Docket Number: 12

SOUTHWEST SYSTEM - S025182

Preliminary Docket Information

DOCKET INFORMATION

Compiled by: Joseph Chafey Date: 8/15/2022

Initial Docket Information Form ☒ Amendment # _____ (2.3,4 ...)

Park Unit: LAVO Docket #: _____ Docket Title Southwest System - S025182

Docket Type:

Select all applicable: ☐ PC/V (pre-code/vested) ☐ APP (appropriative) ☒ RIP (riparian)
☒ FRR (federal reserved right) ☐ PWR (public water reserve) ☐ ACQ (acquired)
☐ GW (groundwater) ☐ Own (ownership) ☐ Other _____

Region:

☐ NER & NCR ☐ IMR
☐ SER ☐ MWR
☐ IMR ☒ PWR
☐ AKR

Source:

☐ Groundwater ☐ Spring (When recognized by the State as separate from groundwater and surface water)
☒ Surface Water
☐ Direct Diversion ☒ Diversion to Storage ☐ Instream Flow
Name: Forest Creek tributary to Sulphur Creek

State: CA
County: Tehama

Owner: United States National Park Service - Lassen Volcanic National Park (As listed by the State)

Application #: S025182 **Date:** 9/1/2015

Permit #: N/A **Date Issued:** N/A

License / Certificate #: N/A **Priority Date:** 1979

Ruling/Order/Decree #: N/A **Date Issued:** N/A

Quantity: Rate: 21 Duty: _____

Units: ☐ cfs ☒ gpm ☐ afy ☐ other _____ Units: ☐ cfs ☐ gpm ☐ afy ☐ other _____

Use(s): ☒ Domestic ☐ Livestock ☐ Irrigation ☐ Municipal ☐ Industrial/Commercial ☐ Wildlife ☐ Instream ☐ other _____

POD Name / Location: Forest Creek ☐ Multiple PODs (see water right)

Qtr: NW Qtr: NW Sec: 28 T: 30 N R: 4 E PM: Mount Diablo

Latitude: 40.4362 Longitude: -121.5382

UTM _____ , _____ Datum: _____

POU Name / Location: Visitor Center, campground, entrance station ☐ Multiple POUs (see water right)

Qtr: _____ Qtr: _____ Sec: _____ T: _____ R: _____ PM: _____

Latitude: _____ Longitude: _____

UTM _____ , _____ Datum: _____

Narrative / Remarks: Enter short narrative in the space below, attach additional page(s) as needed.

- 1905 - Federal reserve rights for National Forest purposes established when the Lassen Peak Forest Preserve was formed.
- 1916 - Federal reserve rights for National Park purposes established with the creation of Lassen Volcanic National Park.
- 2015 - Initial Statement of Water Diversion and Use filed with California State Water Resources Control Board for riparian and federal reserve rights.
- 2021 - In response to curtailment and reporting requirement orders imposed in the Sacramental-San Joaquin Delta Watershed, Compliance Certification and Health & Safety Exception Surveys were filed by the Water Rights Branch on behalf of the park.
- Water used at visitor center, campground, and entrance station.

☐ Additional Page(s) Attached

e-WRIMS Public Summary Page

[Return to Water Right Search] [Return to Water Right Search Results]

Application ID: S025182 View Statement
Permit ID: None
License ID: None
Water Right Type: Statement of Div and Use
Water Rights Status: Claimed (09/01/2015)
Primary Owner: United States National Park Service - Lassen Volcanic National Park

Current Parties	Relationship	Effective Date
United States National Park Service - Lassen Volcanic National Park	Primary Owner	09/01/2015
Eric Lord	Agent	09/01/2015
Need to report a change of ownership or agent? Click Here		

Historical Parties

Historical Parties	Relationship	Date Range

Record Summary	
Application Acceptance Date	09/03/2015
Permit Issuance Date	
License Issuance Date	
Face Value Amount	0.0
Subtypes (Statements Only)	Riparian Other - Federal Reserves Right

Name(s) of Sources of Water	County Location	Parcel Number	Diversion Site Name	Lat/Long Coordinates
Forest Creek	Tehama		Southwest System	40.4362 ; -121.5382

Map It

Beneficial Uses	Acres	Direct Diversion Season	Collection to Storage Season
Domestic	0.0		

Electronic Reports

Year	Revision	Report Type	Date Received	View Report PDF
no reports submitted				

*For reports submitted prior to 2009, please contact our records room.

Water Rights Associated with Primary Owner

Application ID	Water Right Type	Water Right Status
S025179	Statement of Div and Use	Claimed
S025180	Statement of Div and Use	Claimed
S025181	Statement of Div and Use	Claimed
S025182	Statement of Div and Use	Claimed
S025183	Statement of Div and Use	Claimed
S025184	Statement of Div and Use	Claimed
S025191	Statement of Div and Use	Claimed
S025193	Statement of Div and Use	Claimed
S025194	Statement of Div and Use	Claimed

Associated Decisions/Orders

Decision/Order Number	Date	Description	View Document

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United States Department of the Interior

NATIONAL PARK SERVICE
Water Resources Division
1201 Oak Ridge Drive, Suite 250
Fort Collins, Colorado 80525-5596

IN REPLY REFER TO:

March 12, 2015

MEMORANDUM

To: Acting Superintendent, Lassen Volcanic National Park

From: Chief, Water Rights Branch-Water Resources Division Wm. R. Hanson

Re: Updated Final Drought Assessment

Please find enclosed an updated Final Drought Assessment prepared by our Branch; this updates the assessment the Park received by email on May 7, 2014. The updates reflect: the calls for curtailment issued by the State Water Resources Control Board, the groundwater legislation enacted in September 2014, and changes to our understanding regarding the Board's ability to call out riparian rights.

We would like to thank Dave Worthington, Mike Magnuson, Graham Dobson, and Elizabeth Hale (and probably a few others we're not aware of) of the Park for their help.

If you choose to implement the recommendations, please contact Eric Lord at (970) 225-3526.

Cc: Forrest Harvey (w/ attachment)
Jay Goldsmith (w/ attachment)

January 12, 2015

MEMO TO FILE

In 2014, the State of California suffered the third consecutive year of extreme drought. In January 2014, the Governor declared a drought emergency. The State Water Resources Control Board issued projections for the summer of 2014 as to likely calls for curtailment in the state's major watersheds.

In response, WRB contacted all of the NPS units in California regarding the drought and offered WRB's services to assist in preparations for potential calls for curtailment. A few parks responded, and WRB prepared drought assessments for SEKI, YOSE, and LAVO, and also worked with PINN and WHIS. The drought assessments included an inventory of the park's rights and uses, an assessment of the relative seniority of the parks rights, and an estimation of the likelihood of the park's rights being called for curtailment. In spring 2014, WRB sent to SEKI, YOSE, and LAVO the drought assessments with recommendations to ensure that park water needs were protected.

In summer 2014, the Board did issue calls for curtailment of post-1914 rights in order to protect the diversions of senior rights (pre-1914 and riparian). In addition, the State legislature passed laws regarding the management of groundwater—the first legislation regarding groundwater in the State's history. As a result of these developments, WRB updated the drought assessment and provided a final hardcopy to SEKI, LAVO, and YOSE, reflecting these developments.

Given the size of the drought assessment, one hard copy was put into Docket #1 of each park. In the remaining dockets, this Memo to File has been placed, referring readers to the drought assessment located in Docket #1.

Eric Lord
Water Rights Specialist
January 2015

02 STATE

Lassen Volcanic National Park

SOUTHWEST SYSTEM - S025182

State Water Rights Documentation

[SUMMARY OF FINAL SUBMITTED VERSION]

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FOR REPORTING PERIOD

October 1, 2021 to September 30, 2022

Primary Owner: United States National Park Service - Lassen Volcanic National Park
Statement Number: S025182
Date Submitted: 11/23/2022

Water is used under	Riparian Claim Other: Federal Reserved Right
Year diversion commenced	1979

Purpose of Use	
Domestic	200 persons per year

Special Use Categories	
Are you using any water diverted under this right for the cultivation of cannabis?	No

Amount of Water Diverted and Used			
Month	**Amount directly diverted (Acre-Feet)**	**Amount diverted or collected to storage (Acre-Feet)**	**Amount beneficially used (Acre-Feet)**
2021			
October	0	0.046954	0.046954
November	0	0.046954	0.046954
December	0	0.037747	0.037747
2022			
January	0	0.03744	0.03744
February	0	0.065674	0.065674
March	0	0.065674	0.065674
April	0	0.039896	0.039896
May	0	0.17858	0.17858
June	0	0.210526	0.210526
July	0	0.250728	0.250728
August	0	0.165106	0.165106
September	0	0.1203	0.1203
Total	0	1.265579	1.265579
Type of Diversion	Diversion to Storage Only		
Comments			

Water Diversion Measurement	
Required to measure as of the date this report is submitted	Yes
Is diversion measured?	Yes
An alternative compliance plan was submitted to the division of water rights on	
A request for additional time was submitted to the division of water rights on	

Measurement ID number	M010113

This Device/Method was used to measure water during the current reporting period	Yes
Briefly describe the measurement device or method	Propeller Flowmeter
Nickname	Plant
Type of device / method	Flow meter (propeller)
Device make	Hersey
Serial number	
Model number	1
Approximate date of installation	01/01/2013
Additional info	
Approximate date the measuring device was last calibrated or the measurement method was updated	01/01/2013
Estimated accuracy of measurement	+or - 2%
Description of calibration method	Timer
Describe the maintenance schedule for the device/method	Unit is cleaned once a year.
Information for the person who last calibrated the device or designed the measurement method	
Name	Graham Dobson
Phone number	530-595-6227
Email	graham_dobson@nps.gov
Qualifications of the individual	Person trained and experienced in water measurement (for diversions of less than 100 acre-feet per year - no specific training is required; the person using any equipment and reporting the information must know how to use the equipment and submit correct information)
License number and type for the qualified individual above and/or any other relevant explanation	T-2 Water Treatment Operator #12207
Type of data recorder device / method	Analog register (flow meter)
Data recorder device make	Hersey
Data recorder serial number	
Data recorder model number	1
Data recorder units of measurement	Gallons
Frequency of data recording	Daily
Additional data recorder info	Operator enters data into a log on a daily basis.
I am required to report my diversion or storage data by telemetry as of the date this report is submitted	No

I report my diversion or storage date by telemetry to the following website	

Measurement ID number	M010114
This Device/Method was used to measure water during the current reporting period	Yes
Briefly describe the measurement device or method	Propeller Flowmeter
Nickname	Plant
Type of device / method	Flow meter (propeller)
Device make	Hersey
Serial number	
Model number	1
Approximate date of installation	01/01/2013
Additional info	
Approximate date the measuring device was last calibrated or the measurement method was updated	01/01/2013
Estimated accuracy of measurement	+ or - 2%
Description of calibration method	Timer
Describe the maintenance schedule for the device/method	Unit is cleaned once a year.
Information for the person who last calibrated the device or designed the measurement method	
Name	Graham Dobson
Phone number	530-595-6227
Email	graham_dobson@nps.gov
Qualifications of the individual	Person trained and experienced in water measurement (for diversions of less than 100 acre-feet per year - no specific training is required; the person using any equipment and reporting the information must know how to use the equipment and submit correct information)
License number and type for the qualified individual above and/or any other relevant explanation	T-2 Water Treatment Operator #12207
Type of data recorder device / method	Analog register (flow meter)
Data recorder device make	Hersey
Data recorder serial number	
Data recorder model number	1
Data recorder units of measurement	Gallons
Frequency of data recording	Daily
Additional data recorder	Operator enters data into a log on a daily basis.

info	
I am required to report my diversion or storage data by telemetry as of the date this report is submitted	No
I report my diversion or storage date by telemetry to the following website	

Measurement ID number	M010115
This Device/Method was used to measure water during the current reporting period	Yes
Briefly describe the measurement device or method	Propeller Flowmeter
Nickname	Plant
Type of device / method	Flow meter (propeller)
Device make	Hersey
Serial number	
Model number	1
Approximate date of installation	01/01/2013
Additional info	
Approximate date the measuring device was last calibrated or the measurement method was updated	01/01/2013
Estimated accuracy of measurement	+ or - 2%
Description of calibration method	Timer
Describe the maintenance schedule for the device/method	Unit is cleaned once a yr.
Information for the person who last calibrated the device or designed the measurement method	
Name	Graham Dobson
Phone number	530-595-6227
Email	graham_dobson@nps.gov
Qualifications of the individual	Person trained and experienced in water measurement (for diversions of less than 100 acre-feet per year - no specific training is required; the person using any equipment and reporting the information must know how to use the equipment and submit correct information)
License number and type for the qualified individual above and/or any other relevant explanation	T-2 Water Treatment Operator #12207
Type of data recorder device / method	Analog register (flow meter)
Data recorder device make	Hersey
Data recorder serial number	
Data recorder model number	1

Data recorder units of measurement	Gallons
Frequency of data recording	Daily
Additional data recorder info	Operator enters data into a log on a daily basis.
I am required to report my diversion or storage data by telemetry as of the date this report is submitted	No
I report my diversion or storage date by telemetry to the following website	

Measurement Attachments			
Measurement ID Number	**File Name**	**Description**	**Size**
No attachments			

Measurement Data Files			
Measurement ID Number	**File Name**	**Description**	**Size**
No data files			

Maximum Rate of Diversion	
Month	**Rate of Diversion**
2021	
October	
November	
December	
2022	
January	
February	
March	
April	
May	
June	
July	
August	
September	

Water Transfers	
Water transfered	No
Quantity transfered (Acre-Feet)	
Dates which transfer occurred	/ to /
Transfer approved by	

Water Supply Contracts	
Water supply contract	No
Contract with	
Contract number	
Source from which contract water was diverted	
Point of diversion same as identified water right	
Amount (Acre-Feet) authorized to divert under this contract	

Amount (Acre-Feet) authorized to be diverted in 2022	
Amount (Acre-Feet) projected for 2023	
Exchange or settlement of prior rights	
All monthly reported diversion claimed under the prior rights	
Amount (Acre-Feet) of reported diversion solely under contract	

Credits Claimed			
	Conservation	**Reclaimed Water Use**	**Conjunctive Groundwater Use**
Claimed? (Yes/No)	No	No	No
2021			
October			
November			
December			
2022			
January			
February			
March			
April			
May			
June			
July			
August			
September			

Conservation Supporting Information	
Description of conservation methods	
Description of baseline water use and time period	
Description of conservation calculation methods	
Conserved water used?	

Additional Remarks
Declaration: The United States holds both state law-based water rights and federal reserved rights, and may meet its water needs by using either or both types of right. The United States provides this information to the State in the interest of comity and with respect to the State desire to understand water uses in the State; however, by providing this information, the United States does not concede that the State has the power to regulate the rights of the United States to the use of water.

Attachments		
File Name	**Description**	**Size**
No Attachments		

Contact Information of the Person Submitting the Form	
First Name	Robert
Last Name	Morris
Relation to Water Right	Diverter of Record

Contact Information of the Person Submitting the Form	
First Name	Robert
Last Name	Morris
Relation to Water Right	Diverter of Record

Information on Certification and Signatory	
Name of Person Signing and Certifying the Report	Robert L Morris

Date of Signature	11/23/2022

Summary

2022 Mill and Deer Creeks Compliance Certification Form for (S025182)

You completed the survey on 10/14/2022 14:53:46

Return to Dashboard

Introduction

Certification of Compliance with Curtailment Order

The purpose of this form is to certify compliance with the October 7, 2022 Mill Creek and Deer Creek Watersheds Curtailment Order (Order) and its associated requirements. All water right holders and claimants in the Mill Creek and Deer Creek watersheds who received an Order must complete this Certification of Compliance with Curtailment Order Form (Form) by October 15, 2022, in accordance with California Code of Regulations, title 23, section 879.

This Form requires water right holders and claimants to certify that they will take actions needed to comply with Orders issued pursuant to the Mill and Deer Creeks Emergency Regulation (Cal. Code Regs., title 23, section 876.5 et seq.) (Emergency Regulation). Specifically, this Form requires recipients of Orders issued under the emergency regulation to certify that diversions under the identified water right or claim are being and will be reduced or ceased as necessary to ensure the drought emergency minimum flows specified in section 876.5 are satisfied. The Form also requires recipients to certify that they are aware of what exceptions apply to curtailment under the Order.

In accordance with section 876.5, subdivision (d)(1) of the emergency regulation, water right holders or claimants or their agents of record who receive an Order are responsible for immediately providing notice of the Order to all diverters exercising the water right or claim covered by the Order.

At the end of this form, you must certify under penalty of perjury that all the information entered into the Form is true and correct to the best of your knowledge. Please keep this in mind while filling out the Form.

To navigate this form, use the "Next" and "Prev" buttons to move forward or backward. On the final page, select the "Finish and Submit" button to complete and submit your form. Your responses on each page will be saved when you continue to the next page, but you can go back and change your responses using the "Prev" button. Your Form will not be submitted until you have selected "Finish and Submit."

