

State Water Resources Control Board

April 27, 2023

Subject: Order WR 2021-0082-DWR, Addendum 12: Extension of Conditional Temporary Suspension of Curtailments in Shasta River Watershed

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 continue the temporary and conditional suspension of all curtailments of water rights under Order WR-0082-DWR in the Shasta River watershed, so long as flows are at or above the emergency minimum flows at the [Yreka United States Geological Survey \(USGS\) gage](#).

On September 10, 2021, the State Water Board issued a curtailment order (Order WR 2021-0082-DWR)¹ to the most junior water right holders in the Shasta River watershed, including all post-Adjudication appropriative surface water and appropriative groundwater rights described in section 875.5, subdivision (b)(1)(A) of the Drought Emergency Regulation², as well as more senior appropriative rights with priority dates later than November 1912, as described in section 875.5, subdivision (b)(1)(B). Based on forecasted precipitation, flows, demand projections, and other factors, the State Water Board issued addenda to Order WR 2021-0082-DWR, partially suspending and reinstating curtailment of water rights in order of priority contingent on the required minimum flow at the Yreka USGS gage being met and sustained. On December 27, 2022, the State Water Resources Control Board (State Water Board) suspended all curtailments issued in Order WR 2021-0082-DWR contingent on the required minimum flow at the Yreka USGS gage being met and sustained ([Addendum 10](#))³. On March 22, 2023, the State Water Board extended the suspension of curtailment through April 30, 2023 ([Addendum 11](#)).

¹ References to Order WR 2021-0082-DWR include [Order WR 2021-0085-DWR](#), [Order WR 2022-0142-DWR](#), and [Order WR 2022-0161-DWR](#) [issued for water diversions that did not receive the original curtailment order because of incorrect addresses and other reasons].

² Establishment of Minimum Instream Flow Requirements, Curtailment Authority, and Information Order Authority in the Klamath River Watershed (Cal. Code Regs., tit. 23, §§ 875-875.9). All subsequent section references in this order are to California Code of Regulations, title 23 unless otherwise noted.

³ On December 27, 2022, the State Water Board also issued addenda suspending two additional curtailment orders ([Order WR 2022-0162-DWR](#) and [Order WR 2022-0167-DWR](#)) that conditionally curtailed water rights to a priority date of April 1, 1885 and March 1, 1850, respectively.

Since December 27, 2022, flows at the Yreka USGS gage have remained above the minimum flow requirement (125 cubic feet per second through March 25, 105 cfs from March 26 through March 31, and 70 cfs through April) with an average daily flow of 174 cubic feet per second (cfs) between December 27, 2022, and April 24, 2023. A series of winter storms resulted in flows in the Shasta River watershed that were significantly higher than anticipated.

Flows at Yreka USGS gage were 97.6 cfs at 11:00 am on April 26, 2023. The current above-average snow budget in the Shasta River watershed indicates a very high probability of continuing to exceed the minimum flow requirements (i.e., 70 cfs in April and 50 cfs in May) through the end of May 2023.

Accordingly, the State Water Board is continuing the **temporary suspension of all curtailments in the Shasta River watershed**, contingent on: **(1) 70 cfs in April, and 50 cfs in May being sustained at the Yreka USGS gage; and (2) parties with suspended curtailments working with the Scott Valley and Shasta Valley Watermaster District (Watermaster) and State Water Board as appropriate to manage flows.** The curtailments of water rights listed in Attachment A are suspended so long as the minimum flow requirements are met and sustained at the Yreka USGS gage (i.e., 70 cfs in April and 50 cfs in May). The temporary suspension will expire on May 31, 2023, unless otherwise extended or curtailments are reimposed.

Active curtailments are not anticipated through the end of May 2023. However, if flows drop below the minimum flow requirements at the Yreka USGS gage during this time period, the Scott-Shasta Drought Email List will be notified and updates will be made to the curtailment list and map that is posted on the **Scott River and Shasta River Watersheds Drought Response website** (https://www.waterboards.ca.gov/drought/scott_shasta_rivers/). As appropriate, water users must work with the Watermaster and the State Water Board regarding their water use during this time.

The State Water Board will be monitoring weather forecasts and stream gages to determine if suspensions should be extended in the future, or if additional curtailments are needed. To stay informed on future updates related to curtailments and the ongoing Drought 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 (you can subscribe to the Scott-Shasta Drought email list at **GovDelivery** under "Water Rights"); and/or
2. Visit our **Scott River and Shasta River Watersheds 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,

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

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, WR 2021-0085-DWR, WR 2022-0142-DWR, and WR 2022-0161-DWR, Addendum 12: Curtailment Status in the Shasta River Watershed

Attachment A: List of Water Rights in Shasta River Watershed Associated with Orders WR 2021-0082-DWR, WR 2021-0085-DWR, WR 2022-0142-DWR, and WR 2022-0161-DWR, Addendum 12: Curtailment Status in Shasta River Watershed

