
State Water Resources Control Board

March 15, 2022

ADDENDUM 9 TO ORDERS WR 2021-0082-DWR and WR 2021-0085-DWR¹: REINSTATEMENT OF CURTAILMENTS AND MODIFICATION OF MARCH FLOW REQUIREMENTS

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

The State Water Board is reinstating curtailments in the Shasta River watershed. The suspension of curtailments is no longer in effect. This means that the most junior water diverters, which are highlighted red in Attachment A, must immediately cease diversions. The remaining water rights holders in Attachment A are directed to work with the Scott Valley and Shasta Valley Watermaster District (Watermaster) and State Water Board as appropriate, and if necessary to curtail in order of priority to ensure that the required minimum flows are met at the **Yreka United States Geological Survey (USGS) gage**. The required minimum flows at the Yreka USGS gage for March and the coming months are as follows: 135 cfs through March 24, 2022, 105 cfs from March 25 through March 30, 2022, 70 cfs in April, and 50 cfs in May. **This curtailment remains in effect until otherwise amended.**

Flow Modification

On March 15, 2022, the State Water Board received a memorandum from CDFW assessing the change in minimum flows from 135 cfs in March to 70 cfs in April. CDFW states that the drop off in the hydrograph of 65 cfs presents a stranding risk to out-migrating juvenile Chinook salmon, and to juvenile coho salmon that are currently distributing to over summering rearing habitat. CDFW recommends a ramp down flow of 105 cfs during the last seven (7) calendar days of March 2022. CDFW consulted with NMFS on this proposed change.

Section 875, subdivision (c)(2)(B) provides that the California Department of Fish and Wildlife (CDFW), after coordination with the National Marine Fisheries Service (NMFS), may notify the Deputy Director of the Division of Water Rights (Deputy Director) that lower alternative flows at the Yreka USGS gage provide equal or better protection for

¹ Curtailment **Order WR 2021-0085-DWR** was issued on October 12, 2021. While not stated explicitly, previous and subsequent addenda adjusting curtailments to Order WR 2021-0082-DWR apply equally to Order WR 2021-0085-DWR. In the future, any reference to Order WR 2021-0082-DWR automatically includes this subsequent order without the need to reference it specifically.

the pertinent species' relevant life stage. Using this information, the Deputy Director may determine not to issue curtailment orders, to issue curtailment orders to a smaller priority grouping described in section 875.5, or to suspend curtailment orders already issued in order of priority as described in section 875.5, as applicable.

Change in Curtailment Status

This addendum reinstates all curtailments for diverters who received the Shasta River watershed curtailment orders (WR 2021-0082-DWR and WR 2021-0085-DWR). The most junior water rights listed in Attachment A, highlighted in red, must immediately cease diversions.

The State Water Resources Control Board (State Water Board) issued curtailment Order [WR 2021-0082-DWR](#) on September 10, 2021, to junior water right holders in the Shasta River watershed, 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. (Cal. Code Regs., tit. 22, §§ 875-875.9.)

The State Water Board issued addenda to the curtailment orders on various dates suspending curtailment of some water rights so long as the required minimum flow was being met and sustained at the Yreka USGS gage. Addenda 8, issued on February 25, 2022, provided for the temporary suspension of all curtailments through March 15, 2022, contingent on 135 cfs minimum flow requirement being sustained at the Yreka USGS gage and diverters coordinating with the Watermaster.

The flow at the Yreka USGS gage is currently less than 135 cfs (129 cfs at 9:00 am on March 15, 2022). Ongoing dry conditions, the approach of the irrigation season, and ongoing fluctuating flows over the last 14 days indicate that the minimum flows will not be met at the Yreka gage, and that reinstatement of curtailments is warranted. Additionally, on March 14, 2022, the Shasta River at the Grenada Pump Station (SPU) gage showed an additional 6 cfs reduction in flow which is expected to further reduce flows below the minimum flow requirement at the Yreka USGS gage.

