

IN THE
SUPREME COURT OF THE UNITED STATES

No. 138, Original

STATE OF SOUTH CAROLINA,
Plaintiff,

v.

STATE OF NORTH CAROLINA,
Defendant.

**Before the Special Master
Hon. Kristin L. Myles**

**BRIEF OF THE STATE OF SOUTH CAROLINA
IN RESPONSE TO CASE MANAGEMENT ORDER NO. 3
AS TO THE SCOPE OF THE COMPLAINT**

In response to Case Management Order No. 3, entered March 19, 2008, South Carolina respectfully submits this opening brief as to the scope of its Complaint.

Introduction and Summary

During a telephone conference held March 14, 2008, the Special Master directed the parties to address, through simultaneous briefing, three questions that were offered by North Carolina and recounted in South Carolina's First Progress Report, submitted March 12, 2008. First, are South Carolina's allegations of harm limited to interbasin transfers ("IBTs") approved by North Carolina? Second, are South Carolina's allegations of harm limited to periods of drought only? Third, do South Carolina's allegations of harm relate to the entire Catawba / Wateree River Basin in South Carolina or only a limited portion of it (e.g., Lake Wateree and

upstream)? After South Carolina provided brief responses to these questions in its First Progress Report, North Carolina “note[d],” without elaborating, that South Carolina’s responses raised the question “whether South Carolina is seeking to raise claims not presented in its Complaint.” North Carolina’s First Progress Report at 2.

North Carolina’s suggestion is incorrect. First, South Carolina’s Complaint alleges that North Carolina is taking more than its fair share of the Catawba River and, as a remedy, seeks an equitable apportionment of the River. Those allegations amply — indeed, necessarily — cover all material consumptive uses of the water from the Catawba River in North Carolina, including all material transfers, withdrawals, and other removals of water. One cannot determine whether North Carolina is taking more than its fair share without considering the whole of what North Carolina is taking and plans to take. Second, South Carolina’s Complaint and supporting papers plainly state that the Catawba River is periodically subject to inadequate flows not only during times of drought, but at other times as well, demonstrating the need for an equitable allocation of the River as a whole, in light of all its uses, planned uses, and users. Third, the harms from North Carolina’s overuse of the Catawba River extend throughout the Catawba / Wateree River system in South Carolina and, indeed, may be properly identified at any point before that river system joins the Atlantic Ocean.

Although South Carolina firmly believes these matters are clear on the face of the pleadings, in the event the Special Master disagrees, South Carolina would

request that the Special Master allow South Carolina promptly to make any minor modifications deemed necessary to conform the Complaint to South Carolina's intentions, as elaborated in its Brief in Support of Its Motion for Leave To File Complaint (U.S. filed June 7, 2007) ("SC Br.") and stated herein.

Argument

A. North Carolina's Attempts To Limit The Scope Of South Carolina's Complaint Cannot Be Supported

Supreme Court Rule 17.2, which governs in this original action, provides that "[t]he form of pleadings and motions prescribed by the Federal Rules of Civil Procedure is followed." Hence, the ordinary rule of notice pleading applies here, and the Court "must construe [South Carolina's] complaint in favor of the complaining party" — i.e., South Carolina. *Warth v. Seldin*, 422 U.S. 490, 501 (1975); see Fed. R. Civ. P. 8(e) ("Pleadings must be construed so as to do justice."). In accordance with that pleading standard, South Carolina's Complaint was not intended, nor was it required, to contain an exhaustive recitation of North Carolina's overuse of the Catawba River or a precise demarcation of where and when the resulting harms fall. The Complaint contains "a short and plain statement of the claim showing that [South Carolina] is entitled to relief; and . . . a demand for the relief sought," Fed. R. Civ. P. 8(a)(2)-(3), namely, an equitable apportionment of the Catawba River. As set forth below, the Complaint gives North Carolina ample notice of the contours of South Carolina's claim and cannot, given a fair reading, be limited in any of the ways North Carolina suggests.

