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A Practitioner's Guide to Instream Transactions in California



SRF Annual Conference
March 20, 2014

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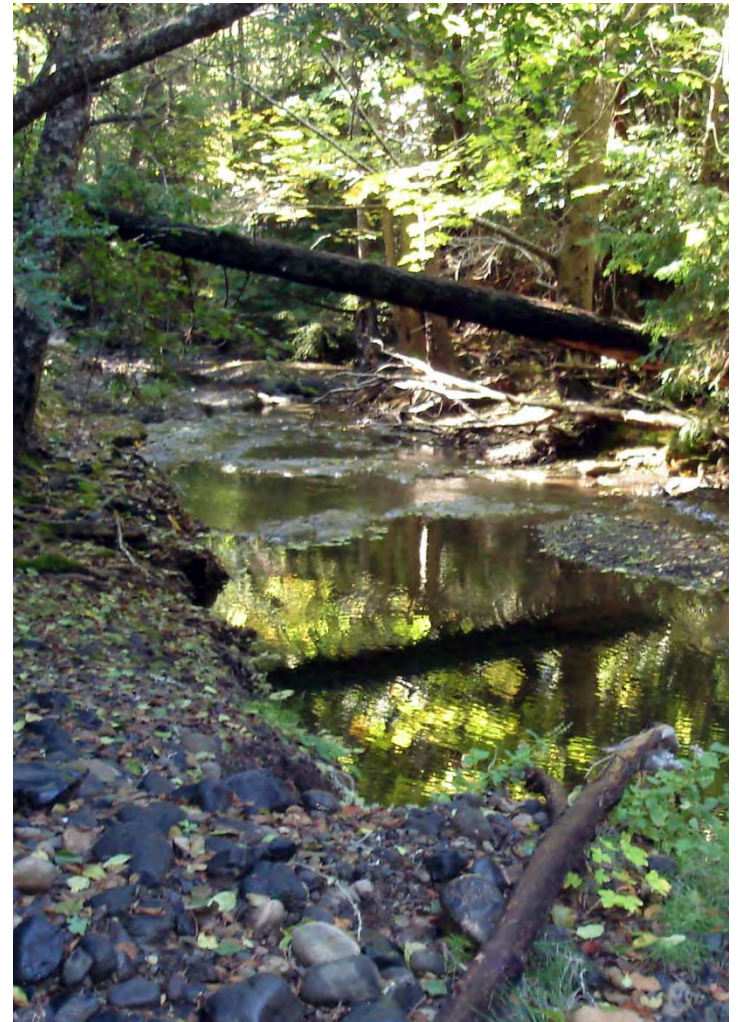
California Water Code Section 1707

Any person entitled to the use of water, whether based upon an appropriative, riparian, or other right, may petition the board for a change for purposes of preserving or enhancing wetlands habitat, fish and wildlife resources, or recreation in, or on, the water.



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**Why aren't instream
flow transactions used
more often?**