This Form must be submitted electronically for every water right or claim for which an Order was issued. Paper copies or emailed submissions will not be accepted. Please note that water rights in the Mill and Deer Creek watersheds are also subject to other curtailment related orders for the Sacramento-San Joaquin Delta Watershed (Delta Watershed).

If you have questions or need assistance, please contact State Water Resource Control Board staff at DWR-MillDeerDrought@waterboards.ca.gov.

Certification of Compliance with Curtailment Order

Select which of the following applies:

☑ I certify that I have subscribed to the State Water Board's Mill Deer Drought email list or will check the Mill Deer Drought webpage at least weekly for any updates to the curtailment status of my water right or claim or changes to drought emergency minimum flow requirements. *

☑ I certify that I have provided notice of the Curtailment Order to all parties diverting under this water right or claim. *

☑ I certify that any domestic lawn watering under the identified water right or claim will be limited to no more than 18.5 gallons per day per 100 square feet, as specified in section 876.7. *

☑ I certify that diversions under the identified water right or claim are being and will be reduced or ceased as necessary to ensure the drought emergency minimum flows specified in section 876.5 are satisfied, except as provided by section 878 or 878.1. *

☑ When reduction or cessation of diversions under this water right or claim is necessary to satisfy the drought minimum flows specified in section 876.5, I will continue to divert under the water right or claim as provided by section 878 (non-consumptive use) or 878.1 (minimum human health and safety) of the emergency regulation and I have submitted a certification(s) for continued diversion.

If you checked the fifth option (I will continue to divert under the water right or claim as provided by section 878 (non-consumptive use) or 878.1 (minimum human health and safety).", select one or more of the following as applicable:

☐ When reduction or cessation of diversions under this water right or claim is necessary to satisfy the drought minimum flows specified in section 876.5, continued diversions will occur only to the extent that they are for non-consumptive uses, as defined by section 878.

☐ I have submitted a Delta Watershed Non-Consumptive Use Certification Form for this water right or claim.

☑ When reduction or cessation of diversions under this water right or claim is necessary to satisfy the drought minimum flows specified in section 876.5, continued diversions will occur only to the extent that they are necessary to provide for minimum human health and safety needs, as defined by section 878.1

☑ I have submitted a Delta Watershed Human Health and Safety Certification Form for this water right or claim.

Are there any alternate water sources being used? If so, please describe in the box below.

No alternate water sources are available in this area that would not also be curtailed. A well may be possible at some point but not this season. Trucking in water to this location is not feasible.

(5000 character max.)

Attachments

Please include any needed attachments: Choose File No file selected

Upload

(Uploaded files:)

Please describe what, if any, documents have been attached:

(5000 character max.)

Submission

Name of Person Signing: * Eric Lord

Relationship to Legal Right Holder * Agent

Contact Phone * 970 817-0603

Contact Email * eric_lord@nps.gov

☑ I certify, under penalty of perjury, that all information entered into this form is true and correct to the best of my knowledge. *

When you click "Finish and Submit," this form will be saved and submitted, so please review your responses to ensure the information is correct. If you need to check information that was previously entered, use the button at the bottom of the page that says "Prev" to return to the previous page.

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S025182; Forest Creek
(Southwest System)
Type: RIP, FRR

CALIFORNIA Water Boards

GAVIN NEWSOM
GOVERNOR

YANA GARCIA
SECRETARY FOR ENVIRONMENTAL PROTECTION

State Water Resources Control Board

October 7, 2022

ERIC LORD
1201 Oak Ridge Drive Ste 250
Fort Collins, CO 80525

ORDER WR 2022-0169-DWR: CURTAILMENT ORDER IN THE MATTER OF DIVERSION OF WATER FROM MILL CREEK TRIBUTARY TO THE SACRAMENTO RIVER IN TEHAMA COUNTY

This letter and the enclosed Order contain important information regarding the curtailment of the water rights and claims listed in Attachment A, including Water Right ID S025182 that is owned by United States National Park Service - Lassen Volcanic National Park.

Enclosed with this letter is an Order imposing water diversion curtailment and reporting requirements issued pursuant to an emergency regulation adopted by the State Water Resources Control Board (State Water Board) that became effective on October 4, 2021 and took effect as readopted on September 21, 2022. The enclosed Order specifies the steps that you, or your agent of record, must follow to curtail water diversions to ensure the drought emergency minimum flows specified under the California Code of Regulations, title 23, section 876.5 are satisfied, and to comply with reporting requirements. You or your agent of record are responsible for immediately notifying all parties that divert water under S025182 of the enclosed Order and its requirements. You will receive a similar letter and Order for each water right or claim of right in the Deer Creek and Mill Creek watersheds for which you are the designated mail receiver.

Response Required: Compliance Certification Form

Water right holders, claimants, or agents of record who receive the enclosed Order are required to submit, under penalty of perjury, an online Compliance Certification Form for each water right or claim of right by **October 15, 2022**. Your online submittal will be used to assess compliance with the enclosed Order and relevant provisions of the emergency regulation. The 2022 Mill and Deer Creeks Compliance Certification Form must be accessed on the State Water Board's Survey Portal at: https://public.waterboards.ca.gov/WRInfo.

The following credentials are needed to access the Survey Portal:

Login: S025182
Password: K66RW6

Emergency Regulation

In response to ongoing drought conditions and to ensure critical instream flows for species protection in the Mill and Deer Creek watersheds, on August 16, 2022, the State Water Board readopted an emergency regulation (Regulation[1]) for Curtailment of Diversions on Mill and Deer Creeks Due to Insufficient Flow for Specific Fisheries (Cal. Code Regs., tit. 23, §§ 876.5–879.3.) The Regulation was approved by the Office of Administrative Law and went into effect upon filing with the Secretary of State on September 21, 2022. The Regulation will remain in effect for up to one year from September 21, 2022, but could be repealed if water supply conditions improve. The State Water Board may again renew/readopt the Regulation if drought conditions continue. The Regulation establishes drought emergency minimum flow requirements for the protection of specific runs of federal- and state-listed anadromous fish in Mill Creek and Deer Creek. The Order requires water right holders and claimants to cease or reduce diversions from Mill Creek to ensure the drought minimum flows specified in the Regulation are satisfied. The Regulation also allows continued diversions to provide water supplies for minimum human health and safety needs, provides a path for local cooperative solutions to more effectively support flow and fishery needs, prohibits inefficient domestic lawn watering practices, and requires curtailment reporting, and allows for limited petitioned exceptions to curtailment for livestock survival purposes during a pulse flow event. The Regulation is available on the State Water Board's Mill Creek and Deer Creek Drought Response[2] webpage.

Curtailed Water Rights and Claims of Right in the Mill Creek Watershed

Based on stream flow data at the California Department of Water Resources' Mill Creek Below Hwy 99 gauge[3] (CDEC Station ID: MCH), along with weather forecasts, the Deputy Director for the Division of Water Rights (Deputy Director) has determined that without curtailment of diversions, flows in Mill Creek are likely to be reduced below the drought emergency minimum flows specified in the Regulation.

Under Order WR 2022-0169-DWR, the State Water Board is requiring all water right holders and claimants within the Mill Creek watershed to cease or reduce diversions beginning October 15, 2022, unless the minimum flows set forth in the California Code of Regulations, title 23, section 876.5 are met. This condition of curtailment will continue until June 30, 2023, or until the Deputy Director suspends the Order. The Deputy Director may also require pulse flows that are higher than the minimum flows

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[1] https://www.waterboards.ca.gov/drought/mill_deer_creeks/docs/20220921-oal-approval-milldeer.pdf
[2] https://www.waterboards.ca.gov/drought/mill_deer_creeks/
[3] https://cdec.water.ca.gov/webgis/?appid=cdecstation&sta=MCH

when recommended by the California Department of Fish and Wildlife (CDFW) or National Marine Fisheries Service (NMFS). Flows available in excess of the required minimum flows or pulse flows may be diverted pursuant to the priority of the right, except that the enclosed Order does not relieve any right holder or claimant of obligations imposed by orders issued pursuant to the Delta watershed emergency regulation or any other Board orders, or the terms and conditions of the water right.

Future updates will be provided in electronic format only, and hard copy notices will not be sent out. Notification of suspension of the Order or modification of the emergency minimum flow will be posted on the State Water Board's Mill Creek and Deer Creek Drought Response webpage and sent electronically to parties that have subscribed to the Mill Deer Drought Email List.

Exceptions to Curtailment

An exception to curtailment may be authorized if: (1) the water right or claim is used only for a non-consumptive use (i.e., all water is returned to the stream) as described in California Code of Regulations, title 23, section 878; or (2) water diverted under the water right or claim is the diverter's only source of water and it is needed for minimum human health and safety needs, as described in California Code of Regulations, title 23, section 878.1.

Water right holders and claimants in the Mill and Deer Creek watersheds have also received a separate Order Imposing Water Right Curtailment and Reporting Requirements in the Sacramento-San Joaquin Delta (Delta) Watershed. If you wish to seek an exception to curtailments under the Delta Watershed curtailments, you must submit additional information to the State Water Board using the forms available on the Board's Survey Portal.[4]

Petition for Continued Diversion for Livestock Survival

Under section 876.5 of the Mill and Deer Creek Emergency Regulation, unless CDFW or NMFS objects, the Deputy Director shall approve a petition for a limited exception to curtailment for minimum stockwatering needs during a pulse flow event upon determination the petitioner has demonstrated that curtailing to achieve pulse flows would likely impair livestock survival and there are no reasonable water supply alternatives available (e.g. stockponds, groundwater wells, hauled water). A petition may be submitted to the Deputy Director by email to DWR-MillDeerDrought@waterboards.ca.gov.

Local Cooperative Solutions

Local cooperative solutions are described in section 878.4 of the Mill and Deer Creek Emergency Regulation. If CDFW or NMFS enter into an agreement with a diverter or diverters that would provide protection for the fishery that is comparable to or greater

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[4] https://public.waterboards.ca.gov/WRInfo

than that provided by section 876.5, the diverter or diverters may request approval from the Deputy Director to implement the agreement in place of State Water Board-issued curtailment orders. Other local cooperative solutions may also be proposed to the Deputy Director as an alternative means of reducing water use to provide and maintain drought emergency minimum flows.

Proposed local cooperative solutions may be submitted to the Deputy Director at any time, but they may not be implemented instead of complying with a curtailment order unless they have been approved by the Deputy Director. Local cooperative solutions should be submitted to the Deputy Director by email to: DWR-MillDeerDrought@waterboards.ca.gov.

Potential Enforcement

The enclosed Order includes enforceable requirements regarding a water right or claim of right that require your immediate attention due to current and possible future limitations in water supplies.

A water right holder or claimant who violates the enclosed Order or the Regulation may be subject to administrative fines, a cease and desist order, or prosecution in court. The State Water Board has enforcement discretion and decisions related to enforcement and associated penalties are based on the specific circumstances of the violation. Fines may be up to $1,000 per day of violation and up to $2,500 for each acre-foot diverted or used in excess of a valid water right. (Wat. Code, §§ 1052, 1055, 1846.)

Request for Reconsideration

You may submit a petition within 30 days of the date of the enclosed Order to request that the State Water Board reconsider the Order. The process and grounds for reconsideration are provided by California Code of Regulations, title 23, sections 768 through 771. To ensure timely consideration, any petition for reconsideration should be sent by email to DWR-MillDeerDrought@waterboards.ca.gov.

Questions, Resources, and How to Stay Informed

If you need more information or have any questions, please visit the Mill Creek and Deer Creek Drought Response webpage. You may also contact staff at DWR-MillDeerDrought@waterboards.ca.gov.

It is highly recommended that all water right holders and claimants or their agents in the Mill Creek watershed sign up to receive future notifications through the State Water Board's Mill Deer Drought email list. To subscribe, visit the State Water Board's Mill Creek and Deer Creek Drought Response webpage or State Water Board Email Lists webpage under "Water Rights."[5] You may also visit the State Water Board's Mill Creek and Deer Creek Drought Response webpage

[5] https://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.html

(https://www.waterboards.ca.gov/drought/mill_deer_creeks/) frequently for updates. All future updates on curtailments and other important information related to the regulation and related orders will only be provided through electronic communications.

Sincerely,

Erik Ekdahl

Erik Ekdahl, Deputy Director
State Water Resources Control Board

Enclosure: Order WR 2022-0169-DWR: Curtailment Order in the Matter of Diversion of Water from Mill Creek Tributary to the Sacramento River in Tehama County

STATE OF CALIFORNIA
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

ORDER WR 2022-0169-DWR

CURTAILMENT ORDER

In the Matter of Diversion of Water from

MILL CREEK TRIBUTARY TO THE SACRAMENTO RIVER IN TEHAMA COUNTY

BACKGROUND

1. In response to drought conditions, on May 10, 2021, Governor Gavin Newsom issued a Proclamation of a State of Emergency (May 2021 Proclamation) for 41 counties, including those within the Sacramento-San Joaquin Delta (Delta) watershed which include Tehama County, where Mill Creek watershed is located. The May 2021 Proclamation finds that it is necessary to act expeditiously to mitigate the effects of drought conditions in the State, both to ensure the protection of water for health, safety, and the environment and to prepare for potential sustained drought conditions.

2. The May 2021 Proclamation directs the State Water Resources Control Board (State Water Board) and California Department of Fish and Wildlife (CDFW) to evaluate the minimum instream flows and other actions needed to protect salmon, steelhead, and other native fishes in critical streams systems in the State and to work with water users and other parties on voluntary measures to implement those actions if possible. If voluntary measures do not occur, the proclamation directs the State Water Board to consider the development of emergency regulations to establish minimum drought instream flows.

3. In response to continued drought conditions and associated water supply shortages, on August 3, 2021, the State Water Board adopted an emergency regulation authorizing the curtailment of diversions in the Delta watershed when water is determined to be unavailable at a water right holder's or claimant's priority of right. (Cal. Code Regs., tit. 23, §§ 876–879.2.) The Enhanced Water Use Reporting and Curtailment of Diversions due to Lack of Water Availability in the Sacramento-San Joaquin Delta Watershed emergency regulation (Delta watershed emergency regulation)[1] was approved by the Office of Administrative Law and went into effect upon filing with the Secretary of State

   on August 19, 2021. Pursuant to the Delta watershed emergency regulation, on August 20, 2021, the State Water Board issued an Initial Order Imposing Water Right

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[1] https://www.waterboards.ca.gov/drought/delta/docs/deltareg_oal_approval.pdf

Curtailment and Reporting Requirements to all water right holders and claimants in the Delta watershed, requiring compliance with specific water diversion curtailment and reporting requirements. Due to ongoing drought conditions, on July 20, 2022, the State Water Board revised and readopted the Delta watershed emergency regulation. The Delta watershed emergency regulation was approved by the Office of Administrative Law and went into effect upon filing with the Secretary of State on August 12, 2022 (Readopted Delta Watershed Regulation).[2]

4. On September 22, 2021, the State Water Board adopted an emergency regulation titled Curtailment of Diversions on Mill and Deer Creeks due to Insufficient Flow for Specific Fisheries (Regulation).[3] The Regulation added sections 876.5, 876.7, and 878.4, and amended sections 878.1 and 879 in title 23, division 3, chapter 2, article 24 of the California Code of Regulations.[4] The Regulation was approved by the Office of Administrative Law and went into effect on October 4, 2021. Due to ongoing drought conditions, the State Water Board readopted the Regulation with minor amendments on August 16, 2022.[5] The Regulation establishes drought emergency minimum flow requirements for the protection of specific runs of federal- and state-listed anadromous fish in Mill Creek and Deer Creek. The Regulation provides that diversions from Mill Creek and Deer Creek are unreasonable if those diversions will cause flows to drop below specified minimum flows. Under the Regulation, diversions will be curtailed as appropriate to maintain those minimum flows, with the exception of diversions necessary for minimum human health and safety needs. The diversion or use of water in violation of the Regulation is an unreasonable diversion or use and a violation of Water Code section 100.

5. Pursuant to section 876.5, the State Water Board has determined that it is an unreasonable use of water under Article X, section 2 of the California Constitution to continue diversions that would cause or threaten to cause flows to fall beneath the drought emergency minimum flows provided in subdivision (c) of section 876.5, except to provide for a limited number of exceptions including minimum health and safety needs in accordance with section 878.1.

6. In February 2022, State Water Board staff in coordination with CDFW and the National Marine Fisheries Service (NMFS) held a Mill Creek watershed meeting with Mill Creek stakeholders to discuss possible interim and long-term measures to protect threatened fish species for Mill Creek during the current drought year. To date, agreements have not been reached for Mill Creek regarding either drought emergency or long-term flows, but the possibility that agreements will be reached is not foreclosed. Pursuant to section

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[2] https://www.waterboards.ca.gov/drought/delta/docs/2022/20220812-reg-oal-approved.pdf

[3] https://www.waterboards.ca.gov/drought/mill_deer_creeks/docs/2021-0924-01e-approval.pdf

[4] All further section references are to California Code of Regulations, title 23, unless otherwise indicated.

[5] On August 16, 2022 the Board readopted most of the operative sections of the Regulation, with other applicable sections of California Code of Regulations, title 23, division 3, chapter 2, article 24 having been adopted or readopted by the Board in the course of other recent emergency rulemaking processes.