1. *Are South Carolina’s allegations of harm limited to interbasin transfers (“IBTs”) approved by North Carolina?*

From the outset of this case, and the opening paragraphs of its Complaint, South Carolina has specifically invoked the federal common law of equitable apportionment. *See, e.g.*, Compl. ¶ 7 (noting that the Court “has long recognized that it has ‘a serious responsibility to adjudicate cases where there are actual existing controversies over how interstate streams should be apportioned among States’”) (quoting *Arizona v. California*, 373 U.S. 546, 564 (1963)). The Supreme Court, in accepting original jurisdiction over this matter, thus understood that, in a case such as this, “the effort always is to secure an equitable apportionment.” *New Jersey v. New York*, 283 U.S. 336, 343 (1931). The starting premise of that body of law, and of this action, is that North Carolina, as the upstream State, may “not confer upon [its own citizens] rights in excess of [North Carolina’s] share of the water of the stream; and its share [is] only an equitable portion thereof.” *Hinderlider v. La Plata River & Cherry Creek Ditch Co.*, 304 U.S. 92, 102 (1938). South Carolina’s claim is that North Carolina’s withdrawals of water from the Catawba River “necessarily reduce the amount of water available” for South Carolina’s use and that, in times when the waters of the Catawba River are scarce, North Carolina’s withdrawals “are in excess of [its] equitable share of the Catawba River.” Compl. ¶ 24.

To provide a measure of detail and context to that fundamental allegation, South Carolina’s Complaint focuses, in particular, on the North Carolina

“interbasin transfer statute,” now N.C. Gen. Stat. Ann. § 143-215.22L, because that statute purports to authorize removals of water from the Catawba River in North Carolina. As the Complaint points out, that statute not only authorizes the issuance of permits for IBTs of more than 2 million gallons per day (mgd), but also implicitly authorizes the withdrawal of less than 2 mgd *without a permit*. Paragraph 22 of the Complaint specifically identifies those smaller (but nonetheless significant) withdrawals, explaining that “South Carolina does not know the extent to which the North Carolina statute has implicitly permitted one or more transfers of less than 2 million gallons per day from the Catawba River.”

Without discovery, South Carolina is not in a position to offer more detail as to precisely what smaller withdrawals and transfers in North Carolina are depleting the River.¹ But, as a practical matter, the cumulative effect of a large number of smaller withdrawals may well prove to be as significant (or more significant) than the larger removals of water for which a permit is required. *Cf. Colorado v. New Mexico*, 459 U.S. 176, 187 n.13 (1982) (noting that “*any* diversion by Colorado” will “necessarily reduce the amount of water available to New Mexico users”). For example, a list prepared by North Carolina of estimated IBTs during 1997 reflects at least 22 different transfers out of the Catawba River that fall under the 2 mgd threshold. *See* Ex. 1. Moreover, the North Carolina statute also

¹ Indeed, although South Carolina alleged in its Complaint that North Carolina had authorized the transfer of at least 48 mgd from the Catawba River, *see* Compl. ¶¶ 20-21, North Carolina’s opposition papers revealed that North Carolina has authorized withdrawals of at least 72.54 mgd. *See* S.C. Reply Brief in Support of Application for a Prelim. Inj. 6 n.4 (U.S. filed Aug. 22, 2007) (“S.C. Prelim. Inj. Reply Br.”).

specifically exempts withdrawals in effect at the time the statute was enacted in 1993.²

Paragraph 24 of the Complaint explicitly includes these other withdrawals, in addition to the two specific IBTs identified in paragraph 20 “that the [North Carolina Environmental Management Commission (“EMC”)] has approved,” in alleging that North Carolina’s withdrawals “necessarily reduce the amount of water available to flow into South Carolina” and that these transfers “are in excess of North Carolina’s equitable share of the Catawba River.”