Based on the multiple unexpected decreases in flows below the minimum flow requirement in the first half of March and the unmet flow requirement at this time. The water rights highlighted in red in Attachment A conservatively represents approximately 5 cfs of current water demand. The remaining water rights holders in Attachment A are directed to work with the Watermaster and State Water Board as appropriate, and if necessary to curtail in order of priority to ensure that the required minimum flows are met at the Yreka USGS gage.

Accordingly, the State Water Board is reinstating curtailments in the Shasta River watershed as follows:

- **The most junior water diverters highlighted in red in Attachment A must cease diversions immediately. In the event flows at the Yreka USGS gage are at least 5 cfs above the minimum flow requirement these diverters may**

reinitiate diversions in the same manner as the remaining curtailed water rights in Attachment A (i.e., in coordination with the Watermaster).

- The remaining water rights listed in Attachment A are directed to work with the Watermaster and State Water Board as appropriate, and if necessary to curtail in order of priority to ensure that the required minimum flows are met and sustained at the Yreka USGS gage. The required minimum flows at the Yreka USGS gage for March and the coming months are as follows: 135 cfs through March 24, 2022, 105 cfs from March 25 through March 30, 2022, 70 cfs in April, and 50 cfs in May.

This curtailment remains in effect until otherwise amended. The State Water Board will continue to monitor precipitation forecasts and watershed conditions regularly to determine if further adjustments to curtailments are appropriate.

Water diverters in Attachment A shall monitor and record the amounts of water diverted during this time period (i.e., implementation of this addendum). Water diverters in Attachment A shall report their water use and purpose of use, as requested, to the Watermaster and State Water Board.

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,



Erik Ekdahl, Deputy Director
Division of Water Rights

Enclosure: Attachment A: List of Water Rights in Shasta River Watershed Associated with Orders WR 2021-0082-DWR and WR 2021-0085-DWR, Addendum 9: Curtailment Status in Shasta River Watershed

**Attachment A: List of Water Rights in Shasta River Watershed Associated with
Orders WR 2021-0082-DWR and WR 2021-0085-DWR,
Addendum 9: Curtailment Status in Shasta River Watershed**

Primary Owner	Application Number	Source	Priority Date	Curtailment Status
GEORGE S GRISET	SG005922	Groundwater ¹	--	Curtailed
STEPHEN DAVID GRISET	SG005923	Groundwater ¹	--	Curtailed
STEPHEN DAVID GRISET	SG005924	Groundwater ¹	--	Curtailed
GEORGE S GRISET	SG005925	Groundwater ¹	--	Curtailed
MICKE WILLIAM A & LORI A TRUST	SG005926	Groundwater ¹	--	Curtailed
Darrell Sousa	SG005927	Groundwater ¹	--	Curtailed
Darrell Sousa	SG005956	Groundwater ¹	--	Curtailed
MOUA DEAN MURPHY ETAL	SG005957	Groundwater ¹	--	Curtailed
LAKE SHASTINA COMMUNITY SERVICE DISTRICT	SG005915	Groundwater ¹	2/11/2019	Curtailed
LAKE SHASTINA COMMUNITY SERVICE DISTRICT	SG005916	Groundwater ¹	2/11/2019	Curtailed
CITY OF WEED	SG005914	Groundwater ¹	1/10/2015	Curtailed
SAMUEL BIRKHOLZ	D031892	UNSP	5/12/2011	Curtailed
CITY OF WEED	SG005913	Groundwater ¹	12/13/2010	Curtailed
GRENADA SANITARY	SG005909	Groundwater ¹	9/6/2003	Curtailed
ARIC CENA	A031522	UNNAMED STREAM	7/30/2003	Curtailed
PAUL ZWETSLOOT	D031166	UNST	1/17/2001	Curtailed
JERRY L BACIGALUPI	A029558	FOGG GULCH	8/23/1989	Curtailed
ARNOLD KUTTEL TRUST	A029415	UNST	2/23/1989	Curtailed
Suzanne Rathburn	A028450A	PARKS CREEK	5/10/1985	Curtailed
TOM JOHNSON	A028450B	PARKS CREEK	5/10/1985	Curtailed
SHERWIN NELSON	A028250	UNSP	9/24/1984	Curtailed

¹ You exercise an appropriative groundwater right when you: (1) do not own (or rent or lease) land overlying the basin that you use the water on; (2) own overlying land but use the water on non-overlying land; or (3) sell or distribute the water to someone else. Groundwater appropriators have a priority date from when the groundwater well was constructed, and water first used for non-overlying use. You may also exercise an overlying groundwater right, which is not curtailed by this order.

