWA. **NOTE:** if that date is not available, or if you are outside those agencies, then use the weblink provided below to obtain that date by searching for the Township, Range and Section no. that covers your Statement Number. Doing so should provide a patent date and in most cases a copy of the actual patent. (See separate CDWA & SDWA instructions posted at sjwater.org on how to navigate that weblink and find that date and patent.)

Basis of Right Claimed and Supporting Documentation (Completion of one or all three of the following sections below is required, if they apply to your diversion.)

Riparian Right

Riparian Patent Date: 4/9/1877

NOTE: this is just a sample date.

Parcel Number(s) for Property Served under Riparian Right (list all, separated by commas, or if large entity provide a service area map identifying all property served under this right):

000-000-00,

List parcel nos. of the places of use served by the Statement Number.

Has your parcel been severed from the riparian watercourse but the riparian claim preserved through title?

Yes No

Select "no" unless a court has determined that your parcel has been "severed."

If yes, you must provide copy of deed.

Patent maps may be obtained at:
<http://www.glorerecords.blm.gov/>
(opens in a new tab/window).

Use this link if necessary (see above note). **NOTE:** as discussed below, the CDWA & SDWA will provide patent maps to the SWRCB on behalf of their landowners. Note also that for the Delta region, this site does not appear to provide patent maps.

Check if you are providing the attachments listed below. Please note: The attachments must be filed electronically at SWRCB-2014informational-order@waterboards.ca.gov

with the subject header as follows, "Subject: S012345 Riparian Claim Supporting Documents" where S012345 is replaced with your Statement Number.

Check this box. As explained at the bottom of the next page, the CDWA & SDWA will email a copy of the pertinent supporting documents on behalf of their landowners for each of the Statement Numbers located within their boundaries.

- Copy of Patent
- Patent Map
- Parcel or Property Map
- Copy of Title preserving riparian claim (If Applicable)

Unless you would like to use a different date, it is recommended that you enter the date provided by the CDWA & SDWA (which will be the date based on the "Certificate of Purchase" that covers the location of your point of diversion that is associated with your particular Statement Number). That date will be the same for both boxes. **NOTE:** if that date is not available, or if you are outside those agencies, then it is recommended that you enter the date from the Certificate of Purchase that covers the location of your point of diversion (or covers the place of use served by that point of diversion), or the date of the earliest settlement on either of those locations, or the date of the earliest patent covering those locations.

Pre-1914 Right

Pre-1914 Right: Priority Date being claimed 1869 | Year that water was first used 1869

NOTE: these are just sample dates.

Parcel Number(s) for Property Served under Pre-1914 (list all, separated by commas, or if large entity provide a service area map identifying all the properties served under this right):

000-000-00,

List parcel nos. of the places of use served by the Statement Number. (Should be the same as parcels nos. listed under riparian rights.)

Has the pre-1914 right being claimed been used continuously since first use? Yes | No or Unknown
If No or Unknown, indicate the time periods that the pre-1914 claim was not used or that the use was unknown.

Select "yes" unless a court adjudication has determined that it has not been used continuously.

- Check if you are providing the attachments listed below. Please note: The attachments must be filed electronically at SWRCB-2014informational-order@waterboards.ca.gov with the subject header as follows, "Subject: S012345 Pre-1914 Claim Supporting Documents" where S012345 is replaced with your Statement Number.

- County and Parcel Number Served or Map of Service Area
- Copy of Appropriation filed with County
- Signed declaration or evidence supporting continuous use

Check this box. As noted below, the CDWA & SDWA will email a copy of the pertinent supporting documents on behalf of their landowners for each of the Statement Numbers located within their boundaries.

NOTE: with regard to the request for a declaration or evidence of continuous use, it is the legal burden of the person alleging forfeiture of a pre-1914 right to demonstrate a lack of continuous use for the statutory period and during the appropriate time frame. This form fails to specify the pertinent time frame, if any, that is being called into question and, therefore, the CDWA & SDWA believe this request is misplaced and does not necessitate a response at this time.

Water Supply Contract (if applicable)

Who do you have a water supply contract with? USBR | DWR
Name of other provider:
Contract No.
Amount (Acre-feet) authorized to divert under this contract:
Amount (Acre-Feet) authorized to be diverted in 2014?
Amount (Acre-Feet) projected for 2015?

