



State Water Resources Control Board

May 27, 2026

CERTIFIED MAIL

Scott Valley Irrigation District



DELIVERY MAIL NO:

Scott Valley Irrigation District:

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

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

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* (Order WR 2024-0024-DWR). United States Postal Service (USPS) records indicate that Scott Valley Irrigation District (SVID) received the Order on July 26, 2024.

On January 7, 2025, the State Water Board readopted the Scott River and Shasta River Emergency Regulation. The Office of Administrative Law approved the emergency regulation on January 27, 2025. Effective January 1, 2026, Assembly Bill (AB) 263 extended the adopted Scott River and Shasta River Emergency Regulation until January 1, 2031, or until permanent rules establishing and implementing long-term instream flow requirements are adopted for those watersheds, whichever occurs first. (Wat. Code, § 1058.5, subd. (c)(2).)

Pursuant to section 875, subdivision (c) of the Scott River and Shasta River Emergency Regulation, the minimum instream flow for the Scott River in May is 150 cubic feet per second (cfs). On May 21, 2026, flows fell below that minimum instream flow. In response to declining flows, the State Water Board issued Addendum 9 to Order WR

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

2024-0024-DWR

(https://www.waterboards.ca.gov/drought/scott_shasta_rivers/docs/2026/scott-addendum-9a.pdf), reinstating curtailments for all surface water rights in the Scott River. Following the reinstatement of curtailments, flows continued to decline to 137 cfs measured at United States Geological Survey gage 11519500 at around 8:45 pm on May 22, 2026.


On May 22, 2026, as a courtesy, Division staff called and emailed SVID to ensure you were aware of the need to stop diverting as required by Addendum 9 to Order WR 2024-0024-DWR. As a reminder, it is the responsibility of each water right holder subject to curtailment to stay informed of when curtailments go into place.

SVID's telemetry data (see Attachment) shows water diverted at the SVID point of diversion (POD) has not ceased. While the rate of diversion has decreased from a high of 26 cfs on May 21, 2026, as of 5:00 pm on May 26, 2026 the rate of diversion remains around 10 cfs.

Failure to cease diversions is a violation of State Water Board regulations and may subject you to formal enforcement. The Division may issue an Administrative Civil Liability Complaint (ACL Complaint), Cease and Desist Order, or both at its discretion. **Penalties for failure to comply with curtailment orders carry a potential fine of up to \$10,000 for each day the violation occurs for each water right, plus an additional \$3,000 per acre foot diverted. (Wat. Code, § 1846.)** If you have questions or concerns, please leave a message with Sahil Pathak at (916) 341-5307 or email at Sahil.Pathak@waterboards.ca.gov.

Because this diversion is curtailed, you must immediately cease diversions.

Sincerely,



Sahil Pathak
Senior Environmental Scientist, Supervisor
Division of Water Rights, Enforcement Section

ec: **Scott Valley Irrigation District**
Jim Morris
Jim@bryanmorr isranch.com

Division of Water Rights

Lang Khang
Lang.Khang@waterboards.ca.gov

Sahil Pathak
Sahil.Pathak@waterboards.ca.gov

Alex Sweat
Alexander.Sweat@waterboards.ca.gov

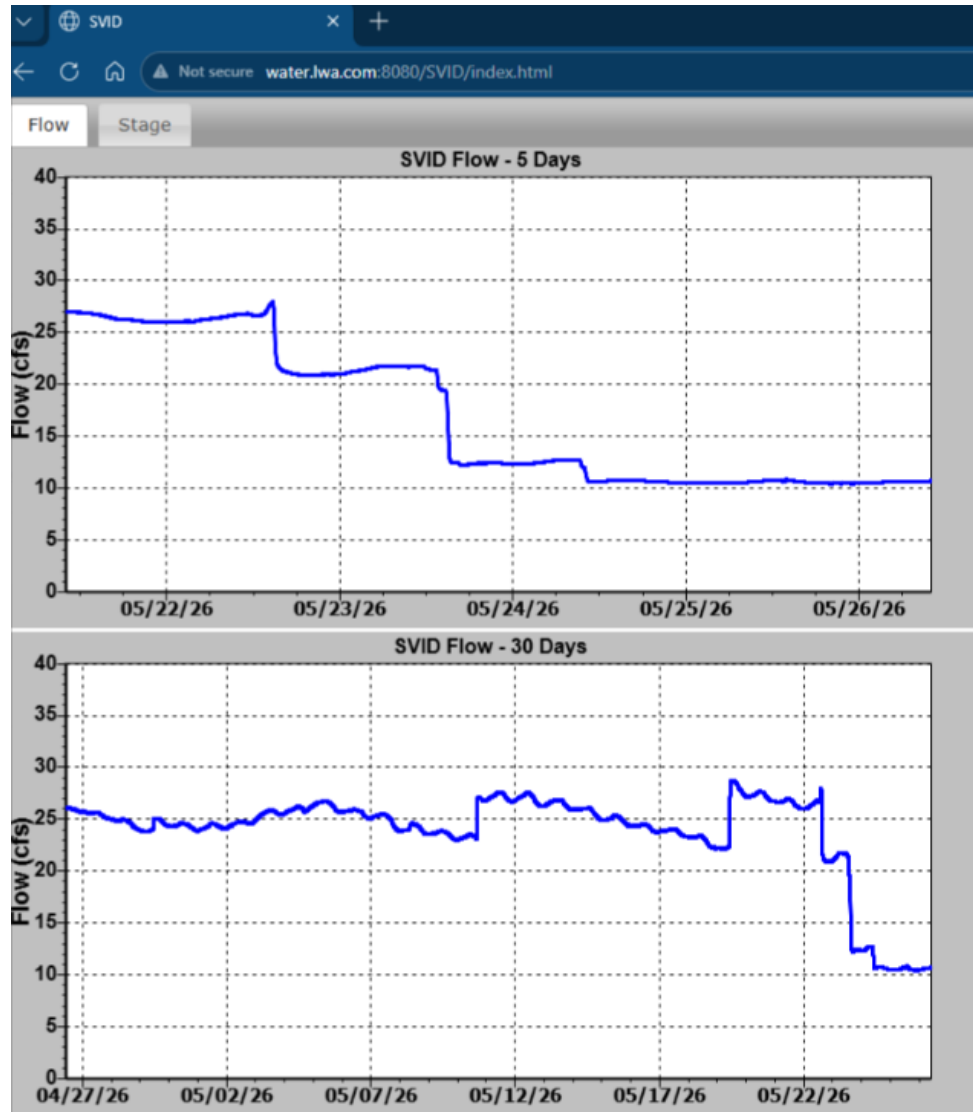
Roberto Cervantes
Roberto.Cervantes@waterboards.ca.gov

Kevin Porzio
Kevin.Porzio@waterboards.ca.gov

Office of Enforcement

Debi Ores
Debi.Ores@waterboards.ca.gov

Attachment



Scott Valley Irrigation District Telemetry