**Attachment A: List of Water Rights in Shasta River Watershed Associated with
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Addendum 9: Curtailment Status in Shasta River Watershed**

Primary Owner	Application Number	Source	Priority Date	Curtailment Status
HATTIE J BATSON	A028119	ZOLLS GULCH	4/24/1984	Curtailed
MARK GILMAN	A028120	ZOLLS GULCH	4/24/1984	Curtailed
US KLAMATH NATL FOREST	A027528	UNSP	9/23/1982	Curtailed
MICHAEL K CREBBIN	A027483	UNST	8/20/1982	Curtailed
BIG SPRINGS I. D.	SG005919	Groundwater ¹	5/1/1982	Curtailed
MONTAGUE WATER CONS.	SG005911	Groundwater ¹	6/1/1982	Curtailed
GREENHORN WATER DISTRICT	A026792	GREENHORN CREEK UNDERFLOW	4/16/1981	Curtailed
David E. & Mary Lea Lemos Trust	A026590	UNST	10/28/1980	Curtailed
KUCK & SONS	A026316	UNST	4/25/1980	Curtailed
CALIF DEPT OF TRANSPORTATION	A025786	UNSP	7/17/1978	Curtailed
STEPHEN E KOLPACOFF	C001014	HUMBUG GULCH	10/11/1977	Curtailed
GRENADA IRR.DIST.	SG005908	Groundwater ¹	4/1/1977	Curtailed
LAURA LONGSTAFF	A025024	UNSP	3/18/1976	Curtailed
BIG SPRINGS I. D.	SG005918	Groundwater ¹	1/1/1974	Curtailed
DALE G MIHOLOVICH	A024200	UNST	10/5/1972	Curtailed
MONTAGUE WATER CONS.	SG005910	Groundwater ¹	1/1/1972	Curtailed
CHRISTOPHER BROWN	A023796	PARKS CREEK	6/2/1971	Curtailed
EMMERSON INVESTMENT, INC	A023767	UNST	4/23/1971	Curtailed
CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE	A023452A	LITTLE SHASTA RIVER	2/19/1970	Curtailed
CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE	A023452B	LITTLE SHASTA RIVER	2/19/1970	Curtailed
CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE	A023117	UNST	8/27/1968	Curtailed
BRICE C MARTIN	A022961	UNSP	12/26/1967	Curtailed
MONTAGUE, CITY OF	SG005912	Groundwater ¹	5/1/1967	Curtailed

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Primary Owner	Application Number	Source	Priority Date	Curtailment Status
ROBERT MANLEY	A022336	OREGON SLOUGH	11/16/1965	Curtailed
Bryan DeRoo	A022099	OREGON SLOUGH	4/7/1965	Curtailed
LAURI A HUNNER	A021986	UNSP (2)	12/1/1964	Curtailed
MEAMBER 2000 TRUST	A021238	SHASTA RIVER	4/11/1963	Curtailed
MEAMBER 2000 TRUST	A021180	UNDR	3/6/1963	Curtailed
MEAMBER 2000 TRUST	A021141	UNDR	1/28/1963	Curtailed
MADISON VALLEY PARTNERSHIP	A020016	UNST	3/3/1961	Curtailed
US KLAMATH NATL FOREST	A019522	MARTIN DAIRY SPRING	7/7/1960	Curtailed
ANDY E EAGAN	A018557	SHASTA RIVER	2/26/1959	Curtailed
ROBERT MANLEY	A018434	UNST	12/15/1958	Curtailed
CITY OF YREKA	A018186	GREENHORN CREEK	6/17/1958	Curtailed
BIG SPRINGS I. D.	SG005920	Groundwater ¹	1/1/1958	Curtailed
MADISON VALLEY PARTNERSHIP	A017639	UNST	6/7/1957	Curtailed
MEAMBER 2000 TRUST	A017334	UNSL	10/19/1956	Curtailed
CITY OF YREKA	A016392	YREKA CREEK UNDERFLOW	5/24/1955	Curtailed
MADISON VALLEY PARTNERSHIP	A015687	UNST	1/15/1954	Curtailed
CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE	A014580	LITTLE SHASTA RIVER	11/15/1951	Curtailed
JACK I COWLEY	A014074	LITTLE SHASTA RIVER	11/28/1950	Curtailed
WILLARD J FREEMAN FAMILY TRUST DATED 1981	A013631	SHASTA RIVER	3/13/1950	Curtailed
CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE	A013462A	LITTLE SHASTA RIVER	11/14/1949	Curtailed
CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE	A013462B	LITTLE SHASTA RIVER	11/14/1949	Curtailed

