

State Water Resources Control Board

June 16, 2015

CLARIFICATION NOTICE OF CURTAILMENT FOR SACRAMENTO-SAN JOAQUIN DELTA DIVERTERS CLAIMING BOTH A PRE-1914 AND RIPARIAN WATER RIGHT

On June 12, 2015 the State Water Resources Control Board (State Water Board) issued a notice (Curtailement Notice) that there was insufficient water available to meet the needs for all pre-1914 appropriative claims in the Sacramento, San Joaquin and Delta watersheds with a priority date of 1903 or later. We have received inquiries from parties that have a pre-1914 claim of right in the Delta but were not identified as a recipient of the June 12, 2015 Curtailement Notice.

In the Delta, many diverters responded to the State Water Board's February 2015 Informational Order by reporting their 2014 and projected 2015 diversions of water under both a riparian and pre-1914 claim of right. Stakeholders representing these Delta senior right claimants advised the State Water Board that in the event the pre-1914 claims were curtailed, these claimants would continue to divert under their riparian water right claim due to the hydrology of the Delta.

For its curtailement analysis, State Water Board staff assigned all of the Delta demands reported under both a riparian and pre-1914 claim as riparian demand for prioritization purposes. Therefore, the pre-1914 demand assigned to these rights was zero.

Because you claim both a riparian right and a pre-1914 right in the Delta with a priority of 1903 or later, or failed to provide a priority date, this notice is to clarify that, as of June 12, 2015, there is insufficient water in the system to meet the needs served by your pre-1914 right. However, this clarification notice does not apply to your riparian claim of right.

You are required to document receipt of this notice by completing an online Curtailement Certification Form (Form) within seven days. You can complete the Form for each pre-1914 claim of right identified through this notice at:
http://www.waterboards.ca.gov/waterrights/water_issues/programs/ewrims/curtailment/2015curt_form.php

The Form is mandatory to confirm your cessation of diversion under the specific pre-1914 claim of right. If you intend to continue to divert water under your riparian claim, without any other changes, you can complete the Form by checking the following boxes, adding a comment (example shown below) and submitting the completed Form to the State Water Board:

- **ALTERNATE SOURCE** I hereby certify that I will not be diverting any water under the above specified appropriative water right during the 2015 curtailement period. However, I will be serving all or a portion of its place of use with my alternate source(s) of water, as specified below:
- Riparian water right(s) and/or pre1914 appropriative water right(s)*
- Water use is reported under Statement of Water Diversion and Use No(s) (add statement #)

Example

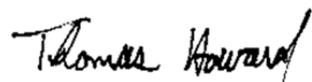
Additional Comment: I continue to exercise my riparian claim of right covered by the same Statement of Water Diversion and Use for which I also claimed a pre-1914 right with a

priority date of 1903 or later. I understand that diversions under my pre-1914 claim of right are subject to the Curtailment Notice.

Please note that the State Water Board is currently conducting inspections in the Sacramento and San Joaquin watersheds and Delta. All water diversions must be made under a valid basis of right.

If you have any questions, you may contact our curtailment hotline at (916) 341-5342.

Sincerely,

A handwritten signature in black ink that reads "Thomas Howard". The signature is written in a cursive style with a large initial "T".

Tom Howard
Executive Director