But a broader point bears emphasis here. Contrary to North Carolina’s suggestion, the effect of its largest withdrawals of water (or those authorized by a particular statutory provision) cannot sensibly be considered in isolation. Every removal of water from the Catawba River by North Carolina — regardless of size — contributes to a cumulative effect on South Carolina. *See* Compl. ¶ 24. Indeed, North Carolina’s own statute acknowledges that common-sense principle. *See* N.C. Gen. Stat. Ann. § 143-215.22L(k)(3) (requiring the EMC to consider, in evaluating whether to grant a permit, “[t]he cumulative effect on the source major river basin of any water transfer or consumptive water use”); *see also id.* § 143-215.22L(g)(7) (requiring a permit applicant to “demonstrat[e] that the proposed transfer, *if added to all other transfers and withdrawals . . . from the source river basin at the time of the petition for a certificate*, would not reduce the amount of water available for use

² As paragraphs 21 and 23 of the Complaint point out, the North Carolina statute “grandfathers” certain transfers of water without a permit “up to the full capacity of any facility that was existing or under construction on July 1, 1993.”

in the source river basin to a degree that would impair existing uses”) (emphasis added).³

The same notion attends the remedy sought by South Carolina — an equitable apportionment of the Catawba River. *See* Compl., Prayer for Relief ¶ 1 (requesting a decree “equitably apportioning the Catawba River”). In order to determine whether North Carolina has taken more than its equitable share of the River, one must necessarily consider all that North Carolina is taking — the cumulative effect counts. It may be that North Carolina’s large IBTs cause North Carolina to cross the threshold of interfering with South Carolina’s equal rights in the River, *see Kansas v. Colorado*, 206 U.S. 46, 100 (1907) (establishing the rule of “equality of rights” in interstate streams), but all other material withdrawals must be included in the calculus.

Indeed, the Supreme Court’s equitable apportionment cases confirm that equitable apportionment requires a comprehensive assessment of the River. In *Nebraska v. Wyoming*, 325 U.S. 589 (1945), the Court identified a host of considerations relevant to an equitable apportionment, which South Carolina cited in its brief in support of its motion for leave to file its Complaint (SC Br. 13), including:

physical and climatic conditions, the consumptive use of water in the several sections of the river, the character and rate of return flows, the

³ South Carolina does not intend to be trifling here; in a case such as this, truly *de minimis* uses may properly be ignored. But transfers, withdrawals, or removals of far fewer than 2 mgd could, taken together, have a substantial detrimental effect on South Carolina, and they are properly part of this case.

extent of established uses, the availability of storage water, the practical effect of wasteful uses on downstream areas, [and] the damage to upstream areas as compared to the benefits to downstream areas if a limitation is imposed on the former.

325 U.S. at 618. Thus, in evaluating whether North Carolina has taken more than its equitable share, the Court cannot consider North Carolina's IBTs in isolation. Nor does any fair reading of the Complaint suggest that South Carolina meant to limit the Court's consideration to those transfers. Rather, South Carolina made clear that resolution of this case would require a "multifaceted inquiry" that would likely involve the "submission of voluminous evidence," SC Br. 13 (internal quotation marks omitted), and hence that appointment of a Special Master would be "particularly appropriate . . . to enable a full development of the record relevant to the equitable apportionment of the Catawba River," *id.* at 14.

2. *Are South Carolina's allegations of harm limited to periods of drought only?*

Consistent with this Court's past equitable apportionments, South Carolina's Complaint focuses on times of inadequate flow, regardless of whether such inadequate flow corresponds to a period of drought. *See, e.g., New Jersey v. New York*, 283 U.S. 336, 346-47 (1931) (establishing injunction setting a certain level below which, consistent with New Jersey's rights, New York had to allow the Delaware River to pass). Contrary to North Carolina's suggestion, the Complaint gives no indication that South Carolina's allegations are limited to times of declared "drought." Rather, the Complaint (at ¶ 2) states that "the Catawba River is subject to severe periodic fluctuations in water level that can render its volume