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Primary Owner	Application Number	Source	Priority Date	Curtailment Status
JULIEN RANCH TRUST	A013283	JULIEN CREEK	8/8/1949	Curtailed
KUCK & SONS	A013200	LITTLE SHASTA RIVER	6/30/1949	Curtailed
JACK COWLEY FAMILY RANCH	A013150	LITTLE SHASTA RIVER	6/13/1949	Curtailed
CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE	A011705	LITTLE SHASTA RIVER	1/23/1947	Curtailed
THOMAS NIELSEN	A011092	KIERNAN SLOUGH	6/29/1945	Curtailed
THOMAS D H CONNICK & E R CONNICK TRUST FBO THOMAS CONNICK	A011059	BASSY SPRING CREEK	5/26/1945	Curtailed
KUCK & SONS	A010982	LITTLE SHASTA RIVER	2/14/1945	Curtailed
CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE	A010949A	LITTLE SHASTA RIVER	1/8/1945	Curtailed
CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE	A010949B	LITTLE SHASTA RIVER	1/8/1945	Curtailed
FREDERICK SCHNACK	A010930	UNSP	12/11/1944	Curtailed
EMMERSON INVESTMENT, INC	A008809	CLEAR SPRING	10/10/1936	Curtailed
MONTAGUE WATER CONSERVATION DISTRICT	A004909	LITTLE SHASTA RIVER	2/4/1926	Curtailed
RAYMOND D EKSTROM	A004831	SHASTA RIVER (lower)	11/9/1925	Conditionally Curtailed ²
MONTAGUE WATER CONSERVATION DISTRICT	A003555	PARKS CREEK	7/30/1925	Conditionally Curtailed ²

² Conditionally curtailed means the water rights are curtailed conditioned on the minimum instream flow being met at the Yreka United States Geological Survey gage. These water rights holders are directed to work with the Scott Valley and Shasta Valley Watermaster District (Watermaster) and State Water Board, as appropriate, and if necessary curtail in the order of priority to ensure that the required minimum flows are met at the Yreka USGS gage.

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Primary Owner	Application Number	Source	Priority Date	Curtailment Status
WILLIAM B DUNCAN	A003952	UPPER SHASTA RIVER	4/12/1924	Conditionally Curtailed ²
MONTAGUE WATER CONSERVATION DISTRICT	A003544	SHASTA RIVER	7/23/1923	Conditionally Curtailed ²
GRENADA IRRIGATION DISTRICT	A000448	SHASTA RIVER	8/28/1916	Conditionally Curtailed ²