Primary Owner	Application Number	Source	Priority Date	Curtailment Status
GEORGE S GRISET	SG005922	Groundwater ¹	--	Conditionally Curtailed ²
STEPHEN DAVID GRISET	SG005923	Groundwater ¹	--	Conditionally Curtailed ²
STEPHEN DAVID GRISET	SG005924	Groundwater ¹	--	Conditionally Curtailed ²
GEORGE S GRISET	SG005925	Groundwater ¹	--	Conditionally Curtailed ²
MICKE WILLIAM A & LORI A TRUST	SG005926	Groundwater ¹	--	Conditionally Curtailed ²
Darrell Sousa	SG005927	Groundwater ¹	--	Conditionally Curtailed ²
Darrell Sousa	SG005956	Groundwater ¹	--	Conditionally Curtailed ²
MOUA DEAN MURPHY ETAL	SG005957	Groundwater ¹	--	Conditionally Curtailed ²
LAKE SHASTINA COMMUNITY SERVICE DISTRICT	SG005915	Groundwater ¹	2/11/2019	Conditionally Curtailed ²
LAKE SHASTINA COMMUNITY SERVICE DISTRICT	SG005916	Groundwater ¹	2/11/2019	Conditionally Curtailed ²

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 exercise an overlying groundwater right, which is not curtailed by this order.

² Conditionally curtailed means the water rights are curtailed conditioned on the minimum instream flow being met at the Yreka United States Geological Survey (USGS) 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
CITY OF WEED	SG005914	Groundwater ¹	1/10/2015	Conditionally Curtailed ²
SAMUEL BIRKHOLZ	D031892	UNSP	5/12/2011	Conditionally Curtailed ²
CITY OF WEED	SG005913	Groundwater ¹	12/13/2010	Conditionally Curtailed ²
GRENADA SANITARY	SG005909	Groundwater ¹	9/6/2003	Conditionally Curtailed ²
ARIC CENA	A031522	UNNAMED STREAM	7/30/2003	Conditionally Curtailed ²
PAUL ZWETSLOOT	D031166	UNST	1/17/2001	Conditionally Curtailed ²
JERRY L BACIGALUPI	A029558	FOGG GULCH	8/23/1989	Conditionally Curtailed ²
ARNOLD KUTTEL TRUST	A029415	UNST	2/23/1989	Conditionally Curtailed ²
Suzanne Rathburn	A028450A	PARKS CREEK	5/10/1985	Conditionally Curtailed ²
TOM JOHNSON	A028450B	PARKS CREEK	5/10/1985	Conditionally Curtailed ²
SHERWIN NELSON	A028250	UNSP	9/24/1984	Conditionally Curtailed ²
HATTIE J BATSON	A028119	ZOLLS GULCH	4/24/1984	Conditionally Curtailed ²
MARK GILMAN	A028120	ZOLLS GULCH	4/24/1984	Conditionally Curtailed ²
US KLAMATH NATL FOREST	A027528	UNSP	9/23/1982	Conditionally Curtailed ²
MICHAEL K CREBBIN	A027483	UNST	8/20/1982	Conditionally Curtailed ²

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Primary Owner	Application Number	Source	Priority Date	Curtailment Status
BIG SPRINGS I. D.	SG005919	Groundwater ¹	5/1/1982	Conditionally Curtailed ²
MONTAGUE WATER CONS.	SG005911	Groundwater ¹	6/1/1982	Conditionally Curtailed ²
GREENHORN WATER DISTRICT	A026792	GREENHORN CREEK UNDERFLOW	4/16/1981	Conditionally Curtailed ²
David E. & Mary Lea Lemos Trust	A026590	UNST	10/28/1980	Conditionally Curtailed ²
KUCK & SONS	A026316	UNST	4/25/1980	Conditionally Curtailed ²
CALIF DEPT OF TRANSPORTATION	A025786	UNSP	7/17/1978	Conditionally Curtailed ²
STEPHEN E KOLPACOFF	C001014	HUMBUG GULCH	10/11/1977	Conditionally Curtailed ²
GRENADA IRR.DIST.	SG005908	Groundwater ¹	4/1/1977	Conditionally Curtailed ²
LAURA LONGSTAFF	A025024	UNSP	3/18/1976	Conditionally Curtailed ²
BIG SPRINGS I. D.	SG005918	Groundwater ¹	1/1/1974	Conditionally Curtailed ²
DALE G MIHOLOVICH	A024200	UNST	10/5/1972	Conditionally Curtailed ²
MONTAGUE WATER CONS.	SG005910	Groundwater ¹	1/1/1972	Conditionally Curtailed ²
CHRISTOPHER BROWN	A023796	PARKS CREEK	6/2/1971	Conditionally Curtailed ²
EMMERSON INVESTMENT, INC	A023767	UNST	4/23/1971	Conditionally Curtailed ²
CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE	A023452A	LITTLE SHASTA RIVER	2/19/1970	Conditionally Curtailed ²