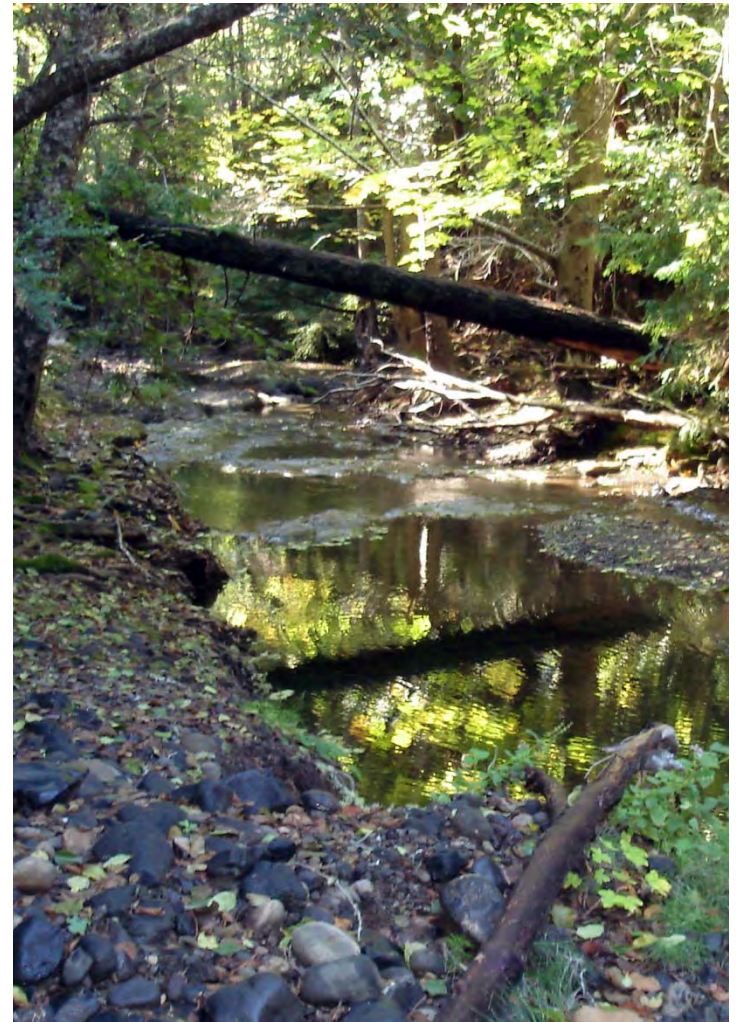


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Why aren't instream flow transactions used more often?

Lack of...

- **Understanding**
- **Use**
- **Information**





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Small Watershed Instream Flow Transfers Workgroup



Practitioner's Guide to Instream Transactions in California: WHY?

- **Water is important for streams!**
- **Identified need for clear guidance**
- **Support from agency staff**

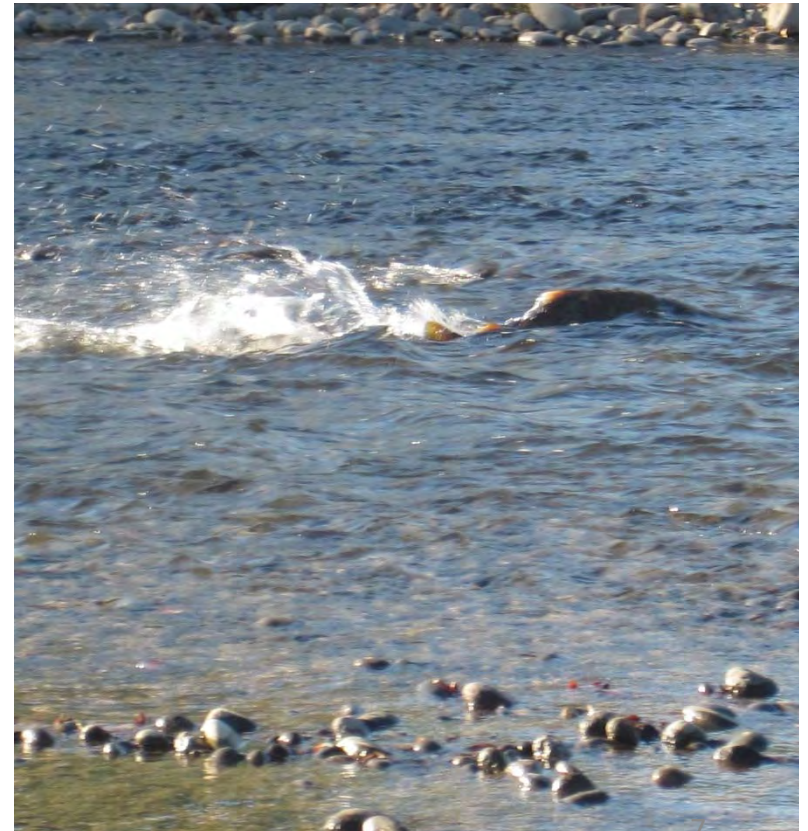




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Practitioner's Guide to Instream Transactions in California: WHAT?

