
State Water Resources Control Board

December 22, 2021

Subject: Order WR 2021-0082-DWR, Addendum 5: Conditional Temporary Suspension of Curtailment to Priority Date of November 14, 1949

To: Scott River Watershed and Shasta River Watershed Water Right Holders (sent to water right holders for which the Board has email addresses) and Interested Parties on Scott-Shasta Drought E-mail List

As further described below, this Addendum amends Order WR 2021-0082-DWR to allow for diversion for water rights senior to priority date of November 14, 1949, so long as flows are at or above 135 cubic feet per second (cfs) at the [Yreka United States Geological Survey \(USGS\) gage](#).

On September 10, 2021, the State Water Resources Control Board (State Water Board) issued a curtailment order ([Order WR 2021-0082-DWR](#)) to the most junior water right holders in the Shasta River, including post-Adjudication appropriative surface water and groundwater rights, as well as surface water rights in the Shasta Adjudication with priority dates junior to November 1912, in order to meet the required drought emergency minimum flows specified in the [Emergency Regulation](#) adopted by the State Water Board, which became effective on August 30, 2021. (Cal. Code Regs., tit. 22, §§ 875-875.9.) Based on forecasted precipitation and other factors, the State Water Board issued addenda to Order WR 2021-0082-DWR on September 23, October 21, October 29, 2021, and December 17, 2021, partially suspending curtailment of some water rights in order of priority contingent on the required minimum flow at the Yreka USGS gage being met and sustained. Addendum 4, issued on December 17, 2021, provides for the temporary suspension of the curtailment to the priority date of July 30, 1923, contingent on 135 cfs being sustained at the Yreka USGS Gage through January. This included the conditional partial suspension of Montague Water Conservation District's (MWCD's) permitted water right No. 2452 (A003544) from the Shasta River and its water right No. 2453 (A003555) from Parks Creek to divert to storage at Lake Shastina (Dwinnell Reservoir).

Since the issuance of Addendum 4, MWCD has reduced its bypass at Lake Shastina to the minimal releases of around 3-4 cfs. The Yreka USGS gage has gradually reduced from 160 cfs on December 17, 2021, to 152 cfs on December 21, 2021, above the 135 cfs drought minimum flow requirement. In addition, the 10-day precipitation forecast shows a wet period for the coming days with accumulated precipitation by January 1, 2021 estimated at 3.2 inches. Precipitation is expected to add flow to the Shasta River both above and below Lake Shastina (Dwinnell Reservoir). In

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collaboration with the Scott Valley and Shasta Valley Watermaster District (Watermaster), the State Water Board estimates that additional curtailments could be suspended while maintaining the required 135 cfs minimum flow at the Yreka USGS gage. This includes several diversions on the Little Shasta River, as well as diversions in other parts of the watershed, including but not limited to Kiernan Slough and Clear Springs. The Watermaster indicated a willingness to work with individual diverters, including post-Adjudicated water right holders to ensure that the conditional temporary suspension does not result in flows below 135 cfs at the Yreka USGS gage.

Accordingly, the State Water Board is **issuing a temporary suspension of curtailment in the Shasta River to the priority date of November 14, 1949, contingent on: (1) 135 cfs being sustained at the Yreka USGS gage; and (2) parties with suspended curtailments working with the Watermaster to manage flows.** The curtailments of water rights listed in Attachment A are suspended so long as the 135 cfs minimum flow requirement is sustained at the Yreka USGS gage. The temporary suspension will expire at 11:59 pm on January 31, 2022, unless otherwise extended or curtailments are reimposed and requires flows of at least 135 cfs at the Yreka USGS gage for diversions under this temporary suspension of curtailments.