878.4, agreements that provide comparable protection to the fisheries as the flows identified in section 876.5, may be able to substitute for curtailments if the agreements cover a significant percentage of the water diverted in the watersheds.

7. Pursuant to section 876.5, subdivision (b), the Deputy Director for the Division of Water Rights (Deputy Director) has been delegated authority to issue curtailment orders upon a determination that without curtailment of diversions flows are likely to be reduced below the drought emergency minimum flows specified in section 876.5, subdivision (c).

8. Central Valley spring-run Chinook salmon (*Oncorhynchus tshawytscha*) (CV SR salmon) are listed as threatened under the state and federal Endangered Species Acts, and California Central Valley steelhead (*Oncorhynchus mykiss*) (CCV steelhead) are listed as threatened under the federal Endangered Species Act (16 U.S.C. § 1531 et seq.). Mill Creek has been identified as a high-priority tributary for the protection and recovery of wild populations of CV SR salmon and CCV steelhead. Mill Creek is one of only three Sacramento River tributaries that supports a self-sustaining and genetically distinct population of CV SR salmon. Mill Creek also supports CCV steelhead.

9. On August 16, 1920, the Superior Court of Tehama County adjudicated the water rights in Mill Creek (formerly Los Molinos River). This decree apportions all flows in Mill Creek up to 203 cfs and appoints Los Molinos Mutual Water Company (formerly Los Molinos Land Company) as watermaster (Tehama County Superior Court Decree #3811, 1920).

10. Agricultural diversions have resulted in reduced instream flows or dewatering of stream sections in the lower Mill Creek between the confluence with the Sacramento River and diversion dams, which impedes fish migration. Pursuant to section 876.5, subdivision (a), for the protection of threatened and endangered fish and due to the ongoing drought and environmental conditions, the State Water Board has determined that curtailments of water diversions from Mill Creek are needed to meet the drought emergency base flow requirements beginning October 15, 2022.

11. Additional detail regarding the drought emergency, the listed CV SR salmon and CCV steelhead, the importance of the emergency minimum flows in Mill Creek to the fisheries, the effect of the Regulation, and the need for curtailment orders to meet the flows in the absence of voluntary agreements is contained in the Finding of Emergency, Informative Digest, and Revised Fiscal Impact Statement[6] and the State Water Board Resolution No. 2022-0030[7], which are hereby incorporated.

12. Pursuant to section 876.5, subdivision (c)(1)(A)(i), base flows from October 15 through March 31 of 50 cubic feet per second (cfs) or full flows without diversions, whichever is less, are required in Mill Creek when adult CCV steelhead are present.

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[6] https://www.waterboards.ca.gov/drought/mill_deer_creeks/docs/2022-ereg-finding-digest.pdf

[7] https://www.waterboards.ca.gov/drought/mill_deer_creeks/docs/4-2022-0030-resolution-reg-text.pdf

13. Pursuant to section 876.5, subdivision (c)(1)(B)(i), base flows from October 15 through June 30 of 20 cfs or full flows without diversions, whichever is less, are required in Mill Creek when juvenile CV SR salmon or juvenile CCV steelhead are present and adult CV SR salmon or adult CCV steelhead are not present.

14. Pursuant to section 876.5, subdivision (c)(1)(C)(i), base flows from April 1 through June 15 of 50 cfs or full flows without diversions, whichever is less, are required in Mill Creek when adult CV SR salmon are present.

15. Pursuant to section 876.5, subdivision (c)(1)(C)(ii), from April 1 through June 15 pulse flows of 100 cfs or full flows without diversions, whichever is less, may be required in Mill Creek when adult CV SR salmon are observed between Ward Dam and the Sacramento River. The pulse flows, including the flow ramp down period, will last a minimum of 24 hours to a maximum of 72 hours. Pulse flows may be required if 1) the average daily flow measured at the United States Geological Survey Mill Creek Near Los Molinos CA gauge (#11381500) is 100 cfs or less for three consecutive days or 2) CDFW or NMFS submits a request for such pulse flows and it is approved by the Deputy Director.

16. Pursuant to section 876.5, subdivision (c)(1)(D)(i), from June 1 through June 15 pulse flows of 100 cfs or full flow without diversions, whichever is less, may be required in Mill Creek when juvenile CV SR salmon or juvenile CCV steelhead are observed in the lower reaches of Mill Creek and CDFW or NMFS submits a request for such pulse flows that is approved by the Deputy Director. The pulse flow, including the flow ramp down period, will last a minimum of 24 hours to a maximum of 48 hours.

17. The Regulation also prohibits inefficient domestic lawn watering practices. Pursuant to section 876.7, subdivision (a), domestic lawn watering shall be limited to no more than 18.5 gallons per day per 100 square feet throughout the effective period of the Regulation.

18. Attachment A is a summary of available water rights data on Mill Creek that was assembled from the State Water Board's electronic water rights information management system and Report Management System queries.

FINDINGS:

1. Section 876.5 subdivision (c)(1) establishes drought emergency minimum flows for Mill Creek under certain conditions.

2. The conditions under which the drought emergency minimum flows identified in section 876.5 subdivision (c) apply are, as of the date of this order, in effect, and are likely to continue. In early October, 2022 CDFW informed the State Water Board that CCV steelhead are present in the Sacramento River and likely near the confluence with Mill Creek.

3. The Deputy Director has determined that without curtailment of diversions from Mill Creek the flows in Mill Creek have been, and are likely to continue to be, reduced below the drought emergency minimum flows specified in section 876.5 subdivision (c)(1).

IT IS HEREBY ORDERED:

1. Effective October 15, 2022, all water right holders and claimants in the Mill Creek watershed, including those identified in Attachment A, are subject to curtailment pursuant to California Code of Regulations, title 23, sections 876.5 through 879.3, and shall, in the order of priority, immediately cease or reduce their diversions from Mill Creek to ensure the drought minimum flows specified in section 876.5 subdivision (c) are satisfied through June 30, 2023, or until the Deputy Director suspends the curtailment order, as follows:

    a. During the period of October 15, 2022 through March 31, 2023, all diverters on Mill Creek shall bypass 50 cfs or full natural flow without diversion, whichever is less, in order to ensure base flows for adult CCV steelhead migration. Flows in excess of the 50 cfs base flow can be diverted in accordance with priority and basis of right, except that this order does not relieve any right holder or claimant of obligations imposed by orders issued pursuant to the Delta watershed emergency regulation or any other Board order, or the terms and conditions of the water right.

    b. During the period of April 1 through June 15, 2023, all diverters on Mill Creek shall bypass 50 cfs or full natural flow without diversion, whichever is less, in order to ensure base flows for adult CV SR salmon migration. Flows in excess of 50 cfs base flow can be taken in accordance with priority and basis of right, except that this order does not relieve any right holder or claimant of obligations imposed by orders issued pursuant to the Delta watershed emergency regulation or any other Board orders, or the terms and conditions of the water right.

    c. During the period of October 15, 2022 through June 30, 2023, all diverters on Mill Creek shall bypass 20 cfs or full natural flow without diversion, whichever is less, in order to ensure base flows for juvenile CV SR salmon and juvenile CCV steelhead outmigration. Flows in excess of 20 cfs base flow can be taken in accordance with priority and basis of right, except that this order does not relieve any right holder or claimant of obligations imposed by orders issued pursuant to the Delta watershed emergency regulation or any other Board orders, or the terms and conditions of the water right. When adult CCV steelhead or CV SR salmon are also present, 50 cfs or full natural flow without diversion, whichever is less, is required as described above.

    d. Upon notification to the Deputy Director from CDFW or NMFS that adult CCV steelhead or CV SR salmon migration has ended but juvenile CV SR salmon or juvenile CCV steelhead are present, base flow requirements will be reduced to 20 cfs pursuant to section 876.5. At that time all diverters on Mill Creek shall bypass 20 cfs or full natural flow without diversion, whichever is

less, in order to ensure base flows for juvenile CV SR salmon and juvenile CCV steelhead migration. Flows in excess of the 20 cfs base flow can be diverted by water right holders in accordance with priority and basis of right, except that this order does not relieve any right holder or claimant of obligations imposed by orders issued pursuant to the Delta watershed emergency regulation or any other Board orders, or the terms and conditions of the water right.

e. When a pulse flow is required under section 876.5, subdivision (c), all diverters on Mill 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. If full natural flows exceed 100 cfs at a time when pulse flows are required, then flows in excess of 100 cfs can be diverted by water right holders in accordance with water right priority and basis of right, except that this order does not relieve any right holder or claimant of obligations imposed by orders issued pursuant to the Delta watershed emergency regulation or any other Board orders, or the terms and conditions of the water right. A water right holder may petition for a limited exception to curtailment for livestock survival during a pulse flow event. The Deputy Director shall approve such a petition provided CDFW and NMFS do not object and the petitioner demonstrates that 1) curtailing diversions to achieve the pulse flows would likely impair livestock survival, and that 2) there are no reasonable water supply alternatives available (e.g. stockponds, groundwater wells, hauled water). A petition may be submitted to the Deputy Director by email to DWR-MillDeerDrought@waterboards.ca.gov.

f. All water rights and claims are curtailed under this order, specified in this order, unless the diversion is subject to an exception to curtailment as described by section 878 (non-consumptive uses), section 878.1 (minimum human health and safety needs), or section 878.4 (local cooperative solutions) of the emergency regulation.

g. Water right holders and claimants in the Mill Creek watershed are also subject to the Initial Order Imposing Water Right Curtailment and Reporting Requirements in the Sacramento-San Joaquin Delta Watershed, issued pursuant to the Delta watershed emergency regulation. This order does not relieve any right holder or claimant of obligations imposed by orders issued pursuant to that regulation or any other Board order, or the terms and conditions of the water right.

h. Compliance with the drought emergency minimum flows in Mill Creek required under section 876.5, subdivision (c)(1) will be assessed by the State Water Board based on the Department Water Resources' Mill Creek below Hwy 99 gauge reporting (California Data Exchange Center (CDEC) Station ID: MCH).

2. Pursuant to section 876.7, subdivision (a), which took effect October 4, 2021 and remains in effect after the September 21, 2022 readoption, domestic lawn watering in excess of 18.5 gallons per day per 100 square feet is prohibited.

3. In accordance with section 876.5, subdivision (d), water right holders or agents of record who receive this Order are responsible for immediately providing notice of this Order to all diverters exercising the water right or claim covered by this Order.

4. **United States National Park Service - Lassen Volcanic National Park** or their agent or successor is required, by October 15, 2022, to submit under penalty of perjury an online Compliance Certification Form in accordance with section 879, subsection (a) of the Regulation. The online Compliance Certification Form must be accessed using the Login: **S025182** and Password: **K66RW6** on the Water Right Form and Survey Submittal Portal located at: https://public.waterboards.ca.gov/WRInfo. Where the diversion or place of use for the water right(s) listed in Attachment A is in an area subject to a wildfire evacuation order, or where such an evacuation order inhibits the ability of **United States National Park Service - Lassen Volcanic National Park** or their agent or successor to access the necessary information to complete the Curtailment Certification or to log on to complete the form, the deadline is automatically extended until ten (10) days after the lifting of the evacuation order.

5. All subsequent modifications to this Order, including curtailment suspensions, updates to Mill Creek flow requirements pursuant to section 876.5, or other modifications, shall be noticed electronically, including electronic communications sent through the State Water Board's "Mill Deer Drought" email distribution list and posted to the State Water Board's Mill Creek and Deer Creek Drought Response webpage.[8]

6. Pursuant to section 876.5, the State Water Board has established an email distribution list that water right holders and claimants are encouraged to join to receive drought notices and updates regarding curtailments. Diverters and right holders/claimants who do not join the email distribution list must check the State Water Board's drought webpage regularly (at least weekly, and more frequently when hydrologic conditions are changing and times when more than one potential trigger for curtailment may be in effect). Notices provided by email or by posting on the State Water Board's drought web page shall be sufficient for all purposes related to drought notices and updates regarding curtailments.

7. Pursuant to section 879.2, failure to comply with the Regulation or this Order, including diversion or use in violation of curtailment, is subject to enforcement action, including the imposition of any applicable penalties pursuant to Water Code sections 1052, 1058.5, 1831, 1845, and 1846. To the extent of any conflict between the requirements of this Order and any other applicable orders or conditions of approval, the diverter must comply with the requirements that are most stringent.

8. Nothing in this Order is intended to or shall be construed to limit or preclude the State Water Board from exercising its authority under any statute, regulation, ordinance, or other law, including but not limited to, the authority to bring enforcement against diverters for unauthorized diversion or use in violation of Water Code section 1052.

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[8] https://www.waterboards.ca.gov/drought/mill_deer_creeks/

9. Nothing in this Order shall excuse individual water right holders and claimants from meeting any more stringent requirements that may be imposed by applicable legally binding legislation, regulations, or a water right permit requirement. This Order does not authorize any act which results in the taking of a threatened, endangered, or candidate species or any act which is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish & G. Code, §§ 2050-2097) or the federal Endangered Species Act (16 U.S.C.§§ 1531-1544). If a "take" will result from any act authorized under this Order, the diverter shall obtain authorization for an incidental take. Diverter shall be responsible for meeting all requirements of the applicable Endangered Species Act(s) for actions authorized under this Order.

STATE WATER RESOURCES CONTROL BOARD

Erik Ekdahl, Deputy Director
Division of Water Rights

Dated: October 7, 2022

ATTACHMENT A: ACTIVE WATER RIGHTS AND CLAIMS IN MILL CREEK WATERSHED	
WATER RIGHT ID	**PRIMARY OWNER**
A000322	CANDACE OWENS
A001861	CANDACE OWENS
A007536	CALIF DEPT OF TRANSPORTATION
A014396	MILL CREEK/LASSEN MUTUAL WATER COMPANY
A029496	CANDACE OWENS
F005211S	U S LASSEN NATL FOREST
F005212S	U S LASSEN NATL FOREST
S002909	LOS MOLINOS MUTUAL WATER CO
S002910	LOS MOLINOS MUTUAL WATER CO
S010968	U S LASSEN NATL FOREST
S010970	U S LASSEN NATL FOREST
S012752	LAURENCE SEWARD
S012753	LAURENCE SEWARD
S012889	LAURENCE SEWARD
S012890	LAURENCE SEWARD
S012891	LAURENCE SEWARD
S012892	LAURENCE SEWARD
S025182	UNITED STATES NATIONAL PARK SERVICE - LASSEN VOLCANIC NATIONAL PARK
S028341	THE NATURE CONSERVANCY
S028342	THE NATURE CONSERVANCY
S028354	THE NATURE CONSERVANCY
S028407	MILL CREEK/LASSEN MUTUAL WATER COMPANY

Summary

Mill-Deer Creeks Compliance Certification Form for (S025182)

You completed the survey on 10/29/2021 13:46:33

Return to Dashboard

Introduction

Certification of Compliance with Curtailment Order

The purpose of this form is to certify compliance with the October 11, 2021 Mill Creek and Deer Creek Watersheds Curtailment Order (Order) and its associated requirements. All water right holders and claimants in the Mill Creek and Deer Creek watersheds who received an Order must complete this Certification of Compliance with Curtailment Order Form (Form) by October 18, 2021, in accordance with California Code of Regulations, title 23, section 879.

This Form requires water right holders and claimants to certify that they will take actions needed to comply with Orders issued pursuant to the Mill and Deer Creeks Emergency Regulation (Cal. Code Regs., title 23, section 876.5 et seq.) (Emergency Regulation). Specifically, this Form requires recipients of Orders issued under the emergency regulation to certify that diversions under the identified water right or claim are being and will be reduced or ceased as necessary to ensure the drought emergency minimum flows specified in section 876.5 are satisfied. The Form also requires recipients to certify that they are aware of what exceptions apply to curtailment under the Order.

In accordance with section 876.5, subdivision (d)(1) of the emergency regulation, water right holders or claimants or their agents of record who receive an Order are responsible for immediately providing notice of the Order to all diverters exercising the water right or claim covered by the Order.

At the end of this form, you must certify under penalty of perjury that all the information entered into the Form is true and correct to the best of your knowledge. Please keep this in mind while filling out the Form.

To navigate this form, use the "Next" and "Prev" buttons to move forward or backward. On the final page, select the "Finish and Submit" button to complete and submit your form. Your responses on each page will be saved when you continue to the next page, but you can go back and change your responses using the "Prev" button. Your Form will not be submitted until you have selected "Finish and Submit."

This Form must be submitted electronically for every water right or claim for which an Order was issued. Paper copies or emailed submissions will not be accepted. Please note that water rights in the Mill and Deer Creek watersheds are also subject to other curtailment related orders for the Sacramento-San Joaquin Delta Watershed (Delta Watershed) for which certification forms were also required. Completion of this certification Form for the Mill and Deer Creek Curtailment Orders must also be completed and submitted in addition to the applicable Delta Watershed curtailment form(s).

If you have questions or need assistance, please contact State Water Resource Control Board staff at DWR-MillDeerDrought@waterboards.ca.gov.

Certification of Compliance with Curtailment Order

Select which of the following applies:

☑ I certify that I have subscribed to the State Water Board's Mill Deer Drought email list or will check the Mill Deer Drought webpage at least weekly for any updates to the curtailment status of my water right or claim or changes to drought emergency minimum flow requirements. *

☑ I certify that I have provided notice of the Curtailment Order to all parties diverting under this water right or claim. *

☑ I certify that any domestic lawn watering under the identified water right or claim will be limited to no more than 18.5 gallons per day per 100 square feet, as specified in section 876.7. *

☑ I certify that diversions under the identified water right or claim are being and will be reduced or ceased as necessary to ensure the drought emergency minimum flows specified in section 876.5 are satisfied, except as provided by section 878 or 878.1. *

☑ When reduction or cessation of diversions under this water right or claim is necessary to satisfy the drought minimum flows specified in section 876.5, I will continue to divert under the water right or claim as provided by section 878 (non-consumptive use) or 878.1 (minimum human health and safety) of the emergency regulation and I have submitted a certification(s) for continued diversion.

If you checked the fifth option (I will continue to divert under the water right or claim as provided by section 878 (non-consumptive use) or 878.1 (minimum human health and safety).", select one or more of the following as applicable:

☐ When reduction or cessation of diversions under this water right or claim is necessary to satisfy the drought minimum flows specified in section 876.5, continued diversions will occur only to the extent that they are for non-consumptive uses, as defined by section 878.

☐ I have submitted a Delta Watershed Non-Consumptive Use Certification Form for this water right or claim.

☑ When reduction or cessation of diversions under this water right or claim is necessary to satisfy the drought minimum flows specified in section 876.5, continued diversions will occur only to the extent that they are necessary to provide for minimum human health and safety needs, as defined by section 878.1

☑ I have submitted a Delta Watershed Human Health and Safety Certification Form for this water right or claim.

Are there any alternate water sources being used? If so, please describe in the box below.

All alternate sources are located within the Mill Creek watershed. A well may be possible at some point but not this season. Trucking in water to this location is not feasible.

(5000 character max.)

Attachments

Please include any needed attachments: Choose File No file selected

Upload

(Uploaded files:)

Please describe what, if any, documents have been attached:

(5000 character max.)

Submission

Name of Person Signing: * Eric Lord

Relationship to Legal Right Holder * Agent

Contact Phone * 970 225-3526

Contact Email * eric_lord@nps.gov

☑ I certify, under penalty of perjury, that all information entered into this form is true and correct to the best of my knowledge. *

When you click "Finish and Submit," this form will be saved and submitted, so please review your responses to ensure the information is correct. If you need to check information that was previously entered, use the button at the bottom of the page that says "Prev" to return to the previous page.

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AVO: S025182
Forest Crk

California Water Boards

Gavin Newsom
Governor

Jared Blumenfeld
Secretary for
Environmental Protection

State Water Resources Control Board

10/22/21: I checked the SWRCB Drought site. It indicates that at this time, S025182 is NOT curtailed, that the Compliance Certif is filed, and the H&S Exctn is filed.

October 11, 2021

ERIC LORD

1201 Oak Ridge Drive Ste 250
Fort Collins, CO 80525

ORDER WR 2021-0089 DWR: CURTAILMENT ORDER IN THE MATTER OF DIVERSION OF WATER FROM MILL CREEK TRIBUTARY TO THE SACRAMENTO RIVER IN TEHAMA COUNTY

This letter and the enclosed Order contain important information regarding the curtailment of the water rights and claims listed in Attachment A, including Water Right ID S025182 that is owned by United States National Park Service - Lassen Volcanic National Park. This letter also describes a certification that is required to be submitted by October 18, 2021.

Enclosed with this letter is an Order imposing water diversion curtailment and reporting requirements issued pursuant to an emergency regulation adopted by the State Water Resources Control Board (State Water Board) that became effective on October 4, 2021. The enclosed Order specifies the steps that you, or your agent of record, must follow to curtail water diversions to ensure the drought emergency minimum flows specified under the California Code of Regulations, title 23, section 876.5 are satisfied and to comply with reporting requirements. You or your agent of record are responsible for immediately notifying all parties that divert water under S025182 of the enclosed Order and its requirements. You will receive a similar letter and Order for each water right or claim of right in the Deer Creek and Mill Creek watersheds for which you are the designated mail receiver.

Emergency Regulation

In response to ongoing drought conditions and to ensure critical instream flows for species protection in the Mill and Deer Creek watersheds, on September 22, 2021, the State Water Board adopted an emergency regulation (Regulation[1]) for Curtailment of Diversions on Mill and Deer Creeks Due to Insufficient Flow for Specific Fisheries (Cal. Code Regs., tit. 23, §§ 876.5–879.) The Regulation was approved by the Office of Administrative Law and went into effect upon filing with the Secretary of State on October 4, 2021. The Regulation will remain in effect for up to one year, but could be repealed if water supply conditions improve. The State Water Board may readopt the Regulation if drought conditions continue. The Regulation establishes drought

[1] https://www.waterboards.ca.gov/drought/mill_deer_creeks/docs/2021-0924-01e-approval.pdf

emergency minimum flow requirements for the protection of specific runs of federal- and state-listed anadromous fish in Mill Creek and Deer Creek. The Order requires water right holders and claimants to cease or reduce diversions from Mill Creek to ensure the drought minimum flows specified in the Regulation are satisfied. The Regulation also allows continued diversions to provide water supplies for minimum human health and safety needs, provides a path for local cooperative solutions to more effectively support flow and fishery needs, prohibits inefficient domestic lawn watering practices, and requires curtailment order reporting. The Regulation is available on the State Water Board's Mill Creek and Deer Creek Drought Response[2] webpage.

Curtailed Water Rights and Claims of Right in the Mill Creek Watershed

Based on the most recent stream flow data at the California Department of Water Resources Mill Creek Below Hwy 99 gauge[3] (CDEC Station ID: MCH), along with forecasts for future precipitation events, the Deputy Director for the Division of Water Rights (Deputy Director) has determined that without curtailment of diversions, flows in Mill Creek are likely to be reduced below the drought emergency minimum flows specified in the Regulation.

Under Order WR 2021-0089-DWR, the State Water Board is requiring all water right holders and claimants within the Mill Creek watershed to cease or reduce diversions beginning October 15, 2021, unless the minimum flows set forth in the California Code of Regulations, title 23, section 876.5 are met. This condition of curtailment will continue until June 30, 2022, or until the Deputy Director suspends the Order. The Deputy Director may also require pulse flows that are higher than the minimum flows when recommended by the California Department of Fish and Wildlife (CDFW) or National Marine Fisheries Service (NMFS). Flows available in excess of the required minimum flows or pulse flows may be diverted pursuant to the priority of the right, except that the enclosed Order does not relieve any right holder or claimant of obligations imposed by orders issued pursuant to the Delta watershed emergency regulation or any other Board orders, or the terms and conditions of the water right.

Future updates will be provided in electronic format only, and hard copy notices will not be sent out. Notification of suspension of the Order or modification of the emergency minimum flow will be posted on the State Water Board's Mill Creek and Deer Creek Drought Response webpage and sent electronically to parties that have subscribed to the Mill Deer Drought Email List.

Response Required: Compliance Certification Form

Water right holders, claimants, or agents of record who receive the enclosed Order are required to submit, under penalty of perjury, an online Compliance Certification Form for each water right or claim of right by **October 18, 2021**. Your online submittal will be used to assess compliance with the enclosed Order and relevant provisions of the

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[2] https://www.waterboards.ca.gov/drought/mill_deer_creeks/
[3] https://cdec.water.ca.gov/webgis/?appid=cdecstation&sta=MCH

emergency regulation. The Compliance Certification Form must be accessed on the State Water Board's Survey Portal at: https://public.waterboards.ca.gov/WRInfo.

The following credentials are needed to access the Survey Portal:

Login: S025182
Password: K66RW6

Exceptions to Curtailment

An exception to curtailment may be authorized if: (1) the water right or claim is used only for a non-consumptive use (i.e., all water is returned to the stream) as described in California Code of Regulations, title 23, section 878; or (2) water diverted under the water right or claim is the diverter's only source of water and it is needed for minimum human health and safety needs, as described in California Code of Regulations, title 23, section 878.1.

Water right holders and claimants in the Mill and Deer Creek watersheds previously received an Initial Order Imposing Water Right Curtailment and Reporting Requirements in the Sacramento-San Joaquin Delta Watershed dated August 20, 2021. As discussed in the August 20 Order, if you wish to seek an exception to continue diversions, you must submit additional information to the State Water Board using the application forms available on the Board's Survey Portal.[4]

Local Cooperative Solutions

Local cooperative solutions are described in section 878.4 of the emergency regulation. If CDFW or NMFS enter into an agreement with a diverter or diverters that would provide protection for the fishery that is comparable to or greater than that provided by section 876.5, the diverter or diverters may request approval from the Deputy Director to implement the agreement in place of State Water Board-issued curtailment orders. Other local cooperative solutions may also be proposed to the Deputy Director as an alternative means of reducing water use to provide and maintain drought emergency minimum flows.

Proposed local cooperative solutions may be submitted to the Deputy Director at any time, but they may not be implemented instead of complying with a curtailment order unless they have been approved by the Deputy Director. Local cooperative solutions should be submitted to the Deputy Director by email to: DWR-MillDeerDrought@waterboards.ca.gov.

Potential Enforcement

The enclosed Order includes enforceable requirements regarding a water right or claim of right that require your immediate attention due to current and possible future limitations in water supplies.

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[4] https://public.waterboards.ca.gov/WRInfo

A water right holder or claimant who violates the enclosed Order or the Regulation may be subject to administrative fines, a cease and desist order, or prosecution in court. The State Water Board has enforcement discretion and decisions related to enforcement and associated penalties are based on the specific circumstances of the violation. Fines may be up to $1,000 per day of violation and up to $2,500 for each acre-foot diverted or used in excess of a valid water right. (Wat. Code, §§ 1052, 1055, 1846.)

Request for Reconsideration

You may submit a petition within 30 days of the date of the enclosed Order to request that the State Water Board reconsider the Order. The process and grounds for reconsideration are provided by California Code of Regulations, title 23, sections 768 through 771. To ensure timely consideration, any petition for reconsideration should be sent by email to DWR-MillDeerDrought@waterboards.ca.gov.

Questions, Resources, and How to Stay Informed

If you need more information or have any questions, please visit the Mill Creek and Deer Creek Drought Response webpage. You may also contact staff at DWR-MillDeerDrought@waterboards.ca.gov.

It is highly recommended that all water right holders and claimants or their agents in the Mill Creek watershed sign up to receive future notifications through the State Water Board's Mill Deer Drought email list. To subscribe, visit the State Water Board's Mill Creek and Deer Creek Drought Response webpage or State Water Board Email Lists webpage under "Water Rights."[5] You may also visit the State Water Board's Mill Creek and Deer Creek Drought Response webpage (https://www.waterboards.ca.gov/drought/mill_deer_creeks/) frequently for updates. All future updates on curtailments and other important information related to the regulation and related orders will only be provided through electronic communications.

Sincerely,

Erik Ekdahl

Erik Ekdahl, Deputy Director
State Water Resources Control Board

Enclosure: Order WR 2021-0089-DWR: Curtailment Order in the Matter of Diversion of Water from Mill Creek Tributary to the Sacramento River in Tehama County

[5] https://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.html

STATE OF CALIFORNIA
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

ORDER WR 2021-0089-DWR

CURTAILMENT ORDER
In the Matter of Diversion of Water from

MILL CREEK TRIBUTARY TO THE SACRAMENTO RIVER

IN

TEHAMA COUNTY

BACKGROUND

1. In response to drought conditions, on May 10, 2021, Governor Gavin Newsom issued a Proclamation of a State of Emergency (May 2021 Proclamation) for 41 counties, including those within the Sacramento-San Joaquin Delta (Delta) watershed which include Tehama County, where Mill Creek watershed is located. The May 2021 Proclamation finds that it is necessary to act expeditiously to mitigate the effects of drought conditions in the State, both to ensure the protection of water for health, safety, and the environment and to prepare for potential sustained drought conditions.

2. The May 2021 Proclamation directs the State Water Resources Control Board (State Water Board) and California Department of Fish and Wildlife (CDFW) to evaluate the minimum instream flows and other actions needed to protect salmon, steelhead, and other native fishes in critical streams systems in the State and to work with water users and other parties on voluntary measures to implement those actions if possible. If voluntary measures do not occur, the proclamation directs the State Water Board to consider the development of emergency regulations to establish minimum drought instream flows.

3. In response to ongoing drought conditions and associated water supply shortages, on August 3, 2021, the State Water Board adopted an emergency regulation authorizing the curtailment of diversions in the Delta watershed when water is determined to be unavailable at a water right holder's or claimant's priority of right. (Cal. Code Regs., tit. 23, §§ 876–879.2.) The Enhanced Water Use Reporting and Curtailment of Diversions due to Lack of Water Availability in the Sacramento-San Joaquin Delta Watershed emergency regulation (Delta watershed emergency regulation)[1] was approved by the Office of Administrative Law and went into effect upon filing with the Secretary of State on August 19, 2021. Pursuant to the Delta watershed emergency regulation, on

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[1] https://www.waterboards.ca.gov/drought/delta/docs/deltareg_oal_approval.pdf

August 20, 2021, the State Water Board issued an Initial Order Imposing Water Right Curtailment and Reporting Requirements to all water right holders and claimants in the Delta watershed, requiring compliance with specific water diversion curtailment and reporting requirements.

4. On September 22, 2021, the State Water Board adopted an emergency regulation titled Curtailment of Diversions on Mill and Deer Creeks due to Insufficient Flow for Specific Fisheries (Regulation).[2] The Regulation added sections 876.5, 876.7, and 878.4, and amended sections 878.1 and 879 in title 23, division 3, chapter 2, article 24 of the California Code of Regulations.[3] The Regulation was approved by the Office of Administrative Law and went into effect on October 4, 2021, and will remain in effect for up to one year from the effective date but could be repealed if water supply conditions improve. The State Water Board may also readopt the Regulation if drought conditions continue. The Regulation establishes drought emergency minimum flow requirements for the protection of specific runs of federal- and state-listed anadromous fish in Mill Creek and Deer Creek. The Regulation provides that diversions from Mill Creek and Deer Creek are unreasonable if those diversions will cause flows to drop below specified minimum flows. Under the Regulation, diversions will be curtailed as appropriate to maintain those minimum flows, with the exception of diversions necessary for minimum human health and safety needs. The diversion or use of water in violation of the Regulation is an unreasonable diversion or use and a violation of Water Code section 100.

5. Pursuant to section 876.5, the State Water Board has determined that it is an unreasonable use of water under Article X, section 2 of the California Constitution to continue diversions that would cause or threaten to cause flows to fall beneath the drought emergency minimum flows provided in subdivision (c) of section 876.5, except to provide for minimum health and safety needs in accordance with section 878.1.

6. On April 23, 2021, State Water Board staff in coordination with CDFW and the National Marine Fisheries Service (NMFS) held a Mill Creek watershed meeting with Mill Creek stakeholders to discuss possible voluntary agreements to protect threatened fish species for Mill Creek during the current drought year. So far, agreements have not been reached in Mill Creek this year, but the possibility that agreements will be reached is not foreclosed. Pursuant to section 878.4, agreements that provide comparable protection to the fisheries as the flows identified in section 876.5, may be able to substitute for curtailments if the agreements cover a significant percentage of the water diverted in the watersheds.

7. Pursuant to section 876.5, subdivision (b), the Deputy Director for the Division of Water Rights (Deputy Director) has been delegated authority to issue curtailment orders upon a determination that without curtailment of diversions flows are likely to be reduced below the drought emergency minimum flows specified in section 876.5, subdivision (c).

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[2] https://www.waterboards.ca.gov/drought/mill_deer_creeks/docs/2021-0924-01e-approval.pdf

[3] All further section references are to California Code of Regulations, title 23, unless otherwise indicated.

8. Central Valley spring-run Chinook salmon (*Oncorhynchus tshawytscha*) (CV SR salmon) are listed as threatened under the state and federal Endangered Species Acts, and California Central Valley steelhead (*Oncorhynchus mykiss*) (CCV steelhead) are listed as threatened under the federal Endangered Species Act (16 U.S.C. § 1531 et seq.). Mill Creek has been identified as a high-priority tributary for the protection and recovery of wild populations of CV SR salmon and CCV steelhead. Mill Creek is one of only three Sacramento River tributaries that supports a self-sustaining and genetically distinct population of CV SR salmon. Mill Creek also supports CCV steelhead.

9. On August 16, 1920, the Superior Court of Tehama County adjudicated the water rights in Mill Creek (formerly Los Molinos River). This decree apportions all flows in Mill Creek up to 203 cfs and appoints Los Molinos Mutual Water Company (formerly Los Molinos Land Company) as watermaster (Tehama County Superior Court Decree #3811, 1920).

10. Agricultural diversions have resulted in reduced instream flows or dewatering of stream sections in the lower Mill Creek between the confluence with the Sacramento River and diversion dams, which impedes fish migration. Pursuant to section 876.5, subdivision (a), for the protection of threatened and endangered fish and due to the ongoing drought and environmental conditions, the State Water Board has determined that curtailments of water diversions from Mill Creek are needed to meet the drought emergency base flow requirements beginning October 15, 2021.

11. Additional detail regarding the drought emergency, the listed CV SR salmon and CCV steelhead, the importance of the emergency minimum flows in Mill Creek to the fisheries, the effect of the Regulation, and the need for curtailment orders to meet the flows in the absence of voluntary agreements is contained in the Finding of Emergency, Informative Digest, and Revised Fiscal Impact Statement[4] and the State Water Board Resolution No. 2021-0038[5], which are hereby incorporated.

12. Pursuant to section 876.5, subdivision (c)(1)(A)(i), base flows from October 15 through March 31 of 50 cubic feet per second (cfs) or full flows without diversions, whichever is less, are required in Mill Creek when adult CCV steelhead are present.

13. Pursuant to section 876.5, subdivision (c)(1)(B)(i), base flows from October 15 through June 30 of 20 cfs or full flows without diversions, whichever is less, are required in Mill Creek when juvenile CV SR salmon or juvenile CCV steelhead are present and adult CV SR salmon or adult CCV steelhead are not present.

14. Pursuant to section 876.5, subdivision (c)(1)(C)(i), base flows from April 1 through June 15 of 50 cfs or full flows without diversions, whichever is less, are required in Mill Creek when adult CV SR salmon are present.

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[4] https://www.waterboards.ca.gov/drought/mill_deer_creeks/docs/20210916_ereg_finding_digest.pdf

[5] https://www.waterboards.ca.gov/drought/mill_deer_creeks/docs/resolution-2021_0038-and-adopted-regulation-language.pdf

15. Pursuant to section 876.5, subdivision (c)(1)(C)(ii), from April 1 through June 15 pulse flows of 100 cfs or full flows without diversions, whichever is less, may be required in Mill Creek when adult CV SR salmon are observed between Ward Dam and the Sacramento River. The pulse flows, including the flow ramp down period, will last a minimum of 24 hours to a maximum of 72 hours. Pulse flows may be required if 1) the average daily flow measured at the United States Geological Survey Mill Creek Near Los Molinos CA gauge (#11381500) is 100 cfs or less for three consecutive days or 2) CDFW or NMFS submits a request for such pulse flows and it is approved by the Deputy Director.

16. Pursuant to section 876.5, subdivision (c)(1)(D)(i), from June 1 through June 15 pulse flows of 100 cfs or full flow without diversions, whichever is less, may be required in Mill Creek when juvenile CV SR salmon or juvenile CCV steelhead are observed in the lower reaches of Mill Creek and CDFW or NMFS submits a request for such pulse flows that is approved by the Deputy Director. The pulse flow, including the flow ramp down period, will last a minimum of 24 hours to a maximum of 48 hours.

17. The Regulation also prohibits inefficient domestic lawn watering practices. Pursuant to section 876.7, subdivision (a), domestic lawn watering shall be limited to no more than 18.5 gallons per day per 100 square feet throughout the effective period of the Regulation.

18. Attachment A is a summary of available water rights data on Mill Creek that was assembled from the State Water Board's electronic water rights information management system and Report Management System queries.

FINDINGS:

1. Section 876.5 subdivision (c)(1) establishes drought emergency minimum flows for Mill Creek under certain conditions.

2. The conditions under which the drought emergency minimum flows identified in section 876.5 subdivision (c) apply are, as of the date of this order, in effect, and are likely to continue. On October 8, 2021, the CDFW informed the State Water Board that CCV steelhead are present in the Sacramento River and likely near the confluence with Mill Creek.

3. The Deputy Director has determined that without curtailment of diversions from Mill Creek the flows in Mill Creek have been, and are likely to continue to be, reduced below the drought emergency minimum flows specified in section 876.5 subdivision (c)(1).

IT IS HEREBY ORDERED:

1. Effective October 15, 2021, all water right holders and claimants in the Mill Creek watershed, including those identified in Attachment A, are subject to curtailment pursuant to California Code of Regulations, title 23, sections 876.5 through 879, and shall, in the order of priority, immediately cease or reduce their diversions from Mill Creek to ensure the drought minimum flows specified in section 876.5 subdivision (c)

are satisfied through June 30, 2022, or until the Deputy Director suspends the curtailment order, as follows:

a. During the period of October 15, 2021-March 31, 2022, all diverters on Mill Creek shall bypass 50 cfs or full natural flow without diversion, whichever is less, in order to ensure base flows for adult CCV steelhead migration. Flows in excess of the 50 cfs base flow can be diverted in accordance with priority and basis of right, except that this order does not relieve any right holder or claimant of obligations imposed by orders issued pursuant to the Delta watershed emergency regulation or any other Board order, or the terms and conditions of the water right.

b. During the period of April 1 through June 15, 2022, all diverters on Mill Creek shall bypass 50 cfs or full natural flow without diversion, whichever is less, in order to ensure base flows for adult CV SR salmon migration. Flows in excess of 50 cfs base flow can be taken in accordance with priority and basis of right, except that this order does not relieve any right holder or claimant of obligations imposed by orders issued pursuant to the Delta watershed emergency regulation or any other Board orders, or the terms and conditions of the water right.

c. During the period of October 15, 2021 through June 30, 2022, all diverters on Mill Creek shall bypass 20 cfs or full natural flow without diversion, whichever is less, in order to ensure base flows for juvenile CV SR salmon and juvenile CCV steelhead outmigration. Flows in excess of 20 cfs base flow can be taken in accordance with priority and basis of right, except that this order does not relieve any right holder or claimant of obligations imposed by orders issued pursuant to the Delta watershed emergency regulation or any other Board orders, or the terms and conditions of the water right. When adult CCV steelhead or CV SR salmon are also present, 50 cfs or full natural flow without diversion, whichever is less, is required as described above.

d. Upon notification to the Deputy Director from CDFW or NMFS that adult CCV steelhead or CV SR salmon migration has ended but juvenile CV SR salmon or juvenile CCV steelhead are present, base flow requirements will be reduced to 20 cfs pursuant to section 876.5. At that time all diverters on Mill Creek shall bypass 20 cfs or full natural flow without diversion, whichever is less, in order to ensure base flows for juvenile CV SR salmon and juvenile CCV steelhead migration. Flows in excess of the 20 cfs base flow can be diverted by water right holders in accordance with priority and basis of right, except that this order does not relieve any right holder or claimant of obligations imposed by orders issued pursuant to the Delta watershed emergency regulation or any other Board orders, or the terms and conditions of the water right.

e. When a pulse flow is required under section 876.5, subdivision (c), all diverters on Mill 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. If full natural flows exceed 100 cfs at a

time when pulse flows are required, then flows in excess of 100 cfs can be diverted by water right holders in accordance with water right priority and basis of right, except that this order does not relieve any right holder or claimant of obligations imposed by orders issued pursuant to the Delta watershed emergency regulation or any other Board orders, or the terms and conditions of the water right.

f. All water rights and claims are curtailed under this order, specified in this order, unless the diversion is subject to an exception to curtailment as described by section 878 (non-consumptive uses), section 878.1 (minimum human health and safety needs), or section 878.4 (local cooperative solutions).

g. Water right holders and claimants in the Mill Creek watershed are also subject to the August 20, 2021 Initial Order Imposing Water Right Curtailment and Reporting Requirements in the Sacramento-San Joaquin Delta Watershed, issued pursuant to the Delta watershed emergency regulation. This order does not relieve any right holder or claimant of obligations imposed by orders issued pursuant to that regulation or any other Board order, or the terms and conditions of the water right.

h. Compliance with the drought emergency minimum flows in Mill Creek required under section 876.5, subdivision (c)(1) will be assessed by the State Water Board based on the Department Water Resources' Mill Creek below Hwy 99 gauge reporting (California Data Exchange Center (CDEC) Station ID: MCH).

2. Pursuant to section 876.7, subdivision (a), which took effect October 4, 2021, domestic lawn watering in excess of 18.5 gallons per day per 100 square feet is prohibited.

3. In accordance with section 876.5, subdivision (d), water right holders or agents of record who receive this Order are responsible for immediately providing notice of this Order to all diverters exercising the water right or claim covered by this Order.

4. **United States National Park Service - Lassen Volcanic National Park** or their agent or successor is required, by October 18, 2021, to submit under penalty of perjury an online Compliance Certification Form in accordance with section 879, subsection (a) of the Regulation. The online Compliance Certification Form must be accessed using the Login: **S025182** and Password: **K66RW6** on the Water Right Form and Survey Submittal Portal located at: https://public.waterboards.ca.gov/WRInfo. Where the diversion or place of use for the water right(s) listed in Attachment A is in an area subject to a wildfire evacuation order, or where such an evacuation order inhibits the ability of **United States National Park Service - Lassen Volcanic National Park** or their agent or successor to access the necessary information to complete the Curtailment Certification or to log on to complete the form, the deadline is automatically extended until ten (10) days after the lifting of the evacuation order.

5. All subsequent modifications to this Order, including curtailment suspensions, updates to Mill Creek flow requirements pursuant to section 876.5, or other modifications, shall

be noticed electronically, including electronic communications sent through the State Water Board's "Mill Deer Drought" email distribution list and posted to the State Water Board's Mill Creek and Deer Creek Drought Response webpage.[6]

6. Pursuant to section 876.5, the State Water Board has established an email distribution list that water right holders and claimants are encouraged to join to receive drought notices and updates regarding curtailments. Diverters and right holders/claimants who do not join the email distribution list must check the State Water Board's drought webpage regularly (at least weekly, and more frequently when hydrologic conditions are changing and times when more than one potential trigger for curtailment may be in effect). Notices provided by email or by posting on the State Water Board's drought web page shall be sufficient for all purposes related to drought notices and updates regarding curtailments.

7. Pursuant to section 879.2, failure to comply with the Regulation or this Order, including diversion or use in violation of curtailment, is subject to enforcement action, including the imposition of any applicable penalties pursuant to Water Code sections 1052, 1058.5, 1831, 1845, and 1846. To the extent of any conflict between the requirements of this Order and any other applicable orders or conditions of approval, the diverter must comply with the requirements that are most stringent.

8. Nothing in this Order is intended to or shall be construed to limit or preclude the State Water Board from exercising its authority under any statute, regulation, ordinance, or other law, including but not limited to, the authority to bring enforcement against diverters for unauthorized diversion or use in violation of Water Code section 1052.

9. Nothing in this Order shall excuse individual water right holders and claimants from meeting any more stringent requirements that may be imposed by applicable legally binding legislation, regulations, or a water right permit requirement. This Order does not authorize any act which results in the taking of a threatened, endangered, or candidate species or any act which is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish & G. Code, §§ 2050-2097) or the federal Endangered Species Act (16 U.S.C.§§ 1531-1544). If a "take" will result from any act authorized under this Order, the diverter shall obtain authorization for an incidental take. Diverter shall be responsible for meeting all requirements of the applicable Endangered Species Act(s) for actions authorized under this Order.

STATE WATER RESOURCES CONTROL BOARD

Erik Ekdahl

Erik Ekdahl, Deputy Director
Division of Water Rights

Dated: October 11, 2021

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[6] https://www.waterboards.ca.gov/drought/mill_deer_creeks/

ATTACHMENT A: ACTIVE WATER RIGHTS AND CLAIMS IN MILL CREEK WATERSHED	
WATER RIGHT ID	**PRIMARY OWNER**
A000322	CANDACE OWENS
A001861	CANDACE OWENS
A007536	CALIF DEPT OF TRANSPORTATION
A014396	MILL CREEK/LASSEN MUTUAL WATER COMPANY
A029496	CANDACE OWENS
F005211S	U S LASSEN NATL FOREST
F005212S	U S LASSEN NATL FOREST
S002909	LOS MOLINOS MUTUAL WATER CO
S002910	LOS MOLINOS MUTUAL WATER CO
S010968	U S LASSEN NATL FOREST
S010970	U S LASSEN NATL FOREST
S012752	PETER HANNA SEWARD
S012753	PETER HANNA SEWARD
S012889	PETER HANNA SEWARD
S012890	PETER HANNA SEWARD
S012891	PETER HANNA SEWARD
S012892	PETER HANNA SEWARD
S025182	UNITED STATES NATIONAL PARK SERVICE - LASSEN VOLCANIC NATIONAL PARK
S028341	THE NATURE CONSERVANCY
S028342	THE NATURE CONSERVANCY
S028354	THE NATURE CONSERVANCY
S028407	MILL CREEK/LASSEN MUTUAL WATER COMPANY

Summary

Delta Watershed Human Health & Safety Cert. for (S025182)

You completed the survey on 09/16/2021 18:24:53

Return to Dashboard

Human Health and Safety Exception Form

This form must be submitted electronically for every water right or claim seeking an exception to curtailment to meet minimum human health and safety needs. If applicable, this form must be completed and submitted by the date specified in your Order. Paper copies or emailed submissions will not be accepted.

The purpose of this form is to certify that, in the event this water right or claim is curtailed, continued diversions under this water right or claim are necessary to meet minimum human health and safety needs as described in California Code of Regulations, title 23, section 878.1..

At the end of this form you must certify, under penalty of perjury, that all information entered into this form is true and correct to the best of your knowledge.

To navigate this form, use the "Next" and "Prev" buttons to move forward or backward. On the final page, select the "Finish and Submit" button to complete and submit your form. Your responses to each page will be saved when you continue to the next page; however, your form will not be submitted until you have selected "Finish and Submit."

To see responses for previously submitted forms under this water right or claim, return to the Water User Dashboard and click "Summary" next to the relevant form.

If you have questions or need assistance, you may contact State Water Board staff at (916) 319-0960 or Bay-Delta@waterboards.ca.gov. Your call or email will be answered in the order in which it was received. Please note that, depending on volume, a response may take longer than one business day.

All references are to title 23 of the California Code of Regulations.

Acknowledgement and Certification

* Indicates a required field.

Select one of the following: *

- (●) I certify that diversion under this water right is necessary to achieve the minimum amount of water necessary for human health and safety as defined in section 877.1, subdivision (g), after all other available sources of water have been used to meet the needs of the population served under this water right or claim. To the extent other water sources are available, those sources will be used prior to diverting water under this water right. The total diverted under all water rights or claims available to meet human health and safety needs will not exceed 55 gallons per person per day.
- ( ) I certify that meeting the minimum human health and safety needs of the population served under this water right or claim requires more than 55 gallons per person per day or cannot be quantified in 'gallons per person per day'. I understand that continued diversion, after issuance of a curtailment order for this water right, of

more than 55 gallons per person per day requires submission of a petition (on the following page) demonstrating compliance with the requirements of section 878.1 subdivisions (b)(2)(A)-(F), and approval by the Deputy Director

Select the following: *

- (•) I certify that the diverter and all end users of the diverted water are operating under the strictest existing conservation plan or plan stage for its place of use or shall be operating under the strictest existing conservation plan stage within 30 days of filing this certification. If additional approvals are required before the strictest existing conservation plan stage can be implemented, the diverter hereby certifies that all possible steps will be taken to ensure prompt approval.

- [ ] I certify that, if the diverter is a distributor of a public water supply as that term is used in Water Code section 350 et seq., it has declared a water shortage emergency condition and either already has adopted regulations and restrictions on the delivery of water or will adopt conservation and water delivery restrictions and regulations within a timeframe specified by the Deputy Director.

Select the following: *

- (•) I certify that the diverter has either pursued steps to acquire other sources of water, but has not yet been completely successful, as described below, or the diverter will pursue the steps described below to identify and secure additional water.

Please explain the steps the diverter has taken, or plans to take, to acquire other sources of water: *

At present, the entire park is closed due to the Dixie Fire. It is unknown when it will open again. This diversion is from Forest Creek based on a riparian right and federal reserved right. It supports the domestic aspects of a campground, entrance station and visitor center. There are not other sources available that would not also be subject to curtailment. The park has instituted conservation measures. A well may be possible in the future as a backup; however, the volcanic geologic makes wells an uncertain proposition.

(5000 character max.)

If the right holder is a Public Water System, please enter the Public Water System identification number in the box below. (Example: CA1234567)

Petition to Increase Human Health and Safety Diversions

This page only applies to those who seek to divert more than 55 gallons per person per day for human health and safety needs or whose diversions cannot be quantified on the basis of "gallons per person per day." If this does not apply to you, please skip this page.

To the extent that a diversion to meet the need for minimum human health and safety requires more than 55 gallons per person per day,

continued diversion of water pursuant to a curtailed right requires submission to and approval by the Deputy Director for the Division of Water Rights of a petition demonstrating compliance with the requirements of section 878.1 subdivisions (b)(2)(A)-(F). Approval of the petition may be conditioned on implementation of additional conservation measures and reporting requirements. Any petition to continue diversion of more than 55 gallons per person per day to meet minimum human health and safety needs must:

(A) Describe the specific circumstances that make the requested diversion amount necessary to meet minimum human health and safety needs, and list the health and safety needs to be met by the diversion.

(B) Estimate the amount of water needed , clearly indicating the unit/rate/volume/timestep.

(C) Certify that the supply will be used only for the stated need.