- **Evaluation**
- **Step-by-step process**
- **Avoiding pitfalls**





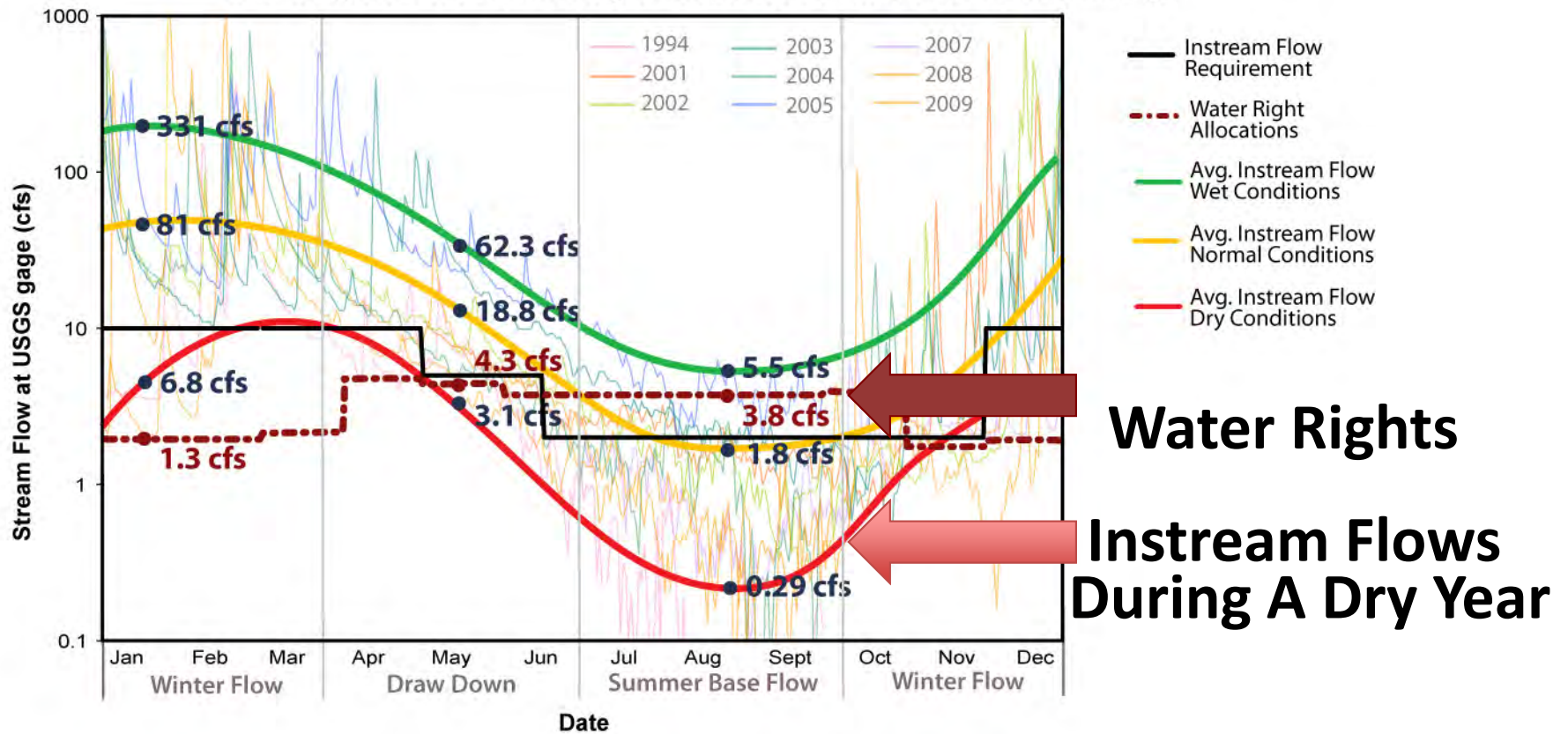
1707 Process: Evaluate

STATE OF CALIFORNIA STATE WATER RESOURCES CONTROL BOARD DIVISION OF WATER RIGHTS	
License for Diversion and Use of Water	
APPLICATION Page 1 of 3	PERMIT LICENSE
THIS IS TO CERTIFY, That August J. Repetto and Doris A. Repetto Route 1, Box 2CD Half Moon Bay, California 94019	
have made proof as of May 14, 1986 (the to the satisfaction of the State Water Resources Control Board of a right to the use San Gregorio Creek in San Mateo County	
tributary to Pacific Ocean	
for the purpose of Irrigation, Fire Protection and Recreational uses	
under Permit of the Board and that the right to the use of this water has in accordance with the laws of California, the Regulations of the Board and the permit priority of this right dates from November 29, 1978 and that the amount this right is entitled and hereby confirmed is limited to the amount actually beneficially used purposes and shall not exceed five and three-tenths (5.3) acre-feet per be collected from December 1 of each year to May 1 of the succeeding maximum withdrawal in any one year shall not exceed 5.3 acre-feet.	
This license does not authorize collection of water to storage outside specified season to offset evaporation and seepage losses or for any purpose.	
