

Renewing SLCWD's Water Rights

Background

In 1964, the Sierra Lakes County Water District (SLCWD) obtained a water rights permit to divert up to 1177 acre feet of water from Lake Serena to meet the water needs of properties within the District's service boundaries. The original permit provided a ten-year period during which the District could make beneficial use of the water. Over the decades, the District has sought and obtained numerous permit extensions in order to continue providing water to property owners who had not yet built homes on their properties. The District's last permit extension ran through 2005, at which time the District applied to the State Water Resources Control Board (SWRCB) for its fifth extension.

Issue #1: Direct Diversion

The District was informed in 2008 by the SWRCB that its original water rights permit only allows water to be drawn from storage, even though the District has always taken additional water by means of "direct diversion." Direct diversion occurs whenever the District takes water out of the lakes during a time when water is also flowing into the lakes, which is typically more than six months of the year. Although SLCWD has historically been drawing water from the lakes during the winter months for the community's residential water needs, this right has not been officially granted to us in our existing permit. The SWRCB informed the District that it needs to petition to add this water right to its permit. The SLCWD Board retained legal counsel and water rights consultants, and SLCWD is seeking approval for direct diversion of water from Lake Serena.

Issue #2: Water Usage

The SWRCB has become much more strict in recent years with respect to the granting of petitions for extensions of water rights permits. For example, the SLCWD is for the first time being required to comply with laws requiring environmental review of its petition for an extension.

The petition will be considered by the SWRCB after completion of environmental review studies required by state law that the District is presently preparing. The District has retained attorneys and consultants to assist with this process.