Most diverters within the CDWA and SDWA do **not** have a water supply contract with the USBR or DWR. Hence, most diverters within the CDWA and SDWA can skip this section.

Continue to Part 3

Please remember to submit your required attachments (if required) to SWRCB-2014informational-order@waterboards.ca.gov

For Riparian Claim Attachments, please indicate "S012345 Riparian Claim Supporting Documents" in the email subject line, where S012345 is replaced with your statement number.

- Copy of Patent
- Patent Map
- Parcel or Property Map
- Copy of Title preserving riparian claim (If Applicable)

To help alleviate the burden on its landowners, the CDWA & SDWA will email copies of the following supporting documents to the SWRCB associated with each of the Statement Numbers located within their boundaries: (1) the patent; (2) the patent map; (3) the assessor's parcel map; (4) the Certificate of Purchase; and (5) the Swamp and Overflow Survey.

For Pre-1914 Claim Attachments, please indicate "S012345 Pre-1914 Claim Supporting Documents" in the email subject line, where S012345 is replaced with your statement number.

- County and Parcel Number Served or Map of Service Area
- Copy of Appropriation filed with County
- Signed declaration or evidence supporting continuous use

Accordingly, no further email submittals should be required on behalf of those landowners in response to these Riparian and Pre-1914 emailing requirements unless the landowner is aware of, and has a copy of, a pre-1914 Appropriation filed with the County. If the landowner has such a copy, the landowner should email that to the SWRCB on its own.

State Water Resources Control Board
Division of Water Rights
P.O. Box 2000
Sacramento, CA 95814-2000

SWRCB-2014informational-order@waterboards.ca.gov

Questions: 916-341-5342
Fax: 916-341-5400

Enter the amount "**Directly Diverted**" (not "Amount Used") from the Excel Spreadsheet for 2014 posted at sjwater.org. (When entering acreage into the Excel Spreadsheet, see the above note at the top of page two re splitting the acreage between multiple Statement Numbers.) For purposes of this report, it is recommended that you report amounts directly diverted only for the months water was actually diverted through your particular siphon or pump.
NOTE: unless you have had your riparian and pre-1914 rights adjudicated by a court (extremely unlikely), those rights overlap and cannot be legally separated. Nevertheless, this form directs that you separate them to avoid double counting. Accordingly, in the absence of such an adjudication, it is recommended that you insert the directly diverted amounts into the **Pre-1914** boxes and insert the number one in the **Riparian** boxes as a placeholder. The suggested "Explanatory Attachment" to this form (posted at sjwater.org) should be emailed to the SWRCB explaining that these rights overlap.

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Part 3 - Monthly Diversion A

Statement Number: S012345
 Primary Owner: Jane Doe,
 Address: , City: , County: San Joaquin,
 State: CA, Zip: ,
 Phone: 209-123-4567, EMail: janedoe@janedoe.com,

Primary Use of Water: Irrigating

Enter the maximum rate of diversion from the pump and siphon charts also posted at sjwater.org. To avoid double counting, it is recommended that you enter such rates only in the **Pre-1914** boxes and leave the **Riparian** boxes empty. The suggested "Explanatory Attachment" also explains this.

Instructions: For the water right Statement associated with this report, please record the amount of water you diverted under a water right claim or under a contract. In the first table, please do the following: 1) Select the basis for the diversion for each month (i.e., riparian and/or pre-1914); 2) Record the amount diverted to storage or directly diverted and the maximum rate of diversion for each month in 2014, and 3) Record your projected monthly diversion amounts for 2015. In the second table, if you also diverted water under a water supply contract, please record any amount diverted in excess of underlying water right as water diverted under a contract for each month in 2014, if any. Please note that the units for reported and projected diversion amounts are fixed as 'acre-feet', therefore, please ensure that diversion amounts that are in other units are converted to 'acre-feet' prior to submitting the data. Maximum rate of diversion must be in units of 'cubic feet per second'.

