

To: Mill and Deer LYRIS List

Subject: Notice - Deer Creek Pulse Flow Scheduled to Begin May 26, 2022 at 1:00 pm

This message is to notify water users and interested parties that the State Water Resources Control Board, in coordination with the California Department of Fish and Wildlife (CDFW) and National Marine Fisheries Service, has scheduled a pulse flow on Deer Creek of 100 cubic feet per second (cfs) or full flow without diversion, whichever is less, from Thursday, May 26 at 1:00 PM until Saturday, May 29 at 12:00 PM (end time based on 100 cfs or more flow in Deer Creek measured at the United States Geological Survey gauge Deer Creek Near Vina, California, #11383500). As described in Order WR 2021-0090-DWR, all diverters on Deer Creek are curtailed and must cease diverting to ensure that the pulse flow of 100 cfs or full flow without diversions, whichever is less, is bypassed at their point of diversion. Water available in excess of the required pulse flow may be diverted as available under your priority of right.

California Department of Fish and Wildlife's Request

On May 11, 2022, CDFW submitted a memorandum to the State Water Board's Deputy Director for Water Rights (Deputy Director) requesting a pulse flow on Deer Creek for Central Valley spring-run Chinook salmon. Per CDFW, the pulse flow should increase passage conditions and encourage adult spring-run to enter and quickly migrate through lower Deer Creek. The increased instream flows will also provide improved conditions for juvenile salmonids migrating outward from Deer Creek. CDFW requests a 72-hour pulse flow of 100 cfs or full flows without diversion, whichever is less, beginning May 26, 2022 at 1:00 pm.

Background Information

On September 22, 2021, the State Water Board adopted a Drought Emergency Regulation for the Curtailment of Diversions Based on Insufficient Flow to Meet All Needs (Regulation). The Regulation went into effect on October 4, 2021, and established drought emergency minimum flow requirements for the protection of specific runs of federal- and state-listed anadromous fish in Deer Creek, as well as Mill Creek. Order WR 2021-0090-DWR curtails diversions as necessary to provide the drought emergency minimum flows on Deer Creek. The Regulation is available at:

[deer-creek-curtailment-order-2021-0090-and-cover-letter.pdf \(ca.gov\)](#)

Curtailment of Water Rights in Deer Creek:

Based on the most recent stream gauge readings for Deer Creek, along with forecasts for future precipitation events, the Deputy Director has determined that without curtailment of diversions, flows in Deer Creek are likely to be reduced below the drought emergency minimum flows specified in the Regulation. Under Order WR 2021-0090-DWR, the State Water Board is requiring all holders of water rights and claims of water rights within the Deer Creek watershed to immediately stop diverting under their water rights and claims of right unless the minimum flow standards are met.

Information related to this Regulation, including Order WR 2021-0090-DWR, CDFW's May 11 memorandum and current emergency minimum flow requirements, is available on the State Water Board website and can be accessed at:

[Mill Creek and Deer Creek Drought Response | California State Water Resources Control Board](#)

If you have questions regarding this email, please contact the State Water Board Division of Water Rights by email at:

dwr-milldeerdrought@waterboards.ca.gov

You can review our drought year webpage at:

http://www.waterboards.ca.gov/waterrights/water_issues/programs/drought/index.shtml.

If you are receiving this notice in a forwarded message and would like to subscribe to the “Mill Deer Creek Curtailments” email notification list, go to:

http://www.waterboards.ca.gov/resources/email_subscriptions/.

STATE WATER RESOURCES CONTROL BOARD

A handwritten signature in black ink, appearing to read "Erik Ekdahl", with a long, sweeping horizontal stroke extending to the right.

Erik Ekdahl, Deputy Director
Division of Water Rights

Dated: