

FREQUENTLY ASKED QUESTIONS

Who is the Watermaster? The Scott Valley and Shasta Valley Watermaster District is the court-appointed Watermaster for the Scott Valley and Shasta Valley Watermaster Service Areas.

What does the Watermaster do? The District (Watermaster) has control of all points of diversion included in the decrees identified in the Orders for Substitution of Watermaster Service¹. Control means they have authority to regulate the diversion of water as described in the decrees. The District authorizes a Deputy Watermaster to take enforcement action as defined in Water Code Sections 4100-4104, 4150-4153 and 4175-4178.

Where is the Watermaster located? Siskiyou County, California. Board meetings and other District business is held at the Siskiyou County Farm Bureau's office in the City of Yreka.

How does the Watermaster measure diversion volumes? According to Water Code Sections 4100-4104 all diversion owners must provide a measuring device. Open channel measurements may be completed if required until devices have been installed. The Engineer or Deputy Watermaster must approve all measuring devices and methods of open channel measurement.

What does “regulated by the Watermaster” mean? Regulation activities such as posting a legal notice, adjusting or locking a diversion headgate, or other structure, are completed by a Deputy Watermaster or Technician under the direction of a Deputy Watermaster. Regulation occurs when the available supply of water does not meet the needs of all rights. Adjusting the volume of water diverted may not be an option for the Deputy Watermaster or Technician when the water right holder utilizes the point of diversion for multiple rights. In cases such as these, the Deputy Watermaster will require proof the diversion owner has a right to the additional water. This may be in the form of an agreement, a statement of use to the Division of Water Rights or other appropriation (license, permit, etc.).

What happens if I include my water right or diversion in a third party agreement (i.e. water transaction program, water trust, instream dedication, etc.)? All agreements made by a diversion owner that modifies the volume of water allowed at a decreed point of diversion must be reviewed by the Deputy Watermaster to determine potential harm to other parties identified in the Decree. This includes Lake and Streambed Alteration Agreements (aka. 1600 permit issued by the California Department of Fish and Wildlife). Agreements will often include a dedication of water to the stream, require a wetted area for connectivity, or give the water right holder an option for combining, rotating, changing or adding points of diversion. All permanent or long-term changes to a decreed diversion must be filed with the Siskiyou County Superior Court as a supplemental decree or amendment.

What is the definition of “harm” to other water right holders? The bottom-line concern regarding harm is if an action by one party decreases the supply of water for another party. Various situations cause decreased supply, mostly natural but some may be due to the action of others (each decree may give specific definitions regarding direct and indirect harm), examples used by the Watermaster include the following:

- An upstream water user increases their diversion causing a lack of supply to downstream users having a higher priority right.
- A portion of water users sharing a single point of diversion transfers their portion of water to another diversion location when the supply at the shared point is sufficient.

¹ Shasta River Adjudication 7035, French Creek Decree 14478, a portion of Wildcat Creek as specified in the Scott River Decree 30662, and the Willow Creek Judgment 24482 (a tributary to the Klamath River).

What records are retained by the Watermaster? The District maintains decreed diversion and ownership data using an Access database for the purpose of preparing the annual fees and to report the required diversion and use to the State Water Resources Control Board under Water Code Section 5101(e). The Deputy Watermaster's responsibility relies on real-time flow data and does not include the retention of diversion specific measurements.

Who is responsible for confirming my water right amount? The Siskiyou County Superior Court is the authorized entity for confirming decreed water rights of individual diversion owners when there is a dispute in Siskiyou County. The District manages water right information as listed in the decrees, supplemental decrees, amendments and other agreements, licenses or permits under their control. Our management is limited to the decreed points of diversion when the decreed irrigated lands have been divided since the decrees were filed. In these cases, management past the point of diversion is called "down-ditch" and is controlled by the ditch owners. Other water rights (licenses, permits and registrations) are appropriated and managed by the Division of Water Rights, State Water Resource Control Board. "Statement" holders as defined in Water Code Section 5101 are managed by the Division of Water Rights, however, the water right holder may have historical rights under various legislative acts that could require a court decision if challenged.

Who do I contact when I think someone is illegally diverting water?

1. The **Watermaster** (District) enforces water rights identified in the decrees that are included in the Orders for Substitution of Watermaster Service. The Watermaster has authority to control only the diversions under its authority and may delegate authority to a Deputy Watermaster. Procedurally, if the Deputy Watermaster or Technician observes a potentially unauthorized diversion of water (that is not under their control), and it is safe to approach, the Deputy Watermaster or Technician (as any citizen may) may gather evidence and file a complaint to the proper authorities.
2. The **Siskiyou County Superior Court** has authority for all adjudicated diversions. Downstream priority users can file a complaint with the Court if upstream water extractions interfere with their priority rights. If the diversion is controlled by the Watermaster, the Watermaster may investigate or delegate authority to a Deputy Watermaster to perform an investigation.
3. **Diversion owners** have authority beyond the point of diversion (in a ditch), meaning they should give permission or post no-trespass. Owners are reminded to pay attention to the decreed purpose and place of use when giving permission to others. Easements, leases, notifications and other types of water agreements should be reported to the Watermaster or Deputy Watermaster when the diversion is monitored or under control of the Watermaster.
4. **California Dept. of Fish and Wildlife** enforces any harm to fish and wildlife and requires a notification for the diversion of water.
5. **CalEPA** has implemented a website to submit complaints regarding water and other environmental concerns. Complaints may include distribution to the following State agencies and should not be used for complaints regarding diversions under the authority of the Watermaster or Superior Court:
 - a. **State Water Resource Control Board, Division of Water Rights** enforces water extractions that are not included in an adjudication (some exceptions apply if a Watermaster has been appointed, exceptions do not include reporting annual use of water).
 - b. **North Coast Regional Water Quality Control Board** enforces the Clean Water Act.

Access to CalEPA website: <https://calepacomplaints.secure.force.com/complaints/>

If you have questions regarding the Division of Water Rights' authority over unauthorized diversions, waste and unreasonable use of water, or potential impacts to public trust, you may telephone: (916) 341-5300