1 acre-foot = 325851.43 U.S. gallons (gal)	To convert, enter a value in one box, then click in the other box to see the result. <u>Do not</u> use comma separators
	100000 gal = 0.31 acre-feet

2014 MONTHLY STATEMENT DIVERSIONS AND 2015 MONTHLY PROJECTED STATEMENT DIVERSIONS

ENTER ONLY NUMERIC VALUES, DO NOT INCLUDE UNITS, AND DO NOT LEAVE ANY FIELD BLANK. IF NO DIVERSION OR PROJECTED DIVERSION FOR A GIVEN MONTH, ENTER ZERO (0). PLEASE NOTE THAT BLANK FIELDS OR ANY ENTRY WITH NON-NUMERIC CHARACTERS WILL APPEAR AS ZERO (0) AFTER SUBMITTAL.

Do Not use comma separators. Do Not report the same value for Riparian and Pre-1914
 For each month in 2015, record your projected monthly diversion amounts under the water rights claim(s) of your Statement.

Month	Water Right Type	2014 Diversion to Storage (acre-feet)	2014 Direct Diversion (acre-feet)	2014 Maximum Rate of Diversion (cubic feet per second)	2015 Projected Diversion to Storage (acre-feet)	2015 Projected Direct Diversion (acre-feet)
January:	Riparian:					
	Pre1914:					
February:	Riparian:					
	Pre1914:					
March:	Riparian:					
	Pre1914:					
April:	Riparian:					1
	Pre1914:					63.10
May:	Riparian:		1			1
	Pre1914:		34.94	4		90.77
June:	Riparian:		1			1
	Pre1914:		98.51	4		99.21
July:	Riparian:		1			1
	Pre1914:		106.26	4		93.92
August:	Riparian:		1			1
	Pre1914:		74.34	4		80.47
September:	Riparian:		1			1
	Pre1914:		6.28	4		63.32
October:	Riparian:					
	Pre1914:					
November:	Riparian:					
	Pre1914:					
December:	Riparian:		1			
	Pre1914:		62.26			

Project the 2015 direct diversions by once again using the "Directly Diverted" amounts in the Excel Spreadsheet for 2014. If the acreage or crop types have changed for this Statement Number in 2015, then recalculate the spreadsheet with that changed information. The example given here involved 100 acres of corn in 2014 that changed to 100 acres of alfalfa in 2015. As before, insert the figures into the Pre-1914 boxes and insert the number one in the Riparian boxes.

Water Transfer Section:

Was any water diverted under this Statement transferred in 2014? Yes No
 If yes, please state quantity transferred in acre-feet: (AF)
 Transfer occurred from Day, Month, TO Day, Month.
 This transfer was approved by: State Water Board, DWR, USBR.

Most diverters within the CDWA and SDWA did not transfer any water based on their riparian or pre-1914 rights in 2014. Hence, most diverters within the CDWA and SDWA can select "no."

2014 MONTHLY WATER SUPPLY CONTRACT DIVERSION AMOUNTS (ACRE-FEET)

ENTER ONLY NUMERIC VALUES, DO NOT INCLUDE UNITS, AND DO NOT LEAVE ANY FIELD BLANK. IF NO CONTRACT WATER DIVERSION FOR A GIVEN MONTH, ENTER ZERO (0). PLEASE NOTE THAT BLANK FIELDS OR ANY ENTRY WITH NON-NUMERIC CHARACTERS WIL APPEAR AS ZERO (0) AFTER SUBMITTAL.

January	February	March	April	May	June
July	August	September	October	November	December

Bottom of Form

When ready to submit, click the button below.

Submit Form

Most diverters within the CDWA and SDWA did not divert water pursuant to a water supply contract (from the USBR, DWR or from any other person or entity) in 2014. However, if you did divert pursuant to a water supply contract, it is recommended that you contact the contract water supplier for guidance on how to fill out this portion of the form.

Revised January 14, 2015, January 18, January 26, January 30

State Water Resources Control Board
 Division of Water Rights
 P.O. Box 2000
 Sacramento, CA 95814-2000

SWRCB-2014informational-order@waterboards.ca.gov
 Questions: 916-341-5342
 Fax: 916-341-5400

Comment Box and Emailed Explanatory Attachment:

Note that as of February 18, 2015 there was no "Comments Box" at the end of this form. However, the SWRCB indicated that such a box should be available by February 23rd.

If the Comment Box is large enough to contain the entire "Explanatory Statement" that the CDWA & SDWA recommend that you, yourselves, email to the SWRCB, then that entire statement can be cut and pasted into that box. However, if it is not large enough to contain that entire statement, then it is recommended that you, yourselves, email that entire statement to the SWRCB using the following email address:

SWRCB-2014informational-order@waterboards.ca.gov with the subject header as follows, "Subject: S012345 Explanatory Attachment" where S012345 is replaced with your Statement Number.

