### SFEP Supplemental Questionnaire: Water Rights and Hydrogeomorphic Factors

Please answer the questions related to either this specific proposal, OR a future phase of the project. Use “N/A” where applicable.

#### Existing Water Rights Associated with the Proposed Project

1. Please fill out the following table for all of the water rights associated with your project (attach additional sheets if necessary). This information can be found using the State Water Resources Control Board’s (State Water Board) [Electronic Water Rights Information Management System (eWRIMS)](https://ciwqs.waterboards.ca.gov/ciwqs/ewrims/EWPublicTerms.jsp).

If you have difficulty locating your water rights information using eWRIMS, consider calling the State Water Board’s Division of Water Rights general helpline for assistance: (916) 341-5300.

| **Application or Statement No.†** | **Water Right Type** | **Primary Owner** | **Diversion Season** | **Diversion Amount\*** | **Diversion Rate\*** |
| --- | --- | --- | --- | --- | --- |
| (Example)A012345 | Appropriative | Joe C. Public | 12/15 – 03/31 | 14 acre-feet | 1.0 cfs |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |

† Application numbers are for post-1914 appropriative water rights and start with the letter “A”; statement numbers are for other types of water rights, such as riparian and pre-1914 appropriative rights, and start with the letter “S”.

\*Include unit of measure

#### Are there any pending water right compliance issues or enforcement proceedings associated with any of the water rights listed above? If yes, please describe the water rights involved (Application and/or Statement numbers) and the nature of the compliance issues and/or enforcement proceedings.

#### Identify the location of points of diversion located within project area that may be affected by the project. Provide coordinates in Decimal Degrees (e.g., Lat: 38.572906, Long: -121.498440).

Latitude:

Longitude:

*Add points as necessary*

#### 4. Documentation of Water Rights: Please answer the questions related to the water right type(s) involved in your project. Use “N/A” where applicable.

1. *Adjudicated Rights*. If the right is an adjudicated right, please attach a copy of the court order that established the adjudicated right and all subsequent court orders. Indicate which right your claim is based on.
	1. Are you in compliance with the terms of the court order(s) establishing your right? If not, please explain.
2. *Riparian Rights*. If the right is a riparian right, please attach a copy of the deed upon which the riparian right is claimed.
	1. Was the parcel that forms the basis of this right ever part of a larger parcel? If so, was the riparian right reserved, either expressly or impliedly, when the original parcel was subdivided?
3. *Appropriative Rights*. If the right is an appropriative right, has the right or any portion of the right been unused over a five-year period? If so, please explain.
	1. Has any other appropriator used or made a claim to the unused portion of the right? If so, please explain.
4. *Pre-1914 Appropriative Rights*. If the right is a pre-1914 appropriative right, please attach documentation of the right, and/or explain the basis of the pre-1914 claim.
	1. Has the full amount of the right been put to continuous, beneficial use since it was established? If not, what portion of the right has been put to continuous, beneficial use?
5. *Post-1914 Appropriative Rights*. If the right is a post-1914 appropriative right, please attach the permit or license from the State Water Resources Control Board.

#### 5. Proposed Changes to Existing Water Rights

1. Does the implementation of the Project involve changes to any of the water rights listed above? Have you filed, or do you plan to file, a petition with the State Water Board seeking approval for these changes as part of the Project?
2. Petitions for changes to existing water rights for the purposes of preserving or enhancing wetland habitat, fish and wildlife resources, or recreation in or on the water are processed under **Water Code section 1707**.Does your project involve an instream flow dedication?

[ ]  Yes

[ ]  No

If yes, please explain the anticipated purpose, amount, timing, duration, and geographic scope of the dedication.

c. Petitions for long-term transfers of water or rights involving a point of diversion, place of use, or purpose of use are processed under **Water Code section 1735, 1736, and 1737**. Would implementation of your project involve a transfer of water or water rights?

[ ]  Yes

[ ]  No

If yes, please explain the anticipated purpose, amount, timing, and duration of the transfer.

6. Have you consulted with the State Water Board or any other local, state, or federal agencies regarding the proposed changes and/or petitions described above?

[ ]  Yes

[ ]  No

If yes, please describe the scope and outcome of the consultations and list the Division of Water Rights contact. If you have already begun the petition process, please describe the status and timeline.

#### Initiation of New Water Rights

7. Would implementation of your project involve the initiation of new water right(s)? If yes, please describe the type of water right(s) involved, the source of water to be diverted, the method of diversion (direct diversion or diversion to storage), diversion amount, diversion rate, diversion season, and purpose(s) of use.

#### Water Leases

8. Would implementation of your project involve a water lease? If yes, please specify the water rights(s) involved, describe the scope of the lease(s), and answer the question below.

1. Have you consulted with the State Water Board or any other local, state, or federal agencies regarding the proposed the water lease(s) described above? If yes, please describe the scope and outcome of the consultations.

#### Forbearance Agreements

9. A forbearance agreement is a formal arrangement between an individual or organization and a water right holder that specifies how a water diversion will be managed for instream use. These agreements do not change the terms of the water right, but specify conditions under which a water right holder will forgo diversion to allow water to be left instream.

**Will implementation of your project involve a forbearance agreement, or any other formal, voluntary agreements with outside parties or organizations with regard to the operation of existing or pending water rights?** If yes, please describe the anticipated scope of the agreement, the water rights that would be involved (Application and/or Statement numbers), and the parties that would be signatory to the agreement. Please provide a draft agreement, if available. (**NOTE:** WCB will not enter into forbearance agreements with applicants or other entities. The responsible party for enforcing the agreement must be the Applicant or another qualified organization)

#### Effects on Other Water Rights

10. Please describe how your project will affect water availability for water rights located upstream and downstream of your project.

#### Effects of Project on Stream Hydrograph

11. Will the hydrograph of any stream be altered as a result of the proposed project? If yes, please clearly describe how the hydrograph will be altered.

#### Effects of Project on Geomorphology

12. Is the anticipated stream flow enhancement significant enough to alter the geomorphology of affected stream channels and floodplains? If yes, please describe how these alterations would affect fish and wildlife.