(D) Describe any other additional steps the diverter will take to reduce diversions and consumption.

(E) Provide the timeframe in which the diverter expects to reduce usage to no more than 55 gallons per person per day, or why minimum human health and safety needs will continue to require more water.

(F) As necessary, provide documentation that the use meets the definition of minimum human health and safety needs provided in subdivision (g) of section 877.1.

Diversions to meet minimum human health and safety needs that cannot be quantified on the basis of an amount per person per day require a petition and approval from the Deputy Director. The Deputy Director may approve such a petition under section 878.1, subdivision (b)(2) or subdivision (d) upon a finding that the petition demonstrates that the requested continuation of diversion under the otherwise curtailed water right is in furtherance of the constitutional policy that the water resources of the state be put to beneficial use to the full extent they are capable and waste and unreasonable use be prevented, notwithstanding the effect of the diversion on senior water rights or instream beneficial uses. Approval may be conditioned as appropriate to ensure that the diversion and use are reasonable and in the public interest.

Please send the Petition for Increase to Human Health and Safety Diversions and supporting information to Bay-Delta@waterboards.ca.gov by September 10, 2021.

☐ By checking this box, I certify that a Petition to Increase Human Health and Safety Diversions has been or will be submitted which outlines the diverter's compliance with California Code of Regulations, title 23, section 878.1, subdivisions (b)(2)(A)-(F) and (d).

Submission

* Indicates a required field.

Name of Person Signing: * Eric Lord

Relationship to Legal Right Holder or Claimant: * Agent

If you selected "Other" above, please explain:

Contact Phone: * 970 225-3526

Contact Email: * eric_lord@nps.gov

☑ I certify, under penalty of perjury, that all information entered into this form is true and correct to the best of my knowledge. *

When you click "Finish and Submit," this form will be saved and submitted. Please review your responses to ensure the information is correct. If you need to check information that was previously entered, use the "Prev" button at the bottom of the page to return to the previous page.

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Summary

Delta Watershed Compliance Certification Form for (S025182)

You completed the survey on 08/31/2021 15:24:24

Return to Dashboard

Introduction

Certification of Compliance Form

All water right holders and claimants who receive an Initial Order Imposing Water Right Curtailment and Reporting Requirements in the Sacramento-San Joaquin Delta Watershed (Order) must complete this Compliance Certification Form (Form) by the date specified in your Order, in accordance with California Code of Regulations, title 23, section 879.

This Form requires water right holders and claimants to certify that they will take actions needed to comply with Orders issued pursuant to the Enhanced Water Use Reporting and Curtailment of Diversions emergency regulation (Cal. Code Regs., tit. 23, § 876.1 et seq.) applicable to the Sacramento-San Joaquin Delta (Delta) watershed. Specifically, this Form requires recipients of Orders issued under the emergency regulation to certify that they are aware of the process by which the State Water Board will notify right holders and claimants in the Delta watershed of the updated status of curtailments and that they are aware of what exceptions apply to curtailment as well as the process for obtaining applicable exceptions.

In accordance with section 876.1, subdivision (c) of the emergency regulation, water right holders or agents of record who receive an Order are responsible for immediately providing notice of the Order to all diverters exercising the water right or claim covered by the Order.

At the end of this Form you must certify, under penalty of perjury, that all the information entered into the Form is true and correct to the best of your knowledge.

To navigate this form, use the "Next" and "Prev" buttons to move forward or backward. On the final page, select the "Finish and Submit" button, which will complete and submit your certification Form. Your responses on each page will be saved when you continue to the next page; however, your Form will not be submitted until you have selected "Finish and Submit."

To view responses for previously submitted Forms under this water right or claim, return to the Water User Dashboard and click "Summary" next to the relevant Form.

This Form must be submitted electronically for every water right or claim for which an Order was issued. Paper copies or emailed submissions will not be accepted.

If you have any questions or need assistance, you may contact State Water Board staff at (916) 319-0960 or Bay-Delta@waterboards.ca.gov. Your call or email will be answered in the order in which it was received. Please note that, depending on volume, a response may take longer than one business day.

Curtailment Notification Process

Future communications regarding changes in water availability, including notification of when curtailments are in place, when curtailments are temporarily suspended or terminated, and when suspended curtailments are reimposed, will be provided only by email through the State Water Board's Delta Drought email distribution list and by posting on the State Water Board's Delta Drought webpage. It is your obligation, as a water right holder, claimant, or agent, to remain informed regarding the curtailment status of your water right or claim. This may be done either by: 1) subscribing to the State Water Board's "Delta Drought" email list (located under the Water Rights category); or 2) frequently checking the curtailment status of your water right or claim on the Delta Watershed Curtailment Status List on the State Water Board's Delta Drought Webpage.

Acknowledgement and Certification

* Indicates a required field.

Select the following: * ◉ I certify that I have subscribed to the State Water Board's Delta Drought email list or will check the Delta Drought webpage at

least weekly for the curtailment status of my water right or claim. Failure to comply with Orders issued pursuant to section 876.1 or section 879 are not excused by failure to subscribe to the Delta Drought email list or check the Delta Drought webpage.

Select the following: *

- (•) I certify that I have provided notice of the Order to all parties diverting under this water right or claim.

Select the following: *

- (•) I certify that diversion pursuant to this water right or claim will cease immediately in the event this water right or claim is curtailed, as noticed through the Delta Drought email list or the Delta Watershed Curtailment Status List maintained on the Delta Drought webpage, unless I qualify for one of the exceptions listed below.

Select any of the following exceptions for which you qualify and plan to seek approval:

- [ ] Non-Consumptive Use: Continued diversions will occur only to the extent that they are for non-consumptive uses, as defined by section 878. A Non-Consumptive Use Exception Form and supporting evidence will be submitted for this water right or claim by September 10, 2021.

- [x] Human Health and Safety: Continued diversions will occur only to the extent that they are to provide for minimum human health and safety needs as described in section 878.1. A Human Health and Safety Exception Form will be submitted for this water right or claim by September 10, 2021.

- [ ] Alternative Water Sharing Agreement: I certify that, in the event this water right or claim is curtailed, diversion will cease until a proposed alternative water sharing agreement is approved or a proposed alternative water sharing agreement is submitted pursuant to section 878.2, along with evidence of concurrence with the terms of the agreement by other potentially affected water rights holders and claimants.

Alternative Sources of Water

* Indicates a required field.

Select all of the alternate sources of water that serve the place of use associated with this water right or claim. If you select "Other" you will be asked to describe below. If there are no alternative sources of water, select "None." *

- ☐ Previously Stored Water
- ☐ Groundwater
- ☐ Contracted Surface Water
- ☐ Hauled Water
- ☐ Other
- ☑ None

If you selected "Other" above, please provide additional information regarding your alternate source of water:

Please note that the Park has been severely affected by the Dixie Fire, and open only to firefighting personnel. The NPS plans to assert the Health and Safety Exemption in support of ongoing firefighting and also limited domestic use (culinary, drinking, sanitary) when the park reopens.

(5000 character max.)

Submission

* Indicates a required field.

Name of Person Signing *: Eric Lord

Relationship to Legal Right Holder or Claimant *: Agent

If you selected "Other" above, please explain:

Contact Phone *: 970 225-3526

Contact Email *: eric_lord@nps.gov

☑ I certify, under penalty of perjury, that all information entered into this form is true and correct to the best of my knowledge. *

When you click "Finish and Submit," this form will be saved and submitted. Please review your responses to ensure the information is correct. If you need to check information that was previously entered, use the "Prev" button at the bottom of the page to return to the previous page.

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CALIFORNIA Water Boards

GAVIN NEWSOM
GOVERNOR

JARED BLUMENFELD
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

August 20, 2021

ERIC LORD

1201 Oak Ridge Drive Ste 250
Fort Collins, CO 80525

INITIAL ORDER IMPOSING WATER RIGHT CURTAILMENT AND REPORTING REQUIREMENTS IN THE SACRAMENTO-SAN JOAQUIN DELTA WATERSHED

This letter and the enclosed Order contain important information regarding the curtailment status for the RIPARIAN CLAIM owned by United States National Park Service - Lassen Volcanic National Park, associated with Water Right ID S025182. This letter also describes a certification that is required to be submitted by **September 3, 2021**.

Enclosed with this letter is an Order imposing water diversion curtailment and reporting requirements issued pursuant to an emergency regulation adopted by the State Water Resources Control Board (State Water Board or Board) that became effective on August 19, 2021. The enclosed Order specifies the steps that you, or your agent of record, must follow to curtail water diversions when water is determined to be unavailable for this water right or claim of right and to comply with reporting requirements. You or your agent of record are responsible for immediately notifying all parties that divert water under the Water Right ID S025182 of the enclosed Order.

Please note that you will receive a similar letter and Order for each water right or claim of right in the Sacramento-San Joaquin Delta (Delta) watershed for which you are the designated mail receiver.

Emergency Regulation

In response to ongoing drought conditions and associated water supply shortages in the Delta watershed, on August 3, 2021, the State Water Board adopted an emergency regulation authorizing the curtailment of diversions when water is determined to be unavailable at a water right holder's or claimant's priority of right. (Cal. Code Regs., tit. 23, §§ 876–879.2.) The regulation was approved by the Office of Administrative Law and went into effect upon filing with the Secretary of State on August 19, 2021. The regulation will remain in effect for up to one year but could be repealed if water supply conditions improve. The State Water Board may readopt the regulation if drought conditions continue through next year. The regulation is available on the State Water Board's Delta Drought webpage at: www.waterboards.ca.gov/drought/delta/

Curtailed Water Rights and Claims of Right in the Delta Watershed

The following priorities of water rights and claims of right are curtailed, meaning water diversions are required to cease under these rights and claims, **for the remainder of August 2021**:

1. All post-1914 appropriative water rights in the Delta watershed (including the Sacramento River and San Joaquin River watersheds and the Legal Delta);
2. All pre-1914 appropriative water right claims in the San Joaquin River watershed;
3. All pre-1914 appropriative water right claims in the Sacramento River watershed and in the Legal Delta with a priority date of 1883 or later; and
4. Some pre-1914 appropriative water right claims on specific tributaries to the Sacramento River with a priority date earlier than 1883.

Due to changes in available water supplies and demands following the irrigation season, the curtailments listed above change in the month of September. In the Sacramento River watershed, drainage from rice fields temporarily increases available water supplies and results in the suspension of curtailments for rights and claims on the Sacramento Valley floor in September. However, water rights and claims on some Sacramento River tributaries will remain curtailed, and some rights and claims that were not curtailed in August are curtailed in September due to limited local supplies. In the San Joaquin River watershed where no increase in available water supplies occurs in September, curtailments implemented in August will remain in effect unless water supply conditions improve (precipitation events occur) and the State Water Board changes its curtailment determinations accordingly. The following priorities of water rights and claims are curtailed **for the month of September 2021, unless the State Water Board advises that this determination has been updated**:

1. All post-1914 appropriative water rights in the San Joaquin River watershed;
2. All pre-1914 appropriative water right claims in the San Joaquin River watershed;
3. All riparian water right claims in the American River watershed upstream of Folsom Reservoir;
4. A subset of Central Valley Project and State Water Project water rights in the Sacramento River watershed and in the Legal Delta; and
5. Some pre-1914 appropriative water right claims and post-1914 appropriative rights on specific tributaries to the Sacramento River.

On a weekly basis, or more frequently if warranted due to precipitation and runoff events, updates will be provided regarding applicable curtailments, including any curtailments that may apply after September 2021 as discussed further below.

Action Required: Monitoring of Curtailment Status

Water right holders and claimants are required to monitor for changes in curtailments by signing up for email updates or frequently visiting the State Water Board's website where regular updates will be posted. **All future curtailment orders, including the suspension or reimposition of curtailment, will be issued electronically**. Hard copy notices will not be provided. Notice of new or changed curtailment orders and the

bases for curtailment decisions will be provided through updates to the Board's Delta Watershed Curtailment Status List (Status List) and through notices issued electronically using the Delta Drought email subscription list. The Status List will be updated at least weekly and more often if needed as hydrologic conditions evolve to reflect changes to water availability.

It is the responsibility of the water right holder, claimant, or agent of record to:

1. Determine if Water Right ID S025182 is currently curtailed by regularly checking the Status List posted on the State Water Board's Delta Drought webpage at: www.waterboards.ca.gov/drought/delta/ or
2. Subscribe to the Delta Drought email subscription list at: www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.html

Response Required: Compliance Certification Form

Water right holders, claimants, or agents of record who receive the enclosed Order are required to submit, under penalty of perjury, an online Compliance Certification Form for each water right or claim of right by **September 3, 2021**. Your online submittal will be used to assess compliance with the enclosed Order and relevant provisions of the emergency regulation, as well as inform the Board whether you plan to seek an exception to curtailment. The Compliance Certification Form must be accessed on the State Water Board's Survey Portal at: https://public.waterboards.ca.gov/

The following credentials are needed to access the Survey Portal:

Login:	S025182
Password:	K66RW6

State Water Board staff will hold a webinar to explain the reporting requirements associated with the enclosed Order. Notice of this webinar will be posted on the Delta Drought webpage and sent via the Delta Drought email list.

Exceptions to Curtailment

An exception to curtailment may be authorized if: (1) the water right or claim is used only for a non-consumptive use (i.e., all water is returned to the stream) as described in section 878 of the emergency regulation; or (2) water diverted under the water right or claim is the diverter's only source of water and it is needed for minimum human health and safety needs, as described in section 878.1 of the regulation.

If you wish to seek an exception to curtailment now or possibly in the future in order to continue diversions for non-consumptive uses or to meet minimum human health and safety needs, you must submit your request by **September 10, 2021,** regardless of the current curtailment status of this right. Submit your exception request(s) using the form(s) available on the Board's Survey Portal at: https://public.waterboards.ca.gov/ (Login credentials are provided above.)

Consideration of Additional Information

You may submit additional information if you believe that: (1) a correction to the water right priority date for this water right or claim should be made; or (2) curtailment of this water right or claim is not appropriate as demonstrated by verifiable circumstances, such as the right authorizes diversion from a stream system that has been adjudicated and is disconnected, and therefore curtailment would not make water available to serve senior downstream water rights and claims (see section 876.1, subdivision (e) of the regulation). Proposals and supporting information should be submitted to the Deputy Director as specified below within **14 days of receipt of the enclosed Order**.

Water users may also propose alternative water sharing agreements that would achieve the purposes of the curtailment process pursuant to section 878.2 of the regulation. Proposed alternative agreements may be submitted to the Deputy Director at any time, but they may not be implemented instead of complying with a curtailment order unless all potentially affected water right holders and claimants concur with the proposal, or it has been approved by the Deputy Director.

Proposals and supporting information for changes to water right priorities, applicability of curtailments, and alternative water sharing agreements should be submitted to the Deputy Director at Bay-Delta@waterboards.ca.gov. The Deputy Director and Delta Watermaster as appropriate will review timely submitted information as soon as practicable and inform the affected water right holder or claimant of the determination or decision.

Potential Enforcement

The enclosed Order includes enforceable requirements regarding a water right or claim of right that require your immediate attention due to current and possible future limitations in water supplies.

A water right holder or claimant who diverts water that is not legally available, or violates the enclosed Order or the regulation, may be subject to administrative fines, a cease and desist order, or prosecution in court. The State Water Board has enforcement discretion and decisions related to enforcement and associated penalties are based on the specific circumstances of the violation. Fines may be up to $1,000 per day of violation and up to $2,500 for each acre-foot diverted or used in excess of a valid water right. (Wat. Code, §§ 1052, 1055, 1846.)

Request for Reconsideration

You may submit a petition within 30 days to request that the State Water Board reconsider the enclosed Order. The process and grounds for reconsideration are provided by California Code of Regulations, title 23, sections 768 through 771. Any petition requesting reconsideration of an order that requires enhanced reporting or curtailment must be filed with the State Water Board no later than **September 20, 2021**. To ensure timely consideration, any petition for reconsideration should be sent by email to Bay-Delta@waterboards.ca.gov.

ERIC LORD
WATER RIGHT ID: S025182

If you have any questions, please review the Frequently Asked Questions (FAQs) on the Delta Drought webpage (www.waterboards.ca.gov/drought/delta/). You may also contact staff at Bay-Delta@waterboards.ca.gov or (916) 319-0960. Please be aware that calls and emails will be answered as soon as possible in the order received. Depending on volume, responses may take a day or longer.

Sincerely,

Erik Ekdahl

Erik Ekdahl, Deputy Director
State Water Resources Control Board

Enclosure: Order Imposing Water Right Curtailment and Reporting Requirements in the Sacramento-San Joaquin Delta Watershed for Water Right ID S025182

STATE OF CALIFORNIA
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

IN THE MATTER OF WATER RIGHT ID S025182 OF United States National Park Service - Lassen Volcanic National Park

ORDER IMPOSING WATER RIGHT CURTAILMENT AND REPORTING REQUIREMENTS IN THE SACRAMENTO-SAN JOAQUIN DELTA WATERSHED

ISSUED AUGUST 20, 2021

FINDINGS:

1. On May 10, 2021, Governor Gavin Newsom issued a Proclamation of a State of Emergency (Proclamation) for 41 counties, including those within the Sacramento-San Joaquin Delta (Delta) watershed in response to drought conditions. The Proclamation finds that it is necessary to act expeditiously to mitigate the effects of drought conditions in the Delta watershed, both to ensure the protection of health, safety, and the environment and to prepare for potential sustained drought conditions.