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Primary Owner	Application Number	Source	Priority Date	Curtailment Status
CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE	A023452B	LITTLE SHASTA RIVER	2/19/1970	Conditionally Curtailed ²
CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE	A023117	UNST	8/27/1968	Conditionally Curtailed ²
BRICE C MARTIN	A022961	UNSP	12/26/1967	Conditionally Curtailed ²
MONTAGUE, CITY OF	SG005912	Groundwater ¹	5/1/1967	Conditionally Curtailed ²
ROBERT MANLEY	A022336	OREGON SLOUGH	11/16/1965	Conditionally Curtailed ²
Bryan DeRoo	A022099	OREGON SLOUGH	4/7/1965	Conditionally Curtailed ²
LAURI A HUNNER	A021986	UNSP (2)	12/1/1964	Conditionally Curtailed ²
MEAMBER 2000 TRUST	A021238	SHASTA RIVER	4/11/1963	Conditionally Curtailed ²
MEAMBER 2000 TRUST	A021180	UNDR	3/6/1963	Conditionally Curtailed ²
MEAMBER 2000 TRUST	A021141	UNDR	1/28/1963	Conditionally Curtailed ²
MADISON VALLEY PARTNERSHIP	A020016	UNST	3/3/1961	Conditionally Curtailed ²
US KLAMATH NATL FOREST	A019522	MARTIN DAIRY SPRING	7/7/1960	Conditionally Curtailed ²
ANDY E EAGAN	A018557	SHASTA RIVER	2/26/1959	Conditionally Curtailed ²
ROBERT MANLEY	A018434	UNST	12/15/1958	Conditionally Curtailed ²
CITY OF YREKA	A018186	GREENHORN CREEK	6/17/1958	Conditionally Curtailed ²

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Primary Owner	Application Number	Source	Priority Date	Curtailment Status
BIG SPRINGS I. D.	SG005920	Groundwater ¹	1/1/1958	Conditionally Curtailed ²
MADISON VALLEY PARTNERSHIP	A017639	UNST	6/7/1957	Conditionally Curtailed ²
MEAMBER 2000 TRUST	A017334	UNSL	10/19/1956	Conditionally Curtailed ²
CITY OF YREKA	A016392	YREKA CREEK UNDERFLOW	5/24/1955	Conditionally Curtailed ²
MADISON VALLEY PARTNERSHIP	A015687	UNST	1/15/1954	Conditionally Curtailed ²
CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE	A014580	LITTLE SHASTA RIVER	11/15/1951	Conditionally Curtailed ²
JACK I COWLEY	A014074	LITTLE SHASTA RIVER	11/28/1950	Conditionally Curtailed ²
WILLARD J FREEMAN FAMILY TRUST DATED 1981	A013631	SHASTA RIVER	3/13/1950	Conditionally Curtailed ²
CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE	A013462A	LITTLE SHASTA RIVER	11/14/1949	Conditionally Curtailed ²
CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE	A013462B	LITTLE SHASTA RIVER	11/14/1949	Conditionally Curtailed ²
JULIEN RANCH TRUST	A013283	JULIEN CREEK	8/8/1949	Conditionally Curtailed ²
KUCK & SONS	A013200	LITTLE SHASTA RIVER	6/30/1949	Conditionally Curtailed ²
JACK COWLEY FAMILY RANCH	A013150	LITTLE SHASTA RIVER	6/13/1949	Conditionally Curtailed ²
CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE	A011705	LITTLE SHASTA RIVER	1/23/1947	Conditionally Curtailed ²
THOMAS NIELSEN	A011092	KIERNAN SLOUGH	6/29/1945	Conditionally Curtailed ²

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Primary Owner	Application Number	Source	Priority Date	Curtailment Status
THOMAS D H CONNICK & E R CONNICK TRUST FBO THOMAS CONNICK	A011059	BASSY SPRING CREEK	5/26/1945	Conditionally Curtailed ²
KUCK & SONS	A010982	LITTLE SHASTA RIVER	2/14/1945	Conditionally Curtailed ²
CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE	A010949A	LITTLE SHASTA RIVER	1/8/1945	Conditionally Curtailed ²
CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE	A010949B	LITTLE SHASTA RIVER	1/8/1945	Conditionally Curtailed ²
FREDERICK SCHNACK	A010930	UNSP	12/11/1944	Conditionally Curtailed ²
EMMERSON INVESTMENT, INC	A008809	CLEAR SPRING	10/10/1936	Conditionally Curtailed ²
MONTAGUE WATER CONSERVATION DISTRICT	A004909	LITTLE SHASTA RIVER	2/4/1926	Conditionally Curtailed ²
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
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

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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
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

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Present Owner	Decreed_Owner	Source	Creek	Summer Right (CFS)	Winter Right (CFS)	Paragraph Number	Priority Date	Curtailment Status
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
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

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Present Owner	Decreed_Owner	Source	Creek	Summer Right (CFS)	Winter Right (CFS)	Paragraph Number	Priority Date	Curtailment Status
Ronald Presley	Henry H. Perry	Guys Gulch	Julian and Miscellaneous creeks	0.1		316	3/1/1913	Conditionally Curtailed ²
Shasta R.W.A.	Shasta R.W.A.	Shasta River	Lower Shasta	42	0	341	11/25/1912	Conditionally Curtailed ²