inadequate.” Paragraphs 15 and 16 give supporting detail as to these fluctuations and periods of inadequacy, emphasizing that they have occurred at all times of the year, not just during the characteristically dry summer and fall months. *See* Compl. ¶ 15 (noting that the Lake Wylie gauge “has recorded average minimum daily flows that range from roughly 400 to 700 cubic feet per second nearly every day of the year”). Paragraph 17 then states that “[t]he Catawba River has *also* been subjected to prolonged droughts in the mid-1950s, the late 1980s, and from 1998 through 2002” (emphasis added). The word “also” here is intended to mean “in addition to.” *See* SC Br. 5 (noting that “the daily flow of the Catawba River into South Carolina has fluctuated widely” and that, “[i]n addition, the Catawba River has been subjected to prolonged droughts”). Thus, South Carolina alleges that prolonged droughts occur *in addition to* other times of inadequate flow, and South Carolina’s Complaint targets both conditions. Paragraph 19 reiterates that point, noting that inadequate flows may arise either “in the event of a drought” or because of other “natural fluctuations in the flow of the Catawba River.” If those allegations left any room for ambiguity (and they do not), South Carolina noted specifically in its supporting papers accompanying the Complaint that it “has alleged here” that the Catawba River has “wide fluctuations — due to both drought *and non-drought* causes of inadequate flow.” S.C. Prelim. Inj. Reply Br. 6 (emphasis added). The pleadings thus make clear that South Carolina’s allegations of harm are not limited to periods of drought and that North Carolina has been on notice of those allegations since the inception of the case.

3. *Do South Carolina’s allegations of harm relate to the entire Catawba / Wateree River basin in South Carolina or only a limited portion of it (e.g., Lake Wateree and upstream)?*

The harms that South Carolina identified in its Complaint are not limited to a particular segment of the Catawba / Wateree River Basin. Although North Carolina suggests Lake Wateree as a stopping point, the Complaint, in referring to the “Catawba River Basin,” plainly identifies the entire Catawba / Wateree River Basin: “The Catawba River joins Big Wateree Creek to form the Wateree River, which flows through Lake Wateree . . . [and downstream] merg[es] with the Congaree River Basin to form the Santee River Basin.” Compl. ¶ 9. Correspondingly, paragraph 10 explains that “[t]he Catawba River Basin . . . includes portions of eight South Carolina counties — most of Chester, Kershaw, Lancaster, and York Counties, the eastern third of Fairfield County, and portions of Sumter, Lee, and Richland Counties.” *Id.* ¶ 10. Of these, Sumter, Lee, and Richland Counties are entirely below Lake Wateree, as is the majority of Kershaw County.

Again, as with the first two items above, North Carolina’s attempt to limit the geographical scope of what is fairly alleged in the Complaint is premature. Even beyond where the Catawba River Basin joins the Congaree River Basin to form the Santee River Basin, it is simply too early to say that the harms from North Carolina’s overuse of the Catawba River cannot extend beyond that point. The Santee River Basin is undeniably fed by the Catawba River Basin, and they are,

hydrologically, part of the same river system that ultimately flows into the Atlantic Ocean. If discovery were to reveal that, in fact, North Carolina's withdrawals are greater than South Carolina currently understands, and that the harms resulting therefrom are so extensive as to reach into the Santee River Basin, North Carolina would have no basis to argue that such harms are beyond the scope of South Carolina's Complaint.

Put differently, the mention in the Complaint of certain specific harms was not intended — and cannot be read, consistent with notice pleading standards — to exclude other harms that discovery may reveal are of the same category, namely, all harms in South Carolina caused by North Carolina's overuse of the Catawba River. Indeed, as a procedural matter, it would be highly anomalous to require South Carolina to come forward with its specific proof of all such harms, in full, before discovery begins, and before expert reports are created and analyzed. There is thus no basis, without an opportunity for discovery, to confine to a particular segment of the river system the geographic area for which South Carolina may adduce evidence of harm.

B. Construing The Complaint In Accord With South Carolina's Intent Will Conserve Judicial And State Resources

As set forth above, the Complaint, fairly read, is not limited in any of the three ways North Carolina's "preliminary questions" implicitly suggest. At a minimum, none of these limitations was intended in the Complaint. Accordingly, if the Special Master disagrees with South Carolina as to the scope of the pleadings, South Carolina submits that the most reasonable and efficient course would be for

the Special Master, pursuant to her authority “to fix the time and conditions for the filing of additional pleadings,” to allow South Carolina to make any minor amendments to its Complaint as are deemed necessary. Order, *South Carolina v. North Carolina*, No. 138, Orig. (U.S. Jan. 15, 2008). Any such amendments would in no way change the character of this dispute — indeed, as the above discussion makes clear, they would at most entail semantic clarifications — and hence are well within the “case” referred to the Special Master by the Court. *Id.*

