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## State Water Resources Control Board

September 1, 2021

### **NOTICE OF LIMITATIONS ON SURFACE WATER DIVERSIONS FOR LIVESTOCK WATERING**

On August 30, 2021, a drought emergency regulation for the Scott River and Shasta River watersheds went into effect that, among other things, provides the State Water Resources Control Board (State Water Board) with curtailment authority to protect minimum instream flows, establishes minimum health and safety and livestock watering provisions, and limits diversions for livestock during the September through January period. The purpose of this letter is to explain the regulation's provisions related to livestock watering and inform diverters of the need to immediately reduce their surface water livestock diversions to the reasonable quantities established by the emergency regulation.

#### **Livestock Diversion Limitations from September – January (Cal. Code Regs., tit. 23, § 875.7)**

Per the regulation, during the September through January period, all surface water diversions for livestock watering must be limited to the quantities identified in the regulation. Maximum water quantities for livestock diversion can be calculated using the formula below and minimum livestock quantities listed provided in Table 1.<sup>1</sup> An example calculation is also provided below Table 1.

#### **Formula to Determine Maximum Livestock Diversion Amount:**

*Maximum Diversion Amount = # of livestock x Minimum Livestock Quantity x 10*

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<sup>1</sup> Section 875.7 of the emergency regulation allows for use of the closest analogous livestock for those livestock not listed in Article 5, section 697 (Table 1).

**Table 1. Minimum Livestock Quantities**  
(Cal. Code Regs., tit. 23 § 697)

Type of Stock	Quantity
Range cattle and horses	15 gallons per day per head
Hogs and goats	2.5 gallons per day per head
Sheep	1.5 gallons per day per head
Poultry, rabbits, etc.	0.25 gallon per day per head
Milch cows	30 gallons per day per head
Hosing out dairy barn	35 gallons per day per head

**Example Calculation for Ranch with 300 Cattle:**

$$\begin{aligned} \text{Maximum Diversion Amount} &= 300 \text{ head of cattle} \times 15 \frac{\text{gallons}}{\text{per day per head}} \times 10 \\ &= 45,000 \frac{\text{gallons}}{\text{day}} \text{ OR } 0.07 \text{ cubic feet per second} \end{aligned}$$

This quantity of water is measured at the point of diversion. Surface water diversions for livestock watering greater than these quantities are unreasonable and are not permitted under the emergency regulation.

If your livestock diversions exceed the amounts allowed per these requirements, as of September 1, 2021, it is necessary to immediately reduce your diversions to the allowed volumes, and/or find an alternative water supply method that meets the quantities allowed under the emergency regulation.

**Potential Enforcement**

Diversions of water in violation of the regulation may be subject to administrative fines, a cease and desist order, or prosecution in court. The State Water Board has enforcement discretion and decisions related to enforcement and associated penalties are based on the specific circumstances of the violation. Fines may be up to \$1,000 per day of violation. (Wat. Code, §§ 1052, 1055, 1846.)

**Additional Information**

For additional information on drought-related activities, please visit the State Water Board's [Drought website](https://www.waterboards.ca.gov/drought/)<sup>2</sup>. Information specific to drought-related efforts in the Scott River and Shasta River watersheds can be found on the State Water Board's [Scott River and Shasta River Watersheds Drought Response website](https://www.waterboards.ca.gov/drought/scott_shasta_rivers/)<sup>3</sup>, which is available from the State Water Board's Drought website. This website will be updated with related materials and information as available.

This website also includes information regarding funding opportunities for water conservation and efficiency projects.

<sup>2</sup> <https://www.waterboards.ca.gov/drought/>

<sup>3</sup> [https://www.waterboards.ca.gov/drought/scott\\_shasta\\_rivers/](https://www.waterboards.ca.gov/drought/scott_shasta_rivers/)

### **How to Receive Updates**

If you would like to receive email updates about the Shasta River and Scott River watersheds drought effort, please sign up for the State Water Board's "Scott-Shasta Drought" email subscription list under "State Water Resources Control Board", then "Water Rights" at: [https://www.waterboards.ca.gov/resources/email\\_subscriptions/](https://www.waterboards.ca.gov/resources/email_subscriptions/) This is the best way to stay informed about drought efforts affecting water users in the Scott River and Shasta River watersheds.

### **Questions**

Questions can be emailed to: [ScottShastaDrought@waterboards.ca.gov](mailto:ScottShastaDrought@waterboards.ca.gov), or directed to our dedicated Scott River and Shasta River Drought phone message line at: (916) 327-3113. Please be aware that calls and emails will be answered as soon as possible in the order received, and staff will try to return calls on the same day. Depending on volume, responses may take a day or longer.

Sincerely,

A handwritten signature in black ink, appearing to read "Erik Ekdahl".

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