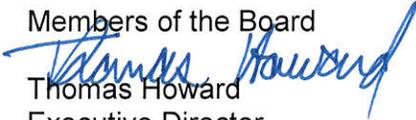

State Water Resources Control Board

TO: Members of the Board
FROM: 
Thomas Howard
Executive Director
EXECUTIVE OFFICE
DATE: **APR 17 2015**
SUBJECT: CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE AND NATIONAL
MARINE FISHERIES SERVICE VOLUNTARY DROUGHT AGREEMENTS ON
DEER CREEK

The California Department of Fish and Wildlife (CDFW) has entered into a Voluntary Drought Agreement (Agreement) with the Deer Creek Irrigation District (DCID) in the Deer Creek watershed towards the goal of providing minimum flows necessary to allow for adult and juvenile fish migration on lower Deer Creek. Additionally, it is my understanding that an Agreement between the National Marine Fisheries Service and DCID is pending. DCID's allocated portion of Deer Creek flows, however, is not substantially all of the water diverted in the watershed.

DCID has an adjudicated right to approximately 33 percent of the flow from Deer Creek. Stanford Vina Ranch Irrigation Company, with points of diversion located downstream of DCID, has an adjudicated right to approximately 66 percent of the flow from Deer Creek. The remaining one percent of flow is allocated to Mr. Leininger.

Based on the Agreement and the State Water Board's available water right information, it appears that the CDFW Agreement with DCID does not, by itself, cover substantially all of the water diverted in the watershed. Accordingly, California Code of Regulations, title 23, section 877 shall immediately go into effect on Deer Creek and the Deputy Director for Water Rights shall consider whether issuance of curtailment orders is necessary to protect the identified drought emergency minimum flows on Deer Creek.

cc: Barbara Evoy, Deputy Director for Water Rights
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