Supreme Court Rule 17, dealing with “Procedure in an Original Action,” gives no express indication whether a motion for leave to amend would be required in this circumstance. But, as noted, Supreme Court Rule 17.2 provides that “[t]he form of pleadings and motions prescribed by the Federal Rules of Civil Procedure is followed” and that, “[i]n other respects, those Rules . . . may be taken as guides.” Rule 15(a) of the Federal Rules ordinarily governs this issue and provides that “[t]he court should freely give leave when justice so requires.”

Although on occasion parties to an original action in which a Special Master has been appointed have sought leave to amend their pleadings from the Court, in those cases the moving parties sought to introduce materially different legal claims. *See Nebraska v. Wyoming*, 515 U.S. 1, 6-7 (1995) (Nebraska sought to expand its complaint to include four counts; Wyoming sought to expand its single counterclaim to “four counterclaims and five cross-claims”); *Ohio v. Kentucky*, 410 U.S. 641, 643-44 (1973) (Ohio, having previously alleged that it “does now and has always claimed” that its boundary with Kentucky is the “northerly low water mark” of the

Ohio River, sought leave to file an amended complaint that “would assert that the boundary . . . is the middle of the Ohio River”). And, even in those cases, the Court’s usual practice has been to refer the motions for leave to the Special Master. *See Nebraska v. Wyoming*, 515 U.S. at 6; *Ohio v. Kentucky*, 410 U.S. at 644; *see also New York v. Illinois*, 361 U.S. 927, 927 (1960) (referring motion for leave to amend “to the Special Master for an expression of his views as to the relationship of the matters presented therein to the issues in this cause”).

Therefore, even if the Special Master were to conclude that a motion before the Court for leave to amend is required, that procedural exercise would, in all likelihood, leave this case precisely where it is now. Under these circumstances, there is no reason to expend the resources of the Court, the Special Master, and the parties on that procedural exercise, given that South Carolina’s pleadings, read fairly and liberally in favor of South Carolina, are not limited in the three respects suggested by North Carolina.

Conclusion

For the foregoing reasons, South Carolina respectfully requests that the Special Master reject North Carolina’s suggestion that the Complaint should be narrowed in the ways proposed by North Carolina.

Respectfully submitted,


HENRY DARGAN MCMASTER

Attorney General

JOHN W. MCINTOSH

Chief Deputy Attorney General

ROBERT D. COOK

Assistant Deputy Attorney General

Counsel of Record

T. PARKIN HUNTER

Assistant Attorney General

LEIGH CHILDS CANTEY

Assistant Attorney General

Post Office Box 11549

Columbia, South Carolina 29211

(803) 734-3970

Counsel for the State of South Carolina

DAVID C. FREDERICK

SCOTT H. ANGSTREICH

SCOTT K. ATTAWAY

W. DAVID SARRATT

KELLOGG, HUBER, HANSEN,

TODD, EVANS & FIGEL, P.L.L.C.

1615 M Street, N.W., Suite 400

Washington, D.C. 20036

(202) 326-7900

Special Counsel to the

State of South Carolina

March 20, 2008

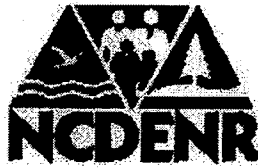
EXHIBIT 1

NORTH CAROLINA

**STATE
WATER SUPPLY
PLAN**

January 2001

STATE OF NORTH CAROLINA
Michael F. Easley, Governor



DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
William G. Ross Jr., Secretary

DIVISION OF WATER RESOURCES
1611 Mail Service Center
Raleigh, NC 27699-1611

This document is available on the Division of Water Resources' web site at: www.ncwater.org.

