

Sent: Tuesday, December 13, 2022 4:08 PM

To: [Delta Drought Email Subscription List](#)

Subject: December 13 Weekly Update - All Curtailments in the Delta Watershed Remain Temporarily Suspended

All curtailments of water rights and claims of right within the Sacramento-San Joaquin Delta (Delta) watershed issued pursuant to Initial Orders Imposing Water Right Curtailment and Reporting Requirements in the Delta Watershed ([Order for water rights/claims under 5,000 acre-feet](#) and [Order for water rights/claims over 5,000 acre-feet](#)) remain temporarily suspended. This temporary suspension of curtailments is subject to change. Water supply forecasts will continue to be evaluated regularly to determine if, when, and to what extent re-imposition of curtailments is appropriate. The next curtailment status update will be provided by email and web posting no later than December 20, 2022.

Consistent with the State Water Board's direction to consider opportunities and needs to replenish stored water supplies, the Deputy Director for the Division of Water Rights has determined in exercising his discretion under Section 876.1 subdivision (d) of the [Drought Emergency Regulation](#) to continue the temporary suspension of all curtailments in the Delta Watershed. The decision is based in part on the [Water Unavailability Methodology for the Delta Watershed](#). Although the Methodology indicates water unavailability for some water rights in several subwatersheds, the Deputy Director has also taken into consideration a range of precipitation and runoff forecasts from the California Nevada River Forecast Center (CNRFC) that were updated on December 12, 2022, low water demand for direct diversions in December, the importance of allowing reservoirs to refill when water becomes available due to storm events, and existing instream flow requirements.

Demand data informing curtailments continue to be based on reported diversions from 2018 as updated through an ongoing QA/QC process. Reported projections of demands submitted under the enhanced reporting provisions of the emergency curtailment and reporting regulation for the Delta watershed are currently being evaluated for use in curtailment decisions. The State Water Board will continue to closely monitor forecasted precipitation and hydrologic conditions and may re-evaluate curtailment statuses if appropriate.

Suspension of curtailments should not be construed as a validation of water right claims or an authorization to divert. Existing reporting requirements and constraints on water right permits and licenses, such as seasonal diversion restrictions and bypass flow requirements, remain in effect. In addition, all water right holders and claimants may only divert under valid water rights and are not authorized to divert if it would result in injury to other water users. If water right holders or claimants believe their water rights are being impacted by the suspension of curtailments, they may notify the State Water Board by emailing Bay-Delta@waterboards.ca.gov with specific details regarding their concern, or they may file a formal complaint with the [Division of Water Rights Enforcement Program](#).

The data used to support curtailments and other relevant information are available on the State Water Board's [FTP site](#). To access the documents posted on the FTP site, please email Bay-Delta@waterboards.ca.gov to obtain login credentials.

Water right holders and claimants are responsible for monitoring their curtailment status online on the [Delta Watershed Curtailment Status List](#). Notice of changes to curtailment status will not be mailed. For those with limited internet access, a pre-recorded curtailment summary can be heard on the Delta Curtailment Status phone line at (916) 323-4643.

For more information about drought in the Delta watershed, please visit the [Delta Drought webpage](#). For more information about curtailment compliance and responses to the Initial Orders Imposing Water Right Curtailment and Reporting Requirements in the Sacramento-San Joaquin Delta Watershed, please visit the [Curtailment Compliance and Responses webpage](#). The Curtailment Compliance and Responses tracker is updated regularly and can be filtered to see the latest changes. 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.