(**NOTE:** the Explanatory Attachment provides important explanations/clarifications for several of the above reporting recommendations. Since the CDWA & SDWA cannot know in advance the degree to which any particular landowner will follow those recommendations, the CDWA & SDWA are leaving it up to the landowner to email that attachment to the SWRCB to the extent the landowner does indeed follow those recommendations. The attachment can also be modified as necessary to suit the landowner's needs.)

EXPLANATORY ATTACHMENT
to the SWRCB's Online Form Entitled:
“Informational Order Supporting Data”
(Due March 6, 2015)

Use of Water: If multiple Statement Numbers (i.e., “Points of Diversions”) are used to irrigate the same field or parcel, the acreage of that field or parcel is divided evenly among those Statement Numbers and each Statement Number is reported as serving its fractional share.

Riparian Rights: The riparian patent date is the date of the patent from the United States to the State or from the United States to a private party as derived from the referenced Bureau of Land Management records website provided in the online form. If available, the patent date from the State to the private party is used in lieu of the patent date provided by that site. The date of priority for riparian lands is expected to relate back to the time of settlement prior to patent.

The online form has been marked “no” as to severance of riparian rights. The question on the form is compound but in any event the term “severance” reflects a legal conclusion which must be determined in a court adjudication.

Pre-1914 Rights: The Pre-1914 priority date and year that water was first used are based on the estimated time of settlement and use of water on the land where the Point of Diversion is located and/or where the Place of Use served by that Point of Diversion is located. Where available, Certificates of Purchase dates are used to support the estimates. The reporting party reserves the right to support an even earlier date as more historical evidence is located.

The claim of continuous use is made until such time as a court adjudication has determined that such use was not continuous.

Monthly Diversions: The “Direct Diversion” amounts for 2014 are calculated from the Excel spreadsheets posted at sjwater.org and are based on consumptive use estimates multiplied by a multiple to account for additional water that is diverted but not consumed or evaporated. Additional water is also added to the foregoing to account for field flooding, if any. The consumptive use estimates are based on the following:

Central and South Delta, Zone 12: Used ITRC REPORT 03-001 ETc Table for Irrigation Scheduling and Design, Zone 12 for Surface Irrigation, Typical year adjusted for the reporting year using CIMIS monthly ETo for Manteca. For crops not covered by the ITRC report ETc was determined using ratios to alfalfa from Table A-5, DWR Bulletin 168, October 1978.

North or West Delta, Zone 14: Used ITRC REPORT 03-001 ETc Table for Irrigation Scheduling and Design, Zone 14 for Surface Irrigation, Typical year adjusted for the reporting year using CIMIS monthly ETo for Lodi West. For crops not covered by the ITRC report ETc was determined using ratios to alfalfa from Table A-5, DWR Bulletin 168, October 1978.

The “Projected Direct Diversion” amounts for 2015 are derived in the same manner, and based on the same 2014 Excel Spreadsheets, as the amounts for 2014 except that the amounts for 2015 take into consideration any anticipated changes in acreage or crops compared to 2014.

Because the online form instructs: “Do Not report the same value for Riparian and Pre-1914,” the amounts directly diverted are entered into the Pre-1914 boxes and the number one is inserted into the Riparian boxes. Until the Pre-1914 and Riparian rights are adjudicated they are overlapping rights that cannot be legally separated. Moreover, the claim of right for this Statement Number also includes overlying rights, statutory rights and rights derived from use for more than 120 years which can likewise overlap in various respects. (Note: these rights also overlap with any *post*-1914 and contract rights that may be applicable to the places of use at issue herein.)

Maximum Rates of Diversion: The maximum rates of diversion are determined by estimating head conditions and using the siphon and pump capacity graphs posted at sjwater.org. Fluctuation of water levels due to changes in river flows, tides and numerous other factors renders determination of maximum diversion rates somewhat inexact. The relevance of such a maximum rate determination is questionable in that in many cases the maximum rate is not used or only used for a limited period. To avoid double counting, the maximum rates are only entered into the Pre-1914 rights boxes (even though those rates likewise apply to the overlapping Riparian rights).