



Media Release

Staff Report on Ways to Improve State's Oversight of Water Right Systems During Drought Cycles Released for Public Review

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Contact: George Kostyrko
(916) 341-7365

The State Water Resources Control Board today released a review of its implementation of the water rights system during 2014, part of an effort to improve the process as the state faces the likelihood of a fourth consecutive drought year.

The staff review, developed from public input, focuses on ways to improve the state's water right system and the data it relies upon to administer and enforce it during drought years, when demand by water right holders exceeds the available supply.

The report found that the infrequency of diversion reporting, quality of data and lack of updated analytical tools to make determinations were significant problems. Given the relative infrequency of curtailments, there was also poor general public understanding of the process. Cumbersome enforcement processes hindered timely and efficient implementation during the drought timeframe. The report highlights these issues as well as many improvements made to address these issues as the year progressed.

A water right gives the holder the right to use surface water for beneficial purposes, such as agriculture, municipal water, recreation, and the environment. Water rights have a pecking order, based on seniority and the type of right, such as riparian rights which are tied to property that is connected to a stream or river.

The water right priority system is what determines who gets to use water in times of shortage. In times of water shortage, if there is enough water for some but not all water right holders, the most junior water right holders are curtailed before restrictions are imposed on more senior water right holders. Again, seniority is determined by the type and age of the water right.

In 2014, the State Water Board curtailed rights for 5,063 water right holders throughout the state. This month, the Board said that if conditions do not significantly improve in the coming months, it will again begin notifying water right holders in critically dry watersheds of the requirement to limit or stop diversions under their water right, based on their priority.

The report reviews actions taken during 2014 as well as those during and after the last drought of this magnitude in 1976-77 to assess current capabilities and needs. While many



improvements have occurred, there are still significant impediments to timely, efficient and effective implementation of the water rights curtailment and enforcement actions.

Specifically, this report recommends that the State Water Board work to:

- Improve the accuracy and timeliness of demand and supply data for assessment and implementation of the water rights system;
- Increase early and frequent coordination, outreach and communication to ensure all parties understand, and have access to, supply forecasts and expected dates of curtailment; and
- Develop additional tools for analysis and enforcement of the water rights system.

The report recommends actions the State Water Board can take immediately, and highlights other areas that would require legislative action. The report covers the following topics and makes recommendations in each area:

- The January 1978 “Dry Year Program” Report and its recommendations for enforcing the water rights priority system;
- The 2014 curtailment and complaint process;
- The quality of the data in the water rights database for post-1914 and pre-1914 appropriative water rights and riparian water rights; and,
- Opportunities to expand and improve data and database capabilities to assist with the implementation of the water rights priority system in future dry years.

The State Water Board anticipates hearing this report as an information item at its Feb.17 [board meeting](#).

Link to final report [here](#):

Information on what the State Water Board is doing in response to [drought conditions](#).

Visit [SaveOurWater.com](#) to find out how everyone can do their part, and visit [Drought.CA.Gov](#) to learn more about how California is dealing with the effects of the drought.