



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

October 3, 2014

In Regards to Water Right(s):

Dear Appropriative Water Right Holder:

As we move into the fall months, conditions in many of our watersheds continue to demonstrate that there is insufficient water available to meet reported demand. Until conditions are adequate to justify lifting curtailments on a long-term basis, the State Water Board plans to temporarily lift curtailments during significant storm events to capture new precipitation. Due to timing concerns, we will only provide electronic notification of these short-term diversion opportunities. Please read below for additional information on this topic.

Additional Information

On May 27, 2014, the State Water Board issued curtailment notices to all post-1914 appropriative water right holders in the Sacramento-San Joaquin, Russian, and Eel River watersheds, including your rights listed above. Since that time, State Water Board staff has been tracking and analyzing the availability of stream flow and the total senior water right diversion demand to determine whether curtailments should remain in effect. This post-curtailment analysis is available at:

http://www.waterboards.ca.gov/waterrights/water_issues/programs/drought/analysis/.

Due to the possibility for prolonged dry conditions, the State Water Board does not want to limit the potential for water right holders in the curtailed watersheds to collect water to storage during near-term substantial precipitation events. If dry conditions persist, then it is in the public interest to maximize the amount of water diverted to storage for later beneficial use, particularly given the low storage levels at the outset of the water year. Until the time when curtailments are permanently lifted based on the water availability/demand analysis, the State Water Board plans to provide notice of periodic opportunities during storm events to divert water. Since such notices will be reactive to precipitation events, the State Water Board's notices will be distributed on a real-time basis solely via email through the Drought email subscription available at: http://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.shtml (select Water Rights and then Drought Updates). Notices will not be mailed out.

Should the State Water Board temporarily lift curtailments, you will be authorized to immediately divert water under your post-1914 right, provided your right authorizes diversion at that time and you comply with all other terms and conditions of your right.¹ You are responsible for monitoring your email account and taking immediate action to cease diversion of water under your post-1914 rights should the State Water Board send a follow-up curtailment notice. Failure to cease diversions after that notice will be subject to enforcement.

The State Water Board considers implementation of this real-time early precipitation plan in the public interest because it increases water storage supplies at every opportunity. The State Water Board also considers the potential for injury to most senior water right holders to be minimal. The lifting of

¹ For example, if your right is subject to Term 91, you may still be restricted from diverting water due to that curtailment condition.

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

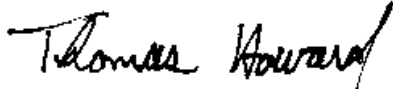
1001 I Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, Ca 95812-0100 | www.waterboards.ca.gov



curtailment, however, does not release junior water right holders from the standard obligation to allow water to pass for senior diverters when they must do so to satisfy senior water rights. For this reason, water right holders should maintain a record of daily diversions in case a complaint by a senior right holder alleges injury resulting from the diversions. The State Water Board will request such records if complaints are received.

Water right holders should monitor the State Water Board's email notices and/or website to take advantage of these temporary actions. If there are any questions or concerns about this plan, water right holders may contact Brian Coats at (916) 341-5389.

Sincerely,

A handwritten signature in black ink that reads "Thomas Howard". The signature is written in a cursive, slightly slanted style.

Thomas Howard
Executive Director