

Sent: Friday, August 20, 2021 4:44 PM

To: bay_delta_notices@swrcb18.waterboards.ca.gov;
delta_water_rights@swrcb18.waterboards.ca.gov;
delta_drought@swrcb18.waterboards.ca.gov; drought_updates@swrcb18.waterboards.ca.gov

Subject: INITIAL ORDER IMPOSING CURTAILMENTS AND REPORTING REQUIREMENTS IN THE SACRAMENTO-SAN JOAQUIN DELTA WATERSHED

This email contains important information about the curtailment status of water rights and claims of right within the Sacramento-San Joaquin Delta (Delta) watershed.

On August 20, 2021, the State Water Resources Control Board (State Water Board) mailed initial orders imposing water right curtailment and reporting requirements on all water right holders and claimants in the Delta watershed (linked below).

The August 20 order (Order) identifies the priorities of water rights and claims of right that are curtailed for the remainder of August and for the month of September. The Delta Watershed Curtailment Status List (Curtailment Status List) on the [Delta Watershed Drought webpage](#) reflects the water rights and claims that are currently curtailed, including those that are currently required to curtail for the month of September even if not required to curtail for the month of August. This list will be updated on a weekly basis or more frequently if there are precipitation events that warrant suspension of curtailments.

Since the hard copy Order was printed and mailed, the list of curtailed rights and claims of right has been updated to reflect the current output of the Water Unavailability Methodology (Methodology) for the Delta Watershed. The Methodology indicates that the following priorities of water rights and claims are curtailed for the remainder of **August 2021** (with changes from the mailed list underlined below):

1. All post-1914 appropriative water rights in the Delta watershed (including the Sacramento River and San Joaquin River watersheds and the Legal Delta);
2. All pre-1914 appropriative water right claims in the San Joaquin River watershed;
3. All pre-1914 appropriative water right claims in the Sacramento River watershed and in the Legal Delta with a priority date of 1883 or later;
4. Some pre-1914 appropriative water right claims on specific tributaries to the Sacramento River with a priority date earlier than 1883; and
5. All riparian water right claims in the Calaveras subwatershed that are outside of the Legal Delta.*

The following priorities of water rights and claims are curtailed for the month of **September 2021**, unless and until the State Water Board advises that this determination has been updated (with changes from the mailed list underlined below):

1. All post-1914 appropriative water rights in the San Joaquin River watershed;
2. All pre-1914 appropriative water right claims in the San Joaquin River watershed;

3. All riparian water right claims in the American River watershed upstream of Folsom Reservoir;
4. All riparian water right claims in the Calaveras subwatershed that are outside of the Legal Delta;*
5. A subset of Central Valley Project and State Water Project water rights in the Sacramento River watershed and in the Legal Delta; and
6. Some pre-1914 appropriative water right claims and post-1914 appropriative water rights on specific tributaries to the Sacramento River.

*These water right claims were not included with the hard copy Orders that were mailed on August 20, 2021 (linked below), but should be curtailed until further notice from the State Water Board. Because of deferred notice to riparian claimants with diversions in the Calaveras subwatershed that are outside of the Legal Delta, curtailment of these claims is required as soon as notice is provided but no later than August 27, 2021.

For all water rights and claims, the Order requires a one-time completion of an online Compliance Certification Form. For water rights and claims with an annual diversion amount of 5,000 acre-feet or greater, the Order also requires enhanced monthly reporting of water diversion and use. Both the certification and the enhanced reporting must be completed by the date indicated in the Order, using the forms accessible on the Board's website.

For more information on the requirements of the Order, see the generic orders posted on the [Delta Watershed Drought webpage](#):

- [Order issued to smaller diverters](#) (annual use/right under 5,000 acre-feet)
- [Order issued to larger diverters](#) (annual use/right of 5,000 acre-feet or greater)

Weekly updates regarding the curtailment status of rights and claims within the Delta watershed will be issued through the [Delta Drought email list](#) and posted to the [Delta Watershed Drought webpage](#). Updates will not be sent via mail. To receive future notices of new or changed curtailment orders and the bases for curtailment decisions, make sure you are subscribed to the Delta Drought email list or frequently check the Delta Watershed Drought webpage.

If you have any questions, you may send an email to Bay-Delta@waterboards.ca.gov, or call the Delta Drought phone line at (916) 319-0960.