



MERCED IRRIGATION DISTRICT

August 7, 2008

Mr. John Kirlin
Executive Director
Delta Vision Blue Ribbon Task Force
1416 Ninth Street, Suite 1311
Sacramento, CA 95814

RE: SWRCB Response to Second Round of Delta Vision Questions

Dear Mr. Kirlin:

This letter is in response to the June 12, 2008, letter to you from the SWRCB regarding their response to Delta Vision's May 2, 2008, second round of questions.

Question #6 requested information from the SWRCB on the major rivers in the Delta watershed and their main tributaries that are protected by instream flow standards. Noticeably absent from the SWRCB's reply was the Merced River below New Exchequer Dam.

The following is a brief summary of the instream flows on the Merced River provided by the Merced Irrigation District (Merced ID) pursuant to various agreements and regulatory requirements:

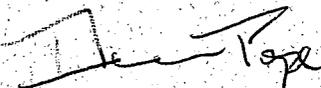
- **Federal Energy Regulatory Commission (FERC).** Merced ID's FERC license associated with the construction of the New Exchequer Dam calls for Merced ID to provide water for both instream fishery enhancement and to provide up to 15,000 acre feet of water to the Merced National Wildlife Refuge.
- **Davis-Grunsky Agreement.** In October 1967, Merced ID executed a contract with the State of California for state funds in the amount of \$8,000,000 to be used for the construction of recreational facilities and fish enhancement facilities operated by the Department of Fish and Game on the Merced River downstream from New Exchequer Dam. The contract also provides for Merced ID to maintain continuous flows in the Merced River's salmon spawning area each year during the period October 31 to March 31.

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- **Cowell Agreement Diversions.** A 1926 water rights adjudication and settlement agreement determined that Merced ID must provide water to downstream diverters. In order to satisfy its regulatory requirements and meet the requirements of the Cowell Agreement, Merced ID operates a target flow below its Crocker-Huffman Dam equal to the Cowell Agreement adjudicated requirements plus the FERC and Davis-Grunsky flow requirements.
- **Vernalis Adaptive Management Plan (VAMP) and San Joaquin River Agreement.** As part of the San Joaquin River Agreement, increased flows in the spring and fall are provided in the Merced, Tuolumne, and Stanislaus rivers, more than 50 percent of which is supplied by Merced ID. Such flows are provided during an April-May pulse flow and during October. The agreement also provides for additional water in years when the VAMP pulse flow requirements exceed 110,000 acre feet.
- **Merced River Adaptive Management Plan (MRAMP).** In the event the San Joaquin River Agreement is terminated before its expiration date, Merced ID will continue to provide supplemental interim flows at such times and in such quantities as are set forth in the MRAMP agreement between Merced ID, Department of Fish and Game, Department of Water Resources, and U. S. Bureau of Reclamation.

Should you have any questions or need additional information, please contact Mr. Ted Selb, Deputy General Manager, at (209) 722-5761.

Respectfully,



Dan W. Pope
General Manager

cc: Dorothy Rice, Executive Director
Tam Doduc, Chair
Gary Wolff, P.E., Ph.D., Vice Chair
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Charles Hoppin, Board Member
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Victoria Whitney, Deputy Director for Water Rights
Allen Short, San Joaquin River Group Authority