



State Water Resources Control Board

May 28, 2021

«MAIL_RECEIVER_NAME»
«MAIL_RECEIVER_ADDRESS»
«MAIL_RECEIVER_CITY», «MAIL_RECEIVER_STATE» «MAIL_RECEIVER_ZIP»

In Regard to Water Right: «APPLICATION_NUMBER»
To: «APPLICATION_PRIMARY_OWNER»

NOTICE OF UNAVAILABLE WATER FOR YOUR PENDING WATER RIGHT

Water supply in the Russian River watershed is insufficient to meet the needs of all water rights holders. Our records show you have a **pending** post-1914 appropriative water right within the Russian River watershed upstream of the Dry Creek confluence. **Our information indicates there is currently insufficient water for water rights with a priority date later than January 28, 1949. Our information also indicates that by June 1 there will be insufficient water for all post-1914 appropriative water rights.**

We are sending you this notice to ensure you are aware of the river's declining flow conditions, have reliable information regarding your pending water right, and understand that even though water may be physically available at your point of diversion, it is not available under your pending water right. Our information indicates by June 1st water will not be available for all post-1914 appropriative water rights nor sufficient to fulfill riparian and pre-1914 claims. We will provide you updated information on the availability of water for your pending water right through our email subscription list. Please subscribe to receive email updates by subscribing to the Water Rights "Russian River Drought" at: http://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.shtml.

Water Unavailability Information Form Request

Please complete a Water Unavailability Certification Form (Form). The Form will advise us of the water right(s) you divert under and whether you divert under other rights. If you divert under multiple rights, it will inform us of when you stopped diverting under those rights. Your timely response helps us better manage limited water supplies.

Please do the following:

E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

1. Complete the Russian River Water Unavailability Certification Form included with this letter.
2. Return the form
 - By email (scanned copy) to: RussianRiverDrought@waterboards.ca.gov
or
 - By mail to:

Division of Water Rights
Russian River Drought
P.O. Box 100
Sacramento, CA, 95812

Warning of Potential Future Curtailment of Pre-1914 or Riparian Water Rights

Declining supplies make your conservation actions vitally important. If current conditions persist, there may not be enough water for even pre-1914 appropriators or riparian diverters by June. We are developing emergency regulations that may result in curtailment orders directing water right holders to stop diverting, including riparian or pre-1914 water right holders.

Potential Exceptions

We may be able to assist you with identifying alternatives and exceptions on a case-by-case basis. As your water right is pending, you will need to contact us using one of the methods listed at the end of this letter to discuss potential alternatives and exceptions. Please note that the filing of a water right application to appropriate water does not authorize diversion of water unless and until the State Water Board issues a permit for that application.

Potential Enforcement

Diverting water that is not available for your water right may subject you to cease and desist orders, prosecution in court, or fines as high as \$1,000 per day of violation and \$2,500 for each acre-foot you divert or use that is not available for any of your water rights. (See Water Code sections 1052 and 1055.)

If you have questions, please contact us by email at: RussianRiverDrought@waterboards.ca.gov, review our drought year webpage at: <http://www.waterboards.ca.gov/drought>, or call our Drought Hotline at (916) 341-5318.

Sincerely,

Erik Ekdahl
Deputy Director, Division of Water Rights
State Water Resources Control Board