



News Advisory

Russian River Junior Water Rights to be Curtailed

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With California's extreme drought resulting in insufficient water to serve all water-rights holders, the State Water Resources Control Board began sending out curtailment notices to some junior water right holders on the upper Russian River. The notices advise the recipients to stop diverting water from the watershed and allow it to flow to more senior water-right holders, as required by state law.

This curtailment affects water-rights holders upstream of the Russian River's confluence with Dry Creek. Although notices are being sent to the holders of all water rights in that section of the watershed to encourage conservation among all water right holders, only water rights with a filing date of February 19, 1954 or later – a total of 652 rights – are being curtailed at this time.

California water rights law is based on seniority. In dry years, when there isn't enough water in the system to serve all water-rights holders, those with more junior water rights may be required to stop diverting water from rivers and streams before restrictions are imposed on more senior water-right holders.

Notices were also sent to the owners of 156 pending applications for water rights in the entire Russian River watershed to remind the applicants that a pending application is not a water right, and that the State Water Board will pursue enforcement against diversions that are not authorized by a valid water right.

The Russian River watershed above Dry Creek is currently experiencing a water supply crisis. Runoff from the watershed naturally decreases rapidly after the conclusion of spring rains, and becomes virtually nonexistent in some areas during the late summer and fall months. Imported Eel River water and releases of water stored in Lake Mendocino augment the natural flows in the Russian River, and typically allow for diversions by senior water-right holders throughout the summer.

Last year's critically low precipitation reduced the amount of carryover storage held in Lake Mendocino at the start of this water year. With a second consecutive year of critically low precipitation, the required storage levels for Lake Mendocino cannot be maintained if traditional releases are made. Sonoma County Water Agency, which operates Lake Mendocino, will only be able to release enough water to maintain required minimum instream flows and to satisfy senior appropriators, and there is only enough natural flows to satisfy senior water rights.

The State Water Board action today restricts water diversions only within the watershed upstream of the Russian River's confluence with Dry Creek. The curtailment is subject to state law, which



recognizes a priority system for water rights. All water-right holders on the river were notified on January 22 of this year that future curtailments were possible. At this time, junior water-right holders are notified that they must immediately stop diverting because water is not available to satisfy both junior and senior water rights. It is anticipated that an additional curtailment notice will be issued sometime in June to riparian water-right holders, which have senior water rights but only to natural flow within the stream. Curtailments will continue until water conditions improve. It is a violation of state law to divert water when it is not available under a specific water right priority.

The State Water Board will consider requests for human health and safety purposes if there is no other source of water available to a junior diverter. Anyone seeking a case-by-case consideration for health and safety needs should contact the State Water Board with information to support such a claim.

To [read](#) the Russian River curtailment notice.

A [Curtailment Fact Sheet](#) provides additional details on the curtailment process.

Governor Brown has called on all Californians to reduce their water use by 20 percent and prevent water waste – visit [SaveOurH2O.org](#) to find out how everyone can do their part, and visit [Drought.CA.Gov](#) to learn more about how California is dealing with the effects of the drought.