The maximum rate of diversion to offstream storage shall not exceed foot per second.	
THE POINT OF DIVERSION TO OFFSTREAM STORAGE OF SUCH WATER IS LOCATED By California Coordinates, Zone 3, North 305,800 and East 1,458,500 within SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of projected Section 14, T7S, R5W, MDB&M.	
THE PLACE OF STORAGE OF SUCH WATER IS LOCATED: Offstream reservoir within SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of projected Section 14, T7S,	

[FINAL SUBMITTED VERSION]			
SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FOR 2010			
Primary Owner:			
Statement Number:			
Date Submitted: 2011-06-30			
Water is used under	Riparian Claim Court Decree No.		
Year of first use	1900		
Month	Rate of diversion (GPD)	Amount directly diverted or collected to storage (Acre-Feet)	Amount beneficially used (Acre-Feet)
January	0.0	0.0	0.0
February	0.0	0.0	0.0
March	0.0	0.0	0.0
April	74170.0	7.0	7.0
May	74170.0	7.0	7.0
June	74170.0	7.0	7.0
July	74170.0	7.0	7.0
August	74170.0	7.0	7.0
September	74170.0	7.0	7.0
October	74170.0	7.0	7.0
November	0.0	0.0	0.0
December	0.0	0.0	0.0
Total		49	49
Purpose of Use			



1707 Process: Evaluate





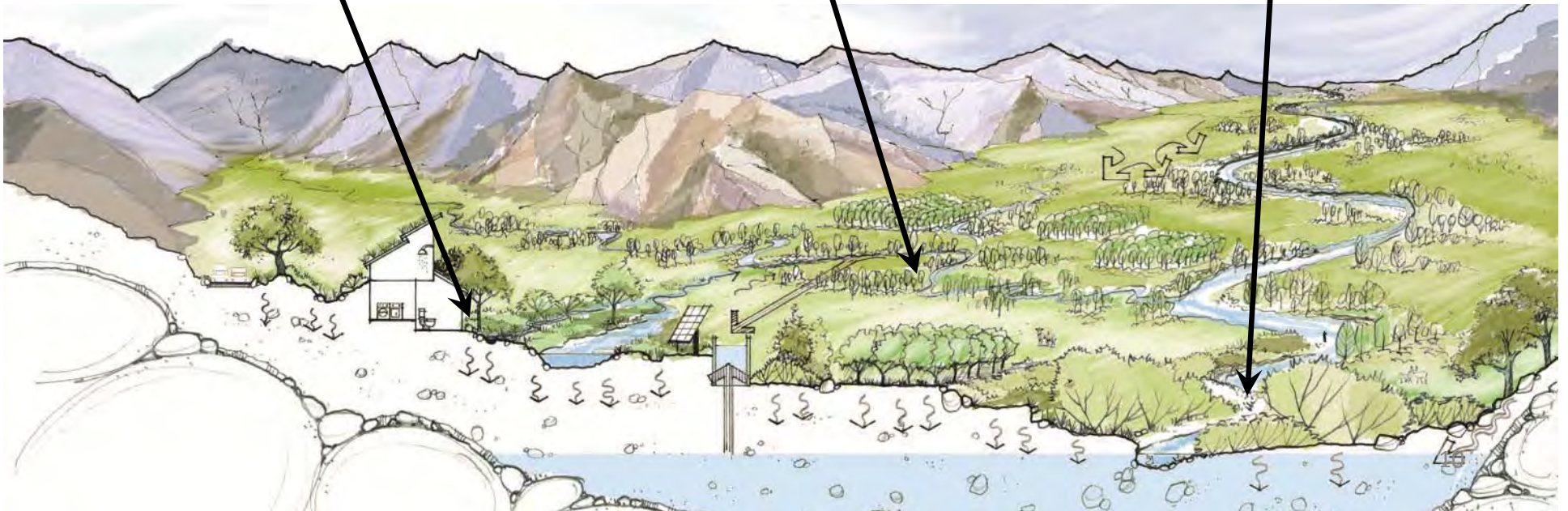
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1707 Process: Evaluate