2. On June 15, 2021, the State Water Resources Control Board (State Water Board or Board) issued a Notice of Water Unavailability (June 15 Notice) to all post-1914 appropriative water right holders in the Delta watershed. The June 15 Notice advised that water appeared to be unavailable for diversion as of at least June 15, 2021, for all post-1914 appropriative water right holders in the Delta watershed. The June 15 Notice also warned water users with more senior water right claims that information indicated that water was expected to be unavailable this summer for some pre-1914 appropriative and riparian claimants and that the State Water Board planned to issue further notices of water unavailability. The June 15 Notice also informed water right holders and claimants that development of an emergency curtailment regulation was under consideration.

3. On July 23, 2021, the State Water Board issued a Notice of Water Unavailability (July 23 Notice) for senior water right claims in the Delta watershed, which advised diverters that, based on the best information available to the Board, water supply appeared to be insufficient to support lawful diversion under some pre-1914 appropriative water right claims and to support full diversions by some riparian claims in the Delta watershed. The July 23 Notice also notified water right holders and claimants that a draft emergency regulation was available for public review and comment.

4. On August 3, 2021, the State Water Board adopted an emergency curtailment and reporting regulation in response to ongoing drought conditions and

associated water supply shortages in the Delta watershed. (Cal. Code Regs., tit. 23, §§ 876–879.2.) State Water Board Resolution No. 2021-0028[1] adopting the emergency regulation describes the need for the regulation and its intent and is incorporated by reference into this Order. The regulation was approved by the Office of Administrative Law and became effective upon filing with the Secretary of State on August 19, 2021.

5. Section 879, subdivision (d)(1) of the regulation requires all recipients of initial curtailment or reporting orders to submit a certification regarding actions needed to comply with section 876.1.

6. Section 876.1 of the regulation establishes the process by which curtailment of water rights and claims of right in the Delta watershed may take place. When natural and abandoned flows are insufficient to support all diversions, the Deputy Director or authorized designee may issue curtailment orders to water right holders and claimants in the Delta watershed, requiring the curtailment of water diversion under designated water rights and claims in order of water right priority, except as provided in sections 878, 878.1, and 878.2. Before issuing curtailment orders in the Legal Delta, as defined by the regulation, the Deputy Director must consult with and obtain the concurrence of the Delta Watermaster.

7. Section 876.1, subdivision (d) of the regulation specifies the information that the Deputy Director must consider in determining whether water is unavailable under a water right holder's or claimant's priority of right, and whether to order curtailment of water diversions under specific rights or claims. The regulation also authorizes the Deputy Director to evaluate water unavailability using the Water Unavailability Methodology for the Delta Watershed (Methodology), which was developed by the State Water Board for this purpose, or a comparable tool. Demand data used in the Methodology is based on annual water use reports submitted to the Division of Water Rights for 2018 and 2019 as described in the Methodology. Supply data used in the Methodology is derived from estimates of full natural flow, which were then adjusted to account for abandoned instream flows as described in the Methodology. Evaluation of available supplies against demands is performed at the Sacramento and San Joaquin River watershed scale and at the subwatershed scale.

8. This curtailment is based on consideration of the information described in section 876.1, subdivision (d) of the regulation and evaluation of available supply and demand data using the most recent version of the Methodology, documented by a summary report dated August 20, 2021.

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[1] Resolution 2021-0028 is available at: www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2021/rs2021_0028_regs.pdf

The most recent version of the Methodology includes updates to the treatment of the San Joaquin River Exchange Contractors within the Methodology's spreadsheet in keeping with the description of their treatment within the summary report, and the removal of demand from the disconnected Goose Lake watershed, in accordance with section 876.1, subdivision (d) of the regulation. The summary report has also been updated to address certain comments received on the Methodology, including comments concerning the unique hydrology of the Legal Delta. The results of the Methodology that are used to inform these curtailments are available in both spreadsheet and graphical form on the Board's Water Unavailability Methodology for the Delta Watershed webpage at:
www.waterboards.ca.gov/drought/drought_tools_methods/delta_method.html

The Delta Watershed Curtailment Status List (Status List) reflects the water rights and claims for which natural and abandoned flows have been determined to be currently unavailable as a result of this evaluation.

9. In accordance with section 876.1 of the regulation, the Deputy Director has determined that natural and abandoned flows are insufficient to satisfy the needs of all diverters in the Delta watershed. The Deputy Director has determined that water is unavailable for direct diversions and diversions to storage in the Delta watershed for those water rights and claims specified on the Status List, except to the extent that water released from storage is rediverted as authorized by a water right or contract. With respect to the curtailment orders issued to water right holders and claimants in the Legal Delta, the Deputy Director has consulted with and obtained the concurrence of the Delta Watermaster. Therefore, the Deputy Director has concluded that issuance of curtailment orders pursuant to the regulation is necessary and appropriate.

IT IS HEREBY ORDERED:

1. In accordance with section 876.1, subdivision (c) of the regulation, water right holders or agents of record who receive this Order are responsible for immediately providing notice of this Order to all diverters exercising the water right or claim covered by this Order.

2. United States National Park Service - Lassen Volcanic National Park or agent is required, by September 3, 2021, to submit under penalty of perjury an online Compliance Certification Form in accordance with section 879, subsection (d)(1) of the regulation. The online Compliance Certification Form must be accessed using the Login: **S025182** and Password: **K66RW6** on the Water Right Form and Survey Submittal Portal located at: https://public.waterboards.ca.gov

3. Effective August 20, 2021, diversion of water pursuant to water rights and claims specified as curtailed on the Status List shall cease unless the diversion is

subject to an authorized exception to curtailment as described by section 878, section 878.1, or section 878.2 of the regulation.

4. United States National Park Service - Lassen Volcanic National Park shall receive all subsequent modifications to this Order, including communications that may change the curtailment status of RIPARIAN CLAIM S025182, through electronic notification via the State Water Board's Delta Drought email distribution list or as posted on the Status List on the State Water Board's Delta Drought website at: www.waterboards.ca.gov/drought/delta/

5. Pursuant to section 879.2 of the regulation, failure to comply with the regulation or this Order, including diversion or use in violation of curtailment, is subject to enforcement action, including the imposition of any applicable penalties pursuant to Water Code sections 1052, 1058.5, 1831, 1845, and 1846. To the extent of any conflict between the requirements of this Order and any other applicable orders or conditions of approval, the diverter must comply with the requirements that are most stringent.

6. Nothing in this Order is intended to or shall be construed to limit or preclude the State Water Board from exercising its authority under any statute, regulation, ordinance, or other law, including but not limited to, the authority to bring enforcement against diverters for unauthorized diversion or use in violation of Water Code section 1052.

7. Nothing in this Order shall excuse individual water right holders and claimants from meeting any more stringent requirements that may be imposed by applicable legally binding legislation, regulations, or a water right permit requirement. This Order does not authorize any act which results in the taking of a threatened, endangered, or candidate species or any act which is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish & G. Code, §§ 2050-2097) or the federal Endangered Species Act (16 U.S.C.§§ 1531-1544). If a "take" will result from any act authorized under this Order, the diverter shall obtain authorization for an incidental take. Diverter shall be responsible for meeting all requirements of the applicable Endangered Species Act(s) for actions authorized under this Order.

STATE WATER RESOURCES CONTROL BOARD

Erik Ekdahl

Erik Ekdahl, Deputy Director
Division of Water Rights

Dated: August 20, 2021

CALIFORNIA Water Boards

GAVIN NEWSOM
GOVERNOR

JARED BLUMENFELD
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

June 15, 2021

Water Right ID Login: S025182
Password: K66RW6

ERIC LORD
1201 Oak Ridge Drive Ste 250
Fort Collins, CO 80525

CAVO:
S. Thrust System

In Regard to Water Right: S025182

Primary Owner: United States National Park Service - Lassen Volcanic National Park

NOTICE OF WATER UNAVAILABILITY FOR POST-1914 WATER RIGHT HOLDERS AND WARNING OF IMPENDING WATER UNAVAILABILITY FOR PRE-1914 AND RIPARIAN CLAIMANTS IN THE SACRAMENTO-SAN JOAQUIN DELTA WATERSHED[1]

State Water Resources Control Board (State Water Board or Board) records show you hold a pre-1914 appropriative or riparian claim, or you report under a statement of diversion and use. Please note that you will be receiving a similar notice for each water right or claim for which you are listed as the mail receiver.

Current information indicates that, as of the date of this letter, water supply in the Sacramento-San Joaquin Delta (Delta) watershed is insufficient to support lawful diversion under any post-1914 appropriative water right. While water may be physically present at post-1914 appropriative water right holders' points of diversion, that water is expected to either be needed by more senior water right claimants downstream or to consist of storage releases necessary to meet other downstream purposes, such as salinity control in the Delta.

Information also indicates that water will become unavailable this summer for some **pre-1914 appropriative water right claimants and riparian claimants**. The State Water Board is currently in the process of evaluating the seniority at which water may be unavailable for pre-1914 appropriative and riparian claimants, and when, and plans

[1] For the purposes of this notice, all registrations and stockpond certificates in the Delta watershed are considered post-1914 appropriative water rights for which water is currently unavailable.

to issue further notices of water unavailability (notices) via email and to post water unavailability information on the Board's website as described below.

As a water right holder, it is your responsibility to monitor current conditions and pay attention to the information provided by the State Water Board. **Future notices of water unavailability and updated information regarding your water right will be sent by email through the State Water Board's Delta Drought list**. To stay informed and ensure you receive future communications regarding water unavailability for your water right(s), you are **strongly encouraged to subscribe to the Delta Drought list** on the State Water Board's Email Lists webpage at: https://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.html

Additionally, the State Water Board urges you to frequently visit the following webpage where updated information will also be posted: https://www.waterboards.ca.gov/drought/delta/

The State Water Board is using its Water Unavailability Methodology for the Delta Watershed (methodology) to identify which water rights in the Delta watershed face insufficient supplies for diversion. For more information about the methodology and for ongoing updates as the methodology is refined, please visit the following webpage: https://www.waterboards.ca.gov/waterrights/water_issues/programs/drought/drought_tools_methods/delta_method.html

Request to Complete a Water Unavailability Certification Form

If you have a post-1914 appropriative water right, please submit the Water Unavailability Certification Form (Form) within **seven days** of the date of this letter. If you have a pre-1914 appropriative or riparian claim, you do not need to complete the Form now, but you may be asked to do so in the near future. Please subscribe to the above referenced Delta Drought email list to receive any such future notices. You should not expect to receive hard copy mail notices of future changes in water unavailability that may affect your water right or claim; hard copy mail may be sent for other related matters, but only as required by law or regulation.

The Form requests information about whether you will cease diversions, if you have alternative sources of water, and if you seek an exception due to a need to divert water for human health and safety. Your timely response helps the State Water Board better identify and protect senior water rights and assists all water users to better manage severely limited water supplies.

Please follow the steps below to submit the Form:

1. Visit: https://public.waterboards.ca.gov
2. Login using the unique Water Right ID and Password listed next to your address at the top of this letter
3. Complete the Form

If you have a pending application and you do not have a unique Water Right ID Login and Password, please download a Form from the State Water Board's website at: https://www.waterboards.ca.gov/drought/delta/. Additional instructions for completing and submitting the Form are provided on the website.

If you receive a notice of water unavailability for your water right, the State Water Board may be able to assist you with identifying alternative sources of water or provide an exception on a case-by-case basis. If you divert under any of the following circumstances, you should identify it on the Form and provide the information requested:

- Your diversion is your only source of water to meet human health and safety uses, you have no other water supply, **and** you already conserve as much as possible;
- Your diversion is for a non-consumptive use (e.g., hydroelectric generation) and you return all water you divert to the originating stream on a time step that does not affect availability for other users; or
- You have a contract or transfer order allowing you to divert stored water released from a reservoir.

Potential Emergency Regulations and Future Curtailments

In accordance with the Governor's May 10, 2021 Proclamation of a State of Emergency, the State Water Board is considering emergency regulations to curtail water diversions when water is not available at water right holders' priority of right or to protect releases of stored water. Therefore, emergency regulations may require water right holders, including those diverting under pre-1914 appropriative or riparian claims, to curtail their diversions. As noted above, all water right holders should subscribe to the Delta Drought email list to receive notice of and to participate in the public process for State Water Board consideration and possible adoption of emergency regulations.

Potential Enforcement

This notice is solely informational. It alerts water users that the State Water Board's best available information indicates that water is not available to post-1914 appropriative water rights, and warns pre-1914 appropriative and riparian claimants that water may be unavailable at their claimed priority of right in the near future. It also reminds water users of their obligations under California's water rights system. This notice is not an order or directive from the State Water Board to stop diverting.

California water law provides that you are not authorized to divert when water is unavailable under your priority of right or according to the nature of your right/claim. Diverting water that is not lawfully available for your water right may subject you to a cease and desist order, prosecution in court, or administrative fines as high as $1,000 per day of violation and $2,500 for each acre-foot of water you divert or use that is not lawfully available under your water right. (See Wat. Code, §§ 1052, 1055.)

If you have any questions regarding this notice, you may send an email to Bay-Delta@waterboards.ca.gov, or call the Delta Drought phone line at (916) 319-0960. For additional information, visit the State Water Board's drought webpage at: http://www.waterboards.ca.gov/drought

Sincerely,

Erik Ekdahl
Deputy Director, Division of Water Rights
State Water Resources Control Board

[SUMMARY OF FINAL SUBMITTED VERSION]

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FOR 2020

Primary Owner: United States National Park Service - Lassen Volcanic National Park
Statement Number: S025182
Date Submitted: 03/23/2021

1. Water is used under	Riparian Claim Other: Federal Reserve
2. Year diversion commenced	1979

2. Purpose of Use	
Domestic	230,000 / YR

3. Special Use Categories	
C1. Are you using any water diverted under this right for the cultivation of cannabis?	No

4. Amount of Water Diverted and Used			
Month	**Amount directly diverted (Acre-Feet)**	**Amount diverted or collected to storage (Acre-Feet)**	**Amount beneficially used (Acre-Feet)**
January	0	0	0
February	0	0.03744	0.03744
March	0	0.032837	0.032837
April	0	0	0
May	0	0.024858	0.024858
June	0	0.15191	0.15191
July	0	0.16081	0.16081
August	0	0.199171	0.199171
September	0	0.114163	0.114163
October	0	0.035292	0.035292
November	0	0	0
December	0	0.037747	0.037747
Total	0	0.794228	0.794228
Type of Diversion	Both Direct Diversion and Diversion to Storage		
Comments			

5. Water Diversion Measurement	
a. Required to measure as of the date this report is submitted	Yes
b. Is diversion measured?	Yes
c. An alternative compliance plan was submitted to the division of water rights on	
d. A request for additional time was submitted to the division of water rights on	

Measurement ID number	M010113
This Device/Method was used to measure water during the current reporting period	Yes
M1. Briefly describe the measurement device or method	Propeller Flowmeter

M2. Nickname	Plant
M3. Type of device / method	Flow meter (propeller)
M4. Device make	Hersey
M5. Serial number	
M6. Model number	1
M7. Approximate date of installation	01/01/2013
M8. Additional info	
M9. Approximate date the measuring device was last calibrated or the measurement method was updated	01/01/2013
M10. Estimated accuracy of measurement	+or - 2%
M11. Description of calibration method	Timer
M12. Describe the maintenance schedule for the device/method	Unit is cleaned once a year.
Information for the person who last calibrated the device or designed the measurement method	
M13. Name	Gary K Mott
M14. Phone number	530-595-6220
M15. Email	gary_mott@nps.gov
M16. Qualifications of the individual	Person trained and experienced in water measurement (for diversions of less than 100 acre-feet per year - no specific training is required; the person using any equipment and reporting the information must know how to use the equipment and submit correct information)
M17. License number and type for the qualified individual above and/or any other relevant explanation	Chief of Maintenance T-2 Water Treatment Operator #37161
M18. Type of data recorder device / method	Analog register (flow meter)
M19. Data recorder device make	Hersey
M20. Data recorder serial number	
M21. Data recorder model number	1
M22. Data recorder units of measurement	Gallons
M23. Frequency of data recording	Daily
M24. Additional data recorder info	Operator enters data into a log on a daily basis.
M25. I am required to report my diversion or storage data by telemetry as of the date this report is submitted	No
M26. I report my diversion or storage date by telemetry to the following website	

