



News Advisory

Scott River Junior Water Rights to be Curtailed

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The State Water Resources Control Board sent out curtailment notices to junior water right holders on the Scott River on Friday, May 16, to protect the senior water rights of the U.S. Forest Service as spelled out in Scott River Adjudication Decree No. 30662 in Siskiyou County Superior Court.

The Scott River watershed has been in crisis for many years due to low flows, which affect fish production. The Scott River fish production is vital to Klamath Basin fish populations. Protection of the Forest Service's senior right in combination with ongoing local efforts furthers the State Water Board's goal of maintaining flow levels needed for fish survival.

The adjudication decree defines a minimum flow of 150 cubic feet per second in May on the Scott River to maintain the fishery, and an additional 276 cubic feet per second in May for incremental fish flows and for recreation, scenic and aesthetic purposes.

There is no watermaster assigned to implement that adjudication decree and the river has fallen below the subsistence level for the fishery this week, to 123 cubic feet per second, violating the Forest Service's water right and endangering the survival of fish species such as salmon and trout. This curtailment is necessary to protect the Forest Service and other senior right holders within the watershed who have a higher priority to divert the available water supply.

Consequently, the State Water Board is restricting water diversions on the river. Junior water right holders will be told they must immediately stop diverting water under their junior water rights. The curtailment will continue until water conditions improve or when senior water right holders' rights are satisfied.

When there is not enough water to meet all water right holders' needs, State law requires that junior water-rights holders stop diverting water so that there is water available to more senior water-rights holders. Diverting water when it is not available under a specific water right priority violates State law.

If a junior water right holder has no other source of water for human health and safety purposes, they can contact the State Water Board with information to support that claim, and the State Water Board will consider exemptions from curtailment on a case-by-case basis.

The low flows in the Scott River watershed have been a problem before the ongoing drought the state is experiencing, but the dry conditions have made the situation worse and increased the potential adverse impacts to natural resources and senior water rights holders. Junior water right holders on the river were notified on January 22 of this year that future curtailments were possible.

C A L I F O R N I A E N V I R O N M E N T A L P R O T E C T I O N A G E N C Y



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The Scott River adjudication decree can be viewed here:

http://www.swrcb.ca.gov/waterrights/board_decisions/adopted_orders/judgments/docs/scottriver_id.pdf