Present Owner	Decreed_Owner	Source	Creek	Summer Right (CFS)	Winter Right (CFS)	Paragraph Number	Priority Date	Curtailment Status
Underwood, Bradley	Webb Brothers Company	Shasta River	Lower Shasta	0.01	0	388	6/17/1915	Conditionally Curtailed ²
Debenedetti, J. & M.	Webb Brothers Company	Shasta River	Lower Shasta	0.012	0	388	6/17/1915	Conditionally Curtailed ²
Infelise, Peter F.	Webb Brothers Company	Shasta River	Lower Shasta	0.013	0	388	6/17/1915	Conditionally Curtailed ²
Hagedorn, Harvey	Webb Brothers Company	Shasta River	Lower Shasta	0.016	0	388	6/17/1915	Conditionally Curtailed ²
Taylor, L. E. & E. A.	Webb Brothers Company	Shasta River	Lower Shasta	0.016	0	388	6/17/1915	Conditionally Curtailed ²
Fasig, L. & J.	Webb Brothers Company	Shasta River	Lower Shasta	0.027	0	388	6/17/1915	Conditionally Curtailed ²
Campbell, Jeffrey D. & Candi M.	Webb Brothers Company	Shasta River	Lower Shasta	0.031	0	388	6/17/1915	Conditionally Curtailed ²
Campbell, Karen J.	Webb Brothers Company	Shasta River	Lower Shasta	0.031	0	388	6/17/1915	Conditionally Curtailed ²
Bridwell, Martin Andrew III & Hannah	Webb Brothers Company	Shasta River	Lower Shasta	0.038	0	388	6/17/1915	Conditionally Curtailed ²

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Present Owner	Decreed_Owner	Source	Creek	Summer Right (CFS)	Winter Right (CFS)	Paragraph Number	Priority Date	Curtailment Status
Flansburg, Micah	Webb Brothers Company	Shasta River	Lower Shasta	0.053	0	388	6/17/1915	Conditionally Curtailed ²
Dickson Samantha J.	Webb Brothers Company	Shasta River	Lower Shasta	0.056	0	388	6/17/1915	Conditionally Curtailed ²
Gusaas, Casey & Jaycey	Webb Brothers Company	Shasta River	Lower Shasta	0.056	0	388	6/17/1915	Conditionally Curtailed ²
Cota, Jennifer	Webb Brothers Company	Shasta River	Lower Shasta	0.057	0	388	6/17/1915	Conditionally Curtailed ²
Easton, Edwin L.	Webb Brothers Company	Shasta River	Lower Shasta	0.065	0	388	6/17/1915	Conditionally Curtailed ²
Terry, H. & D.	Webb Brothers Company	Shasta River	Lower Shasta	0.07	0	388	6/17/1915	Conditionally Curtailed ²
DN Duerr Properties, LLC	Webb Brothers Company	Shasta River	Lower Shasta	0.076	0	388	6/17/1915	Conditionally Curtailed ²
Hendrickson, R. & T.	Webb Brothers Company	Shasta River	Lower Shasta	0.076	0	388	6/17/1915	Conditionally Curtailed ²
Montague, City of	Webb Brothers Company	Shasta River	Lower Shasta	0.134	0	388	6/17/1915	Conditionally Curtailed ²
Buck, Robert	Webb Brothers Company	Shasta River	Lower Shasta	0.198	0	388	6/17/1915	Conditionally Curtailed ²
Meamber, D. & S.	Webb Brothers Company	Shasta River	Lower Shasta	0.219	0	388	6/17/1915	Conditionally Curtailed ²
Peters, T. & E.	Webb Brothers Company	Shasta River	Lower Shasta	0.226	0	388	6/17/1915	Conditionally Curtailed ²
Manley, R. & L.	Webb Brothers Company	Shasta River	Lower Shasta	0.319	0	388	6/17/1915	Conditionally Curtailed ²
Micke, W. & L.	Webb Brothers Company	Shasta River	Lower Shasta	0.714	0	388	6/17/1915	Conditionally Curtailed ²

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Present Owner	Decreed_Owner	Source	Creek	Summer Right (CFS)	Winter Right (CFS)	Paragraph Number	Priority Date	Curtailment Status
Amen, I. & C.	Webb Brothers Company	Shasta River	Lower Shasta	2.177	0	388	6/17/1915	Conditionally Curtailed ²
Solus, Duncan etal	Alexander S.	Shasta River	Lower Shasta	0.014	0	5	4/12/1924	Conditionally Curtailed ²
CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE	Mills, Frank H.	Shasta River	Lower Shasta	1.2	0	264	3/18/1914	Conditionally Curtailed ²
Yates et a.l	Dow, I.M.	Shasta River	Upper Shasta	0.2	0	77	3/1/1914	Conditionally Curtailed ²
Shasta R.W.A.	Shasta R.W.A.	Shasta River	Lower Shasta	42	0	341	11/25/1912	Conditionally Curtailed ²