Table 6-1. Estimated Interbasin Transfers in 1997				
Source Sub-Basin	Supplier	Receiving Sub-Basin	Receiver (if different from Supplier)	Average Transfer (in MGD)
Broad River	Kings Mountain	Catawba River		0.288
	Kings Mountain	S Fork Catawba River	Gastonia WWTP	1.186
Haw River	Cary	Neuse River		8.200
	Cary	Neuse River	Apex	1.200
	Cary	Cape Fear River	Apex	0.300
	Cary	Neuse River	Holly Springs	<0.1
	Cary	Neuse River	Morrisville	<0.1
	Greensboro	Deep River		0.600
	Greensboro	Deep River	Jamestown	<0.1
Deep River	Reidsville	Roanoke River		<0.1
	High Point	Yadkin River		4.400
Cape Fear River	Brunswick Co	Shalotte River	Carolina Blythe	0.083
	Brunswick Co	Shalotte River	Holden Beach	0.353
	Brunswick Co	Shalotte River	Long Beach	0.360
	Brunswick Co	Shalotte River	Ocean Isle Beach	0.386
	Brunswick Co	Shalotte River	Shalotte	0.205
	Brunswick Co	Shalotte River	Sunset Beach	0.501
	Carthage	Deep River		0.200
	Carthage	Lumber River	Moore Co WWTP	0.111
	Dunn	South River		<0.1
	Dunn	Neuse River	Benson	1.200
	Dunn	South River	Falcon	<0.1
	Harnett Co	South River	Angier	0.200
	Harnett Co	South River	Coats	<0.1
	Harnett Co	Neuse River	Fuquay-Varina	0.140
	Sanford	Deep River		1.600
	Sanford	Deep River	Chatham Co E	<0.1
	Vass	Lumber River	Moore Co WWTP	0.094
	Wilmington	NE Cape Fear River		4.600
Wilmington	New River (Cape Fear)		<0.1	
Catawba River	Belmont	S Fork Catawba River		unknown
	Belmont	S Fork Catawba River	Cramerton	<0.1
	Burlington Industries	Rocky River	Mooreville WWTP	0.384
	Charlotte-Mecklenburg	Rocky River		9.000
	Charlotte-Mecklenburg	Rocky River	Union Co	<0.1
	Gastonia	S Fork Catawba River		6.724
	Gastonia	S Fork Catawba River	Cramerton	0.329
	Gastonia	S Fork Catawba River	Dallas	<0.1
	Gastonia	S Fork Catawba River	Lowell	0.454
	Gastonia	S Fork Catawba River	McAdenville	0.425
	Gastonia	S Fork Catawba River	Ranlo	0.329
	Hickory	S Fork Catawba River		5.100
	Hickory	S Fork Catawba River	Brookford	<0.1
	Hickory	S Fork Catawba River	Conover	<0.1
Hickory	S Fork Catawba River	Icard	<0.1	

Table 6-1. Estimated Interbasin Transfers in 1997 (continued)				
Source Sub-Basin	Supplier	Receiving Sub-Basin	Receiver (if different from Supplier)	Average Transfer (in MGD)
Catawba River	Hickory	S Fork Catawba River	Long View	<0.1
	Lenoir	Yadkin River	Caldwell Co N	<0.1
	Lenoir	Yadkin River	Caldwell Co SE	<0.1
	Lincoln Co	S Fork Catawba River		unknown
	Lincoln Co	S Fork Catawba River	Lincolnton	0.110
	Long View	S Fork Catawba River		1.310
	Long View	S Fork Catawba River	Burke Co	<0.1
	Mooresville	Rocky River		unknown
	Mooresville	South Yadkin River		unknown
	Morganton	S Fork Catawba River		<0.1
	Morganton	S Fork Catawba River	Burke Co	<0.1
	Mount Holly	S Fork Catawba River	Stanley	<0.1
	Union Co	Rocky River		3.600
	Union Co	Rocky River	Monroe	2.000
	Valdese	S Fork Catawba River	Burke Co	<0.1
Valdese	S Fork Catawba River	Icard	<0.1	
S Fork Catawba River	Bessemer City	Catawba River		0.366
	Cherryville	Broad River		unknown
	Lincolnton	Catawba River		<0.1
	Newton	Catawba River		<0.1
	Newton	Catawba River	Catawba	<0.1
	Stanley	Catawba River		<0.1
French Broad River	Hendersonville	Broad River		<0.1
	Hendersonville	Broad River	Saluda	0.151
Pigeon River	Canton	French Broad River		<0.1
Little Tennessee River	Highlands	Savannah River		0.110
Lumber River	Southern Pines	Cape Fear River		unknown
	Southern Pines	Cape Fear River	Moore Co (Pinehurst)	unknown
Neuse River	Durham	Haw River		18.000
	Goldsboro	Contentnea Creek	Wayne WD	<0.1
	Goldsboro	NE Cape Fear River	Wayne WD	<0.1
	Hillsborough	Haw River	Orange-Alamance WS	<0.1
	Orange-Alamance WS	Haw River		0.500
	Raleigh	Contentnea Creek	Zebulon	<0.1
	Zebulon	Contentnea Creek		0.680
New River	Blowing Rock	Catawba River		0.137
	Blowing Rock	Yadkin River		<0.1
	Boone	Watauga River		<0.1
Roanoke River	Kerr Lake RWS	Tar River	Henderson	<0.1
	Kerr Lake RWS	Tar River	Oxford	1.330
	Kerr Lake RWS	Fishing Creek	Warren Co	0.644
	Roanoke Rapids SD	Meherrin River	Halifax Co	<0.1
	Roanoke Rapids SD	Meherrin River	Northampton-Gaston	<0.1
	Roxboro	Neuse River		<0.1
Tar River	Franklin Co	Neuse River	Youngsville	<0.1