Water Right A

Water Right C

Water Right B



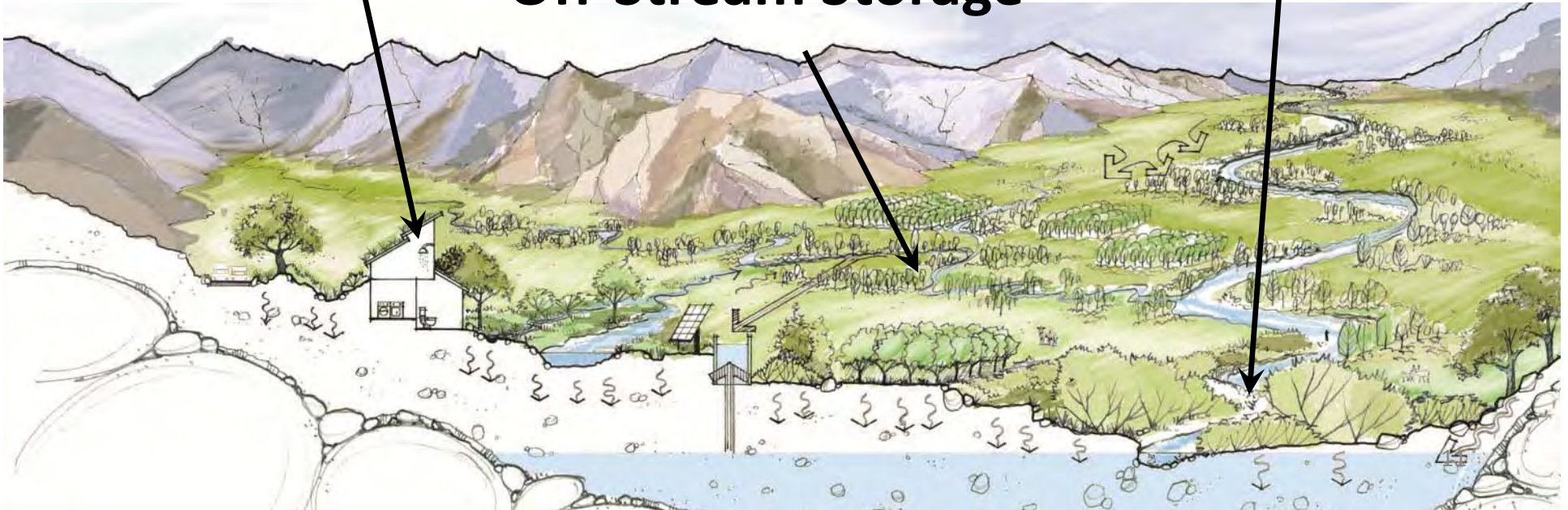


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**Rainwater Catchment +
Storage Tanks**