Water diverters in Attachment A shall monitor and record the amounts of water diverted during this time period (i.e., during the suspension of curtailments). Water diverters in Attachment A shall report their water use and purpose of use, as requested, to the Watermaster and State Water Board. The suspension of curtailment under this Addendum does not provide for diversions for inefficient stock watering. **Parties are reminded that the Emergency Regulation contains a prohibition against inefficient livestock watering during September through January (the adult salmon migration period).** This prohibition applies whether or not your water right is curtailed. (Cal. Code Regs., tit. 23, § 875.7.) The State Water Board intends to follow-up with individuals who appear to be in violation of the inefficient livestock watering provision.

The State Water Board will be monitoring weather forecasts and stream gages to determine if suspensions should be extended and expanded in the future, or if additional curtailments are needed. To stay informed on future updates related to curtailments and the ongoing Emergency Regulation effort in the Scott River and Shasta River watersheds, please:

1. Monitor your email if you have subscribed to the “**Scott-Shasta Drought**” email list under “Water Rights”; and/or
2. Visit our **Scott River and Shasta River Drought Response website** (https://www.waterboards.ca.gov/drought/scott_shasta_rivers/) If an email list notice is issued on the weekend, the website will not be updated until the following Monday due to limitations on implementing such updates.

If you have questions regarding this email, please contact staff by email at: ScottShastaDrought@waterboards.ca.gov or leave a message at our dedicated Scott River and Shasta River Drought phone line at: (916) 327-3113.

Sincerely,



For Erik Ekdahl, Deputy Director
Division of Water Rights

Enclosure:

Attachment A: List of Water Rights in Shasta River Watershed Associated with Order WR 2021-0082-DWR, Addendum 5: Conditional Temporary Suspension of Curtailments in Shasta River Watershed to Priority Date of November 14, 1949

**List of Water Rights in Shasta River Watershed Associated with Order WR 2021-0082-DWR, Addendum 5:
Conditional Temporary Suspension of Curtailments in Shasta River Watershed to Priority Date of November 14, 1949**

Primary Owner	Application Number	Source	Priority Date
CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE	A013462A	LITTLE SHASTA RIVER	11/14/1949
CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE	A013462B	LITTLE SHASTA RIVER	11/14/1949
JULIEN RANCH TRUST	A013283	JULIEN CREEK	8/8/1949
KUCK & SONS	A013200	LITTLE SHASTA RIVER	6/30/1949
JACK COWLEY FAMILY RANCH	A013150	LITTLE SHASTA RIVER	6/13/1949
CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE	A011705	LITTLE SHASTA RIVER	1/23/1947
THOMAS NIELSEN	A011092	KIERNAN SLOUGH	6/29/1945
THOMAS D H CONNICK & E R CONNICK TRUST FBO THOMAS CONNICK	A011059	BASSY SPRING CREEK	5/26/1945
KUCK & SONS	A010982	LITTLE SHASTA RIVER	2/14/1945
CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE	A010949B	LITTLE SHASTA RIVER	1/8/1945
CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE	A010949A	LITTLE SHASTA RIVER	1/8/1945
FREDERICK SCHNACK	A010930	UNNAMED SPRING	12/11/1944
EMMERSON INVESTMENT, INC	A008809	CLEAR SPRING	10/10/1936
MONTAGUE WATER CONSERVATION DISTRICT	A004909	LITTLE SHASTA RIVER	2/4/1926
RAYMOND D EKSTROM	A004831	LOWER SHASTA RIVER	11/9/1925
WILLIAM B DUNCAN ¹	A003952	UPPER SHASTA RIVER	4/12/1924

¹ This suspension is subject to and conditioned upon consultation with the Scott Valley and Shasta Valley Watermaster District and Montague Water Conservation District.