Source Sub-Basin	Supplier	Receiving Sub-Basin	Receiver (if different from Supplier)	Average Transfer (in MGD)
Yadkin River	Albemarle	Rocky River		5.822
	Albemarle	Rocky River	Pfeiffer-North Stanly WA	0.153
	Albemarle	Rocky River	Stanly Co	0.775
	Anson Co	Rocky River		0.650
	Anson Co	Rocky River	Ansonville	<0.1
	Anson Co	Rocky River	Marshville	0.249
	Anson Co	Rocky River	Peachland	<0.1
	Anson Co	Rocky River	Polkton	<0.1
	Anson Co	Rocky River	Union Co	0.788
	Davidson Water	Uwharrie River		1.120
	Davidson Water	Deep River		0.420
	Davidson Water	Deep River	Archdale	0.176
	Davidson Water	Deep River	High Point	<0.1
	Denton	Uwharrie River	Handy SD	<0.1
	Hamlet	Big Shoe Heel Creek	Richmond Co	<0.1
	King	Roanoke River		<0.1
	Landis	Rocky River		<0.1
	Montgomery Co	Deep/Lumber/Uwharrie River		unknown
	Montgomery Co	Deep River	Biscoe	<0.1
	Montgomery Co	Deep River	Candor	<0.1
	Montgomery Co	Lumber River	Candor	<0.1
	Montgomery Co	Deep River	Star	<0.1
	North Wilkesboro	Cape Fear River	Broadway	0.062
	Norwood	Rocky River		0.355
	Norwood	Rocky River	Stanly Co	<0.1
	Richmond Co	Big Shoe Heel Creek		<0.1
	Richmond Co	Lumber River		<0.1
	Salisbury	South Yadkin River		0.290
	Salisbury	South Yadkin River	Rowan Co	0.119
	Thomasville	Uwharrie River		<0.1
Winston-Salem	Roanoke River		0.386	
Winston-Salem	Haw River		<0.1	
Winston-Salem	Deep River		<0.1	
South Yadkin River	Alexander Co WC	Catawba River		unknown
	Alexander Co WC	Catawba River	Taylorsville	0.400
	Alexander Co WC	Catawba River	West Iredell WC	<0.1
	Davie Co	Yadkin River		<0.1
	Kannapolis	Rocky River		4.492
	Mocksville	Yadkin River		0.563
	Statesville	Catawba River	Troutman	<0.1
	Statesville	Catawba River	West Iredell WC	unknown
Uwharrie River	Asheboro	Deep River		4.630
	Asheboro	Yadkin River		<0.1
	Asheboro	Deep River	Randleman	<0.1
	Asheboro	Deep River	Seagrove/Ulah WD	<0.1
Rocky River	Monroe	Catawba River		<0.1