



Water Rights News

State Water Board Approves Voluntary Cutback Program for Delta Riparian Water Rights

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SACRAMENTO -- Today the State Water Resources Control Board approved a proposal from riparian water right holders in the Sacramento-San Joaquin River Delta to voluntarily cut back water use in exchange for assurances they would not face further riparian curtailment during the June-September growing season.

“This proposal helps Delta growers manage the risk of potentially deeper curtailment, while ensuring significant water conservation efforts in this fourth year of drought,” said State Water Board Chair Felicia Marcus. “It allows participating growers to share in the sacrifice that people throughout the state are facing because of the severe drought, while protecting their economic well-being by giving them some certainty regarding exercise of the State Water Board’s enforcement discretion at the beginning of the planting season.”

Growers who participate in the program could opt to either reduce water diversions under their riparian rights by 25 percent, or fallow 25 percent of their land. In both cases, the reductions would be from 2013 levels. Riparian water right holders who choose not to participate in this voluntary program may face enforcement of riparian curtailments later this year, though risk of curtailment would not be any greater than it would have been if the program were not approved.

Water right holders throughout the state, including senior and riparian right holders, have been warned that curtailments are likely this year because of the continued unprecedented drought conditions. Junior water right holders in the [Sacramento](#) and [San Joaquin](#) river watersheds and others have already been curtailed for the second consecutive year. Last year, hundreds of thousands of acres of farmland were fallowed.

To be included in this program, participants will have to submit a specific plan to achieve the program’s conservation requirements by June 1, and the State Water Board will conduct spot checks during the growing season.



The program only applies to riparian water right holders in the Delta. Riparian water rights are held by those who own property that abuts a river or stream and divert water for use on that property. Unlike appropriative rights, which are curtailed by seniority along a waterway, riparian rights are curtailed collectively by a shared percentage. Because most of the farm land in the Delta abuts natural streams and sloughs, riparian water right claims are more extensive in the Delta than in other agricultural regions of the state.

These water rights are among the most secure in the state's water rights system and are curtailed only when natural stream flow is inadequate to serve the reasonable uses of all riparians.

The State Water Board welcomed the farmers' proposal and staff has worked with them and other stakeholders to refine it. The State Water Board is open to voluntary agreements to manage and mitigate drought impacts, as long as they do not harm other water rights and do not cause unreasonable effects to fish and wildlife.

Although this conservation program has been proposed by riparian water rights holders in the Delta, the program could be a template for riparians in other parts of the state, subject to adjustment for local and regional conditions.

To learn more about the state's drought response, visit Drought.CA.Gov.

Every Californian should take steps to conserve water. Find out how at SaveOurWater.com.

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