



State Water Resources Control Board

November 8, 2024

DELIVERY CONFIRMATION

Scott Valley Irrigation District



DELIVERY MAIL NO:

Scott Valley Irrigation District

NOTICE OF VIOLATION - FAILURE TO COMPLY WITH CURTAILMENT ORDERS (WR ID: A000512)

The State Water Board adopted an emergency regulation establishing emergency minimum flows in the Scott River and Shasta River watersheds on December 19, 2023. (Cal. Code Regs., tit. 23, §§ 875-875.9.) The regulation went into effect on February 1, 2024, and will remain in effect for one year.

On July 23, 2024, the Deputy Director for the State Water Board Division of Water Rights (Division) issued the Order Imposing Water Right Curtailment and Requiring Reporting for Water Rights in the Scott River Watershed. United States Postal Service (USPS) records indicate that you received the Order on July 26, 2024. On October 15, 2024 the Division of Water Rights issued Addendum 5 to Order WR 2024-0024-DWR which expires at 11:59 PM on Thursday October 31, 2024 unless amended or superseded prior to that date which provided the Scott Valley Irrigation District (SVID) permission to divert; subject to several conditions. On October 23, 2024 SVID emailed Division staff stating that they would “begin running a small amount (3-4 cfs) of water down the ditch”.

Without the issuance of a subsequent addendum, curtailments were reimposed when Addendum 5 expired at 11:59 PM on Thursday October 31, 2024. On November 4, 2024, Division staff called SVID and informed them of the need to stop diverting to comply with the curtailment order. Thus, SVID was in violation of the curtailment order on November 1, 2, 3, and 4th. SVID sent pictures to Division staff of the closed headgate on November 4, 2024 indicating that they had turned off diversions.

E. JOAQUIN ESQUIVEL, CHAIR | ERIC OPPENHEIMER, EXECUTIVE DIRECTOR

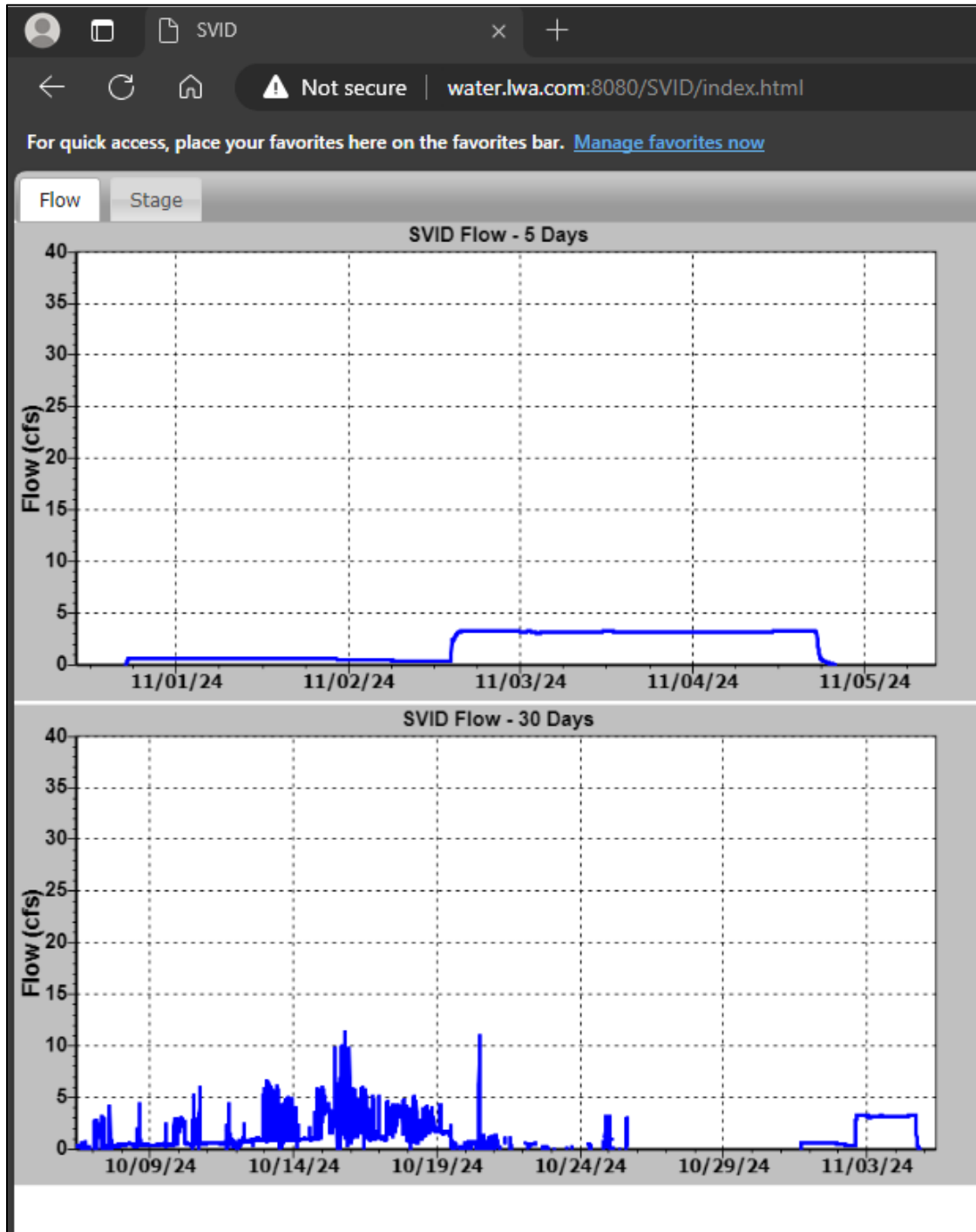


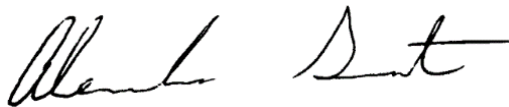
Figure 1: Scott Valley Irrigation District Telemetry

Scott Valley Irrigation District's telemetry (Figure 1) shows diversions starting on October 31, 2024 and ending on November 4, 2024. SVID's measurement device appears to be malfunctioning considering SVID stated they would start diverting on October 23, 2024 and the telemetry shows diversion prior to SVID turning on and does not show diversion after SVID turned their diversion on.

Cal Code of Regs tit. 23 section 933 (d) (2) (B) requires SVID's measurement device to be accurate within 10 percent. The diversion is reporting zero readings when SVID appears to be diverting 3-4 cfs, the measurement device is likely out of compliance with accuracy standards in the regulations. Within 30 days, provide a plan for ensuring the measurement device is accurately recording and reporting diversion data via telemetry.

The Division may issue an Administrative Civil Liability Complaint (ACL Complaint), Cease and Desist Orders, or both at its discretion with a potential fine of up to \$500 per day per water right for each day a violation occurs. If you have questions or concerns, please leave a message with Alex Sweat at (916) 319-0724 and Alexander.Sweat@waterboards.ca.gov.

Sincerely,



Alex Sweat, PE
Water Resource Control Engineer
Division of Water Rights, Enforcement Section

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