**List of Water Rights in Shasta River Watershed Associated with Order WR 2021-0082-DWR, Addendum 5:
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Present Owner	Decreed_Owner	Source	Creek	Summer Right (CFS)	Winter Right (CFS)	Paragraph Number	Priority Date
Montague WCD	Montague WCD	Shasta River	Lower Shasta	0.000	27.364	288	7/30/1923
Montague WCD	Montague WCD	Shasta River	Lower Shasta	0.000	68.411	287	7/23/1923
Grenada I.D.	Grenada I.D.	Shasta River	Lower Shasta	40.000	0.000	149	8/28/1916
Underwood, Bradley	Webb Brothers Company	Shasta River	Lower Shasta	0.010	0.000	388	6/17/1915
Debenedetti, J. & M.	Webb Brothers Company	Shasta River	Lower Shasta	0.012	0.000	388	6/17/1915
Infelise, Peter F.	Webb Brothers Company	Shasta River	Lower Shasta	0.013	0.000	388	6/17/1915
Hagedorn, Harvey	Webb Brothers Company	Shasta River	Lower Shasta	0.016	0.000	388	6/17/1915
Taylor, L. E. & E. A.	Webb Brothers Company	Shasta River	Lower Shasta	0.016	0.000	388	6/17/1915
Fasig, L. & J.	Webb Brothers Company	Shasta River	Lower Shasta	0.027	0.000	388	6/17/1915
Campbell, Jeffrey D. & Candi M.	Webb Brothers Company	Shasta River	Lower Shasta	0.031	0.000	388	6/17/1915
Campbell, Karen J.	Webb Brothers Company	Shasta River	Lower Shasta	0.031	0.000	388	6/17/1915
Bridwell, Martin Andrew III & Hannah	Webb Brothers Company	Shasta River	Lower Shasta	0.038	0.000	388	6/17/1915
Flansburg, Micah	Webb Brothers Company	Shasta River	Lower Shasta	0.053	0.000	388	6/17/1915
Dickson Samantha J.	Webb Brothers Company	Shasta River	Lower Shasta	0.056	0.000	388	6/17/1915
Gusaas, Casey & Jaycey	Webb Brothers Company	Shasta River	Lower Shasta	0.056	0.000	388	6/17/1915
Cota, Jennifer	Webb Brothers Company	Shasta River	Lower Shasta	0.057	0.000	388	6/17/1915
Easton, Edwin L.	Webb Brothers Company	Shasta River	Lower Shasta	0.065	0.000	388	6/17/1915
Terry, H. & D.	Webb Brothers Company	Shasta River	Lower Shasta	0.070	0.000	388	6/17/1915
DN Duerr Properties, LLC	Webb Brothers Company	Shasta River	Lower Shasta	0.076	0.000	388	6/17/1915
Hendrickson, R. & T.	Webb Brothers Company	Shasta River	Lower Shasta	0.076	0.000	388	6/17/1915
Montague, City of	Webb Brothers Company	Shasta River	Lower Shasta	0.134	0.000	388	6/17/1915
Buck, Robert	Webb Brothers Company	Shasta River	Lower Shasta	0.198	0.000	388	6/17/1915
Meamber, D. & S.	Webb Brothers Company	Shasta River	Lower Shasta	0.219	0.000	388	6/17/1915
Peters, T. & E.	Webb Brothers Company	Shasta River	Lower Shasta	0.226	0.000	388	6/17/1915
Manley, R. & L.	Webb Brothers Company	Shasta River	Lower Shasta	0.319	0.000	388	6/17/1915
Micke, W. & L.	Webb Brothers Company	Shasta River	Lower Shasta	0.714	0.000	388	6/17/1915

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Present Owner	Decreed_Owner	Source	Creek	Summer Right (CFS)	Winter Right (CFS)	Paragraph Number	Priority Date
Amen, I. & C.	Webb Brothers Company	Shasta River	Lower Shasta	2.177	0.000	388	6/17/1915
CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE	Mills, Frank H.	Shasta River	Lower Shasta	1.200	0.000	264	3/18/1914
Yates et a.l	Dow, I.M.	Shasta River	Upper Shasta	0.200	0.000	77	3/1/1914
Big Springs ID	Big Springs ID	Big Springs Lake	Lower Shasta	30.000	0.000	14	3/22/1913
Shasta R.W.A.	Shasta R.W.A.	Shasta River	Lower Shasta	42.000	0.000	341	11/25/1912