**Barrier Removal +
Point of Diversion Change**

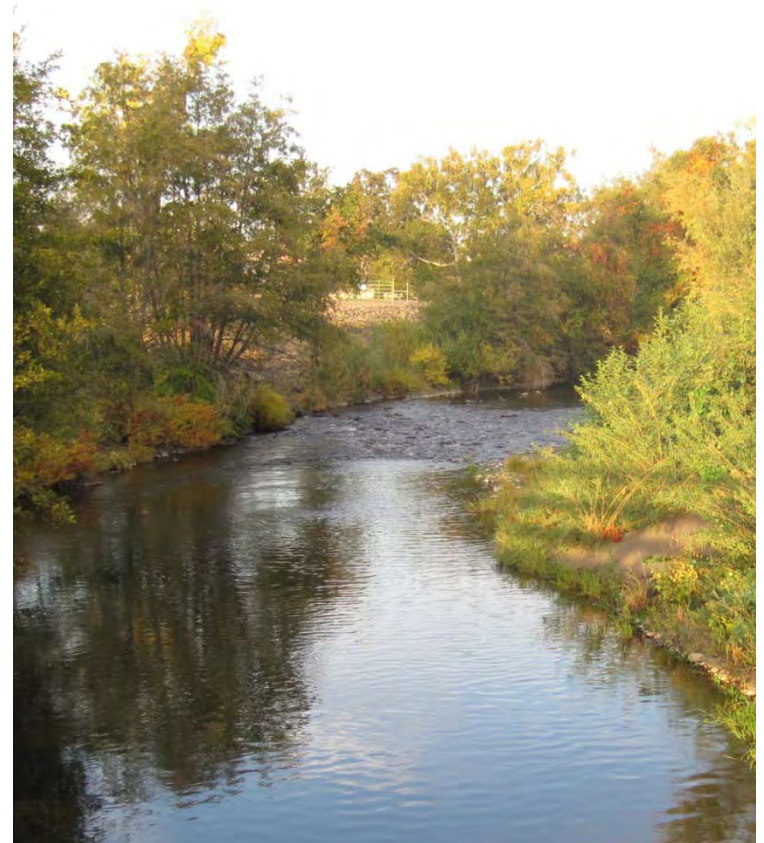
**Irrigation Efficiency +
Reduced Diversion Rate +
Off-Stream Storage**





Due Diligence

- **Evaluation**
- **Communication**
- **Data collection**
- **Petition**
- **Communication**
- **Implementation**





Avoiding Pitfalls (...or at least negotiating them)

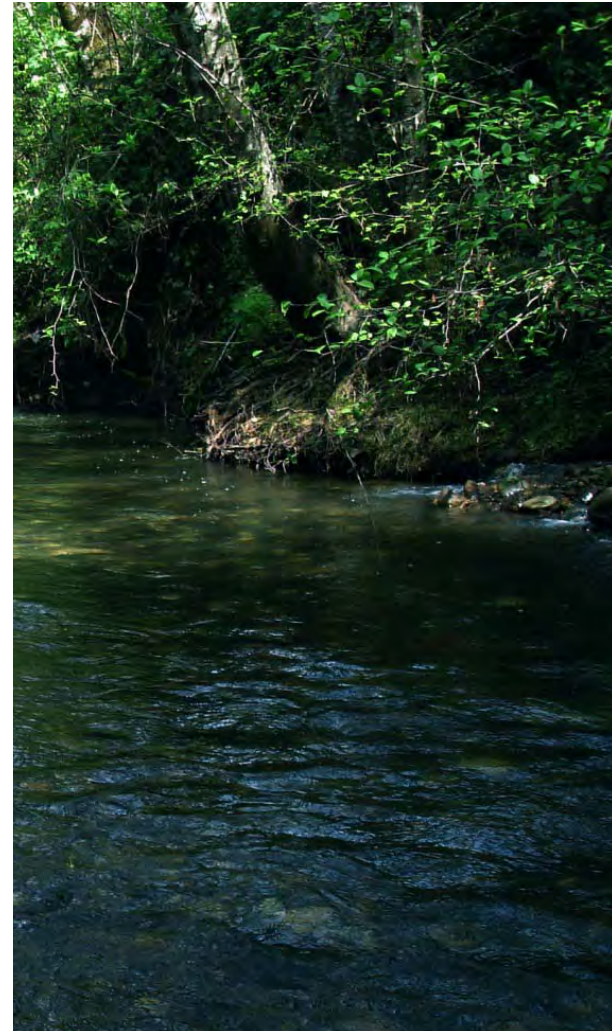
- Paper/Real water
- Shifting timelines
- Burden of proof





Resources

- **SWRCB website**
- **TPL Handbook**
- **AR Factsheets**
- **SWIFT Workgroup**
 - **Practitioner's Guide**
coming soon!





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