Measurement ID number	M010114

This Device/Method was used to measure water during the current reporting period	Yes
M1. Briefly describe the measurement device or method	Propeller Flowmeter
M2. Nickname	Plant
M3. Type of device / method	Flow meter (propeller)
M4. Device make	Hersey
M5. Serial number	
M6. Model number	1
M7. Approximate date of installation	01/01/2013
M8. Additional info	
M9. Approximate date the measuring device was last calibrated or the measurement method was updated	01/01/2013
M10. Estimated accuracy of measurement	+ or - 2%
M11. Description of calibration method	Timer
M12. Describe the maintenance schedule for the device/method	Unit is cleaned once a year.
Information for the person who last calibrated the device or designed the measurement method	
M13. Name	Graham Dobson
M14. Phone number	530-595-6227
M15. Email	graham_dobson@nps.gov
M16. Qualifications of the individual	Person trained and experienced in water measurement (for diversions of less than 100 acre-feet per year - no specific training is required; the person using any equipment and reporting the information must know how to use the equipment and submit correct information)
M17. License number and type for the qualified individual above and/or any other relevant explanation	T-2 Water Treatment Operator #12207
M18. Type of data recorder device / method	Analog register (flow meter)
M19. Data recorder device make	Hersey
M20. Data recorder serial number	
M21. Data recorder model number	1
M22. Data recorder units of measurement	Gallons
M23. Frequency of data recording	Daily
M24. Additional data recorder info	Operator enters data into a log on a daily basis.
M25. I am required to report my diversion or storage data	No

by telemetry as of the date this report is submitted	
M26. I report my diversion or storage date by telemetry to the following website	

Measurement ID number	M010115
This Device/Method was used to measure water during the current reporting period	Yes
M1. Briefly describe the measurement device or method	Propeller Flowmeter
M2. Nickname	Plant
M3. Type of device / method	Flow meter (propeller)
M4. Device make	Hersey
M5. Serial number	
M6. Model number	1
M7. Approximate date of installation	01/01/2013
M8. Additional info	
M9. Approximate date the measuring device was last calibrated or the measurement method was updated	01/01/2013
M10. Estimated accuracy of measurement	+ or - 2%
M11. Description of calibration method	Timer
M12. Describe the maintenance schedule for the device/method	Unit is cleaned once a yr.
Information for the person who last calibrated the device or designed the measurement method	
M13. Name	Graham Dobson
M14. Phone number	530-595-6227
M15. Email	graham_dobson@nps.gov
M16. Qualifications of the individual	Person trained and experienced in water measurement (for diversions of less than 100 acre-feet per year - no specific training is required; the person using any equipment and reporting the information must know how to use the equipment and submit correct information)
M17. License number and type for the qualified individual above and/or any other relevant explanation	T-2 Water Treatment Operator #12207
M18. Type of data recorder device / method	Analog register (flow meter)
M19. Data recorder device make	Hersey
M20. Data recorder serial number	
M21. Data recorder model number	1
M22. Data recorder units of	Gallons

measurement	
M23. Frequency of data recording	Daily
M24. Additional data recorder info	Operator enters data into a log on a daily basis.
M25. I am required to report my diversion or storage data by telemetry as of the date this report is submitted	No
M26. I report my diversion or storage date by telemetry to the following website	

Measurement Attachments			
Measurement ID Number	**File Name**	**Description**	**Size**
No attachments			

Measurement Data Files			
Measurement ID Number	**File Name**	**Description**	**Size**
No data files			

6. Maximum Rate of Diversion	
Month	**Rate of Diversion (Gallons Per Minute)**
January	0
February	21
March	21
April	0
May	21
June	21
July	21
August	21
September	21
October	21
November	0
December	21

7. Water Transfers	
8a. Water transfered	No
8b. Quantity transfered (Acre-Feet)	
8c. Dates which transfer occurred	/ to /
8d. Transfer approved by	

Water Supply Contracts	
8e. Water supply contract	No
8f. Contract with	
8g. Other provider	
8h. Contract number	
8i. Source from which contract water was diverted	
8j. Point of diversion same as identified water right	
8k. Amount (Acre-Feet) authorized to divert under this contract	
8l. Amount (Acre-Feet) authorized to be diverted in 2020	

8m. Amount (Acre-Feet) projected for 2021	
8n. Exchange or settlement of prior rights	
8o. All monthly reported diversion claimed under the prior rights	
8p. Amount (Acre-Feet) of reported diversion solely under contract	

Credits Claimed			
	Conservation	**Reclaimed Water Use**	**Conjunctive Groundwater Use**
Claimed? (Yes/No)	No	No	No
January			
February			
March			
April			
May			
June			
July			
August			
September			
October			
November			
December			

Conservation Supporting Information	
Description of conservation methods	
Description of baseline water use and time period	
Description of conservation calculation methods	
Conserved water used?	

Additional Remarks

Attachments		
File Name	**Description**	**Size**
Comity_Declaration.docx	Declaration	12 KB

Contact Information of the Person Submitting the Form	
First Name	Stephen
Last Name	Cole
Relation to Water Right	Diverter of Record
The information in the report is true to the best of his/her knowledge and belief	Yes

Contact Information of the Person Submitting the Form	
First Name	Stephen
Last Name	Cole
Relation to Water Right	Diverter of Record

Information on Certification and Signatory	
Name of Person Signing and Certifying the Report	Stephen Cole
Date of Signature	03/23/2021

[SUMMARY OF FINAL SUBMITTED VERSION]

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FOR 2019

Primary Owner: United States National Park Service - Lassen Volcanic National Park
Statement Number: S025182
Date Submitted: 03/23/2021

1. Water is used under	Riparian Claim Other: Federal Reserve
2. Year diversion commenced	1979

2. Purpose of Use	
Domestic	230,000 / yr

3. Special Use Categories	
C1. Are you using any water diverted under this right for the cultivation of cannabis?	No

4. Amount of Water Diverted and Used			
Month	**Amount directly diverted (Acre-Feet)**	**Amount diverted or collected to storage (Acre-Feet)**	**Amount beneficially used (Acre-Feet)**
January	0	0	0
February	0	0	0
March	0	0.028848	0.028848
April	0	0	0
May	0	0.040509	0.040409
June	0	0.199478	0.199478
July	0	0.251342	0.251342
August	0	0.215436	0.215436
September	0	0.180757	0.180757
October	0	0.084088	0.084088
November	0	0.081939	0.081939
December	0	0.123871	0.123871
Total	0	1.206268	1.206168
Type of Diversion	Both Direct Diversion and Diversion to Storage		
Comments			

5. Water Diversion Measurement	
a. Required to measure as of the date this report is submitted	Yes
b. Is diversion measured?	Yes
c. An alternative compliance plan was submitted to the division of water rights on	
d. A request for additional time was submitted to the division of water rights on	

Measurement ID number	M010113
This Device/Method was used to measure water during the current reporting period	Yes
M1. Briefly describe the measurement device or method	Propeller Flowmeter

M2. Nickname	Plant
M3. Type of device / method	Flow meter (propeller)
M4. Device make	Hersey
M5. Serial number	
M6. Model number	1
M7. Approximate date of installation	01/01/2013
M8. Additional info	
M9. Approximate date the measuring device was last calibrated or the measurement method was updated	01/01/2013
M10. Estimated accuracy of measurement	+or - 2%
M11. Description of calibration method	Timer
M12. Describe the maintenance schedule for the device/method	Unit is cleaned once a year.
Information for the person who last calibrated the device or designed the measurement method	
M13. Name	Gary K Mott
M14. Phone number	530-595-6220
M15. Email	gary_mott@nps.gov
M16. Qualifications of the individual	Person trained and experienced in water measurement (for diversions of less than 100 acre-feet per year - no specific training is required; the person using any equipment and reporting the information must know how to use the equipment and submit correct information)
M17. License number and type for the qualified individual above and/or any other relevant explanation	Chief of Maintenance Water Treatment Operator T-2 37161
M18. Type of data recorder device / method	Analog register (flow meter)
M19. Data recorder device make	Hersey
M20. Data recorder serial number	
M21. Data recorder model number	1
M22. Data recorder units of measurement	Gallons
M23. Frequency of data recording	Daily
M24. Additional data recorder info	Operator enters data into a log on a daily basis.
M25. I am required to report my diversion or storage data by telemetry as of the date this report is submitted	No
M26. I report my diversion or storage date by telemetry to the following website	

Measurement ID number	M010114

This Device/Method was used to measure water during the current reporting period	Yes
M1. Briefly describe the measurement device or method	Propeller Flowmeter
M2. Nickname	Plant
M3. Type of device / method	Flow meter (propeller)
M4. Device make	Hersey
M5. Serial number	
M6. Model number	1
M7. Approximate date of installation	01/01/2013
M8. Additional info	
M9. Approximate date the measuring device was last calibrated or the measurement method was updated	01/01/2013
M10. Estimated accuracy of measurement	+ or - 2%
M11. Description of calibration method	Timer
M12. Describe the maintenance schedule for the device/method	Unit is cleaned once a year.
Information for the person who last calibrated the device or designed the measurement method	
M13. Name	Graham Dobson
M14. Phone number	530-595-6227
M15. Email	graham_dobson@nps.gov
M16. Qualifications of the individual	Person trained and experienced in water measurement (for diversions of less than 100 acre-feet per year - no specific training is required; the person using any equipment and reporting the information must know how to use the equipment and submit correct information)
M17. License number and type for the qualified individual above and/or any other relevant explanation	T-2 Water Treatment Operator #12207
M18. Type of data recorder device / method	Analog register (flow meter)
M19. Data recorder device make	Hersey
M20. Data recorder serial number	
M21. Data recorder model number	1
M22. Data recorder units of measurement	Gallons
M23. Frequency of data recording	Daily
M24. Additional data recorder info	Operator enters data into a log on a daily basis.
M25. I am required to report my diversion or storage data	No

by telemetry as of the date this report is submitted	
M26. I report my diversion or storage date by telemetry to the following website	

Measurement ID number	M010115
This Device/Method was used to measure water during the current reporting period	Yes
M1. Briefly describe the measurement device or method	Propeller Flowmeter
M2. Nickname	Plant
M3. Type of device / method	Flow meter (propeller)
M4. Device make	Hersey
M5. Serial number	
M6. Model number	1
M7. Approximate date of installation	01/01/2013
M8. Additional info	
M9. Approximate date the measuring device was last calibrated or the measurement method was updated	01/01/2013
M10. Estimated accuracy of measurement	+ or - 2%
M11. Description of calibration method	Timer
M12. Describe the maintenance schedule for the device/method	Unit is cleaned once a yr.
Information for the person who last calibrated the device or designed the measurement method	
M13. Name	Graham Dobson
M14. Phone number	530-595-6227
M15. Email	graham_dobson@nps.gov
M16. Qualifications of the individual	Person trained and experienced in water measurement (for diversions of less than 100 acre-feet per year - no specific training is required; the person using any equipment and reporting the information must know how to use the equipment and submit correct information)
M17. License number and type for the qualified individual above and/or any other relevant explanation	T-2 Water Treatment Operator #12207
M18. Type of data recorder device / method	Analog register (flow meter)
M19. Data recorder device make	Hersey
M20. Data recorder serial number	
M21. Data recorder model number	1
M22. Data recorder units of	Gallons

measurement	
M23. Frequency of data recording	Daily
M24. Additional data recorder info	Operator enters data into a log on a daily basis.
M25. I am required to report my diversion or storage data by telemetry as of the date this report is submitted	No
M26. I report my diversion or storage date by telemetry to the following website	

Measurement Attachments			
Measurement ID Number	**File Name**	**Description**	**Size**
No attachments			

Measurement Data Files			
Measurement ID Number	**File Name**	**Description**	**Size**
No data files			

6. Maximum Rate of Diversion	
Month	**Rate of Diversion (Gallons Per Day)**
January	0
February	0
March	21
April	0
May	21
June	21
July	21
August	21
September	21
October	21
November	21
December	21

7. Water Transfers	
8a. Water transfered	No
8b. Quantity transfered (Acre-Feet)	
8c. Dates which transfer occurred	/ to /
8d. Transfer approved by	

Water Supply Contracts	
8e. Water supply contract	No
8f. Contract with	
8g. Other provider	
8h. Contract number	
8i. Source from which contract water was diverted	
8j. Point of diversion same as identified water right	
8k. Amount (Acre-Feet) authorized to divert under this contract	
8l. Amount (Acre-Feet) authorized to be diverted in 2019	

8m. Amount (Acre-Feet) projected for 2020	
8n. Exchange or settlement of prior rights	
8o. All monthly reported diversion claimed under the prior rights	
8p. Amount (Acre-Feet) of reported diversion solely under contract	

Credits Claimed			
	Conservation	**Reclaimed Water Use**	**Conjunctive Groundwater Use**
Claimed? (Yes/No)	No	No	No
January			
February			
March			
April			
May			
June			
July			
August			
September			
October			
November			
December			

Conservation Supporting Information	
Description of conservation methods	
Description of baseline water use and time period	
Description of conservation calculation methods	
Conserved water used?	

Additional Remarks

Attachments		
File Name	**Description**	**Size**
Comity_Declaration.docx	declaration	12 KB

Contact Information of the Person Submitting the Form	
First Name	Stephen
Last Name	Cole
Relation to Water Right	Diverter of Record
The information in the report is true to the best of his/her knowledge and belief	Yes

Contact Information of the Person Submitting the Form	
First Name	Stephen
Last Name	Cole
Relation to Water Right	Diverter of Record

Information on Certification and Signatory	
Name of Person Signing and Certifying the Report	Stephen Cole
Date of Signature	03/23/2021

[SUMMARY OF FINAL SUBMITTED VERSION]

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FOR 2018

Primary Owner: United States National Park Service - Lassen Volcanic National Park
Statement Number: S025182
Date Submitted: 05/09/2019

1. Water is used under	Riparian Claim Other: Federal Reserve
2. Year diversion commenced	1979

3. Purpose of Use	
Domestic	230,000 / yr.

4. Changes in Method of Diversion

Special Use Categories	
C1. Are you using any water diverted under this right for the cultivation of cannabis?	No

5. Maximum Rate of Diversion	
Month	**Rate of Diversion (Gallons Per Minute)**
January	21
February	21
March	21
April	21
May	21
June	21
July	21
August	21
September	21
October	21
November	21
December	21

6. Amount of Water Diverted and Used			
Month	**Amount directly diverted (Acre-Feet)**	**Amount diverted or collected to storage (Acre-Feet)**	**Amount beneficially used (Acre-Feet)**
January	0	0.058309	0.058309
February	0	0.058309	0.058309
March	0	0.131962	0.131962
April	0	0.039896	0.039896
May	0	0.088998	0.088998
June	0	1.617304	1.617304
July	0	0.285407	0.285407
August	0	0.16572	0.16572
September	0	0.202547	0.202547
October	0	0.19334	0.19334
November	0	0.030689	0.030689

December	0	0.052171	0.052171
Total	0	2.924652	2.924652
Type of Diversion	Diversion to Storage Only		
Comments			

Water Transfers	
6d. Water transfered	No
6e. Quantity transfered (Acre-Feet)	
6f. Dates which transfer occurred	/ to /
6g. Transfer approved by	

Water Supply Contracts	
6h. Water supply contract	No
6i. Contract with	
6j. Other provider	
6k. Contract number	
6l. Source from which contract water was diverted	
6m. Point of diversion same as identified water right	
6n. Amount (Acre-Feet) authorized to divert under this contract	
6o. Amount (Acre-Feet) authorized to be diverted in 2018	
6p. Amount (Acre-Feet) projected for 2019	
6q. Exchange or settlement of prior rights	
6r. All monthly reported diversion claimed under the prior rights	
6s. Amount (Acre-Feet) of reported diversion solely under contract	

7. Water Diversion Measurement	
a. Required to measure as of the date this report is submitted	Yes
b. Is diversion measured?	Yes
c. An alternative compliance plan was submitted to the division of water rights on	
d. A request for additional time was submitted to the division of water rights on	

Measurement ID number	M010113
This Device/Method was used to measure water during the current reporting period	Yes
M1. Briefly describe the measurement device or method	Propeller Flowmeter
M2. Nickname	Plant
M3. Type of device / method	Flow meter (propeller)
M4. Device make	Hersey
M5. Serial number	
M6. Model number	1
M7. Approximate date of installation	01/01/2013
M8. Additional info	
M9. Approximate date the measuring device was last calibrated or the measurement method was updated	01/01/2013
M10. Estimated accuracy of	+or - 2%

measurement	
M11. Description of calibration method	Timer
M12. Describe the maintenance schedule for the device/method	Unit is cleaned once a year.
Information for the person who last calibrated the device or designed the measurement method	
M13. Name	Graham Dobson
M14. Phone number	530-595-6227
M15. Email	graham_dobson@nps.gov
M16. Qualifications of the individual	Person trained and experienced in water measurement (for diversions of less than 100 acre-feet per year - no specific training is required; the person using any equipment and reporting the information must know how to use the equipment and submit correct information)
M17. License number and type for the qualified individual above and/or any other relevant explanation	T-2 Water Treatment Operator #12207
M18. Type of data recorder device / method	Analog register (flow meter)
M19. Data recorder device make	Hersey
M20. Data recorder serial number	
M21. Data recorder model number	1
M22. Data recorder units of measurement	Gallons
M23. Frequency of data recording	Daily
M24. Additional data recorder info	Operator enters data into a log on a daily basis.
M25. I am required to report my diversion or storage data by telemetry as of the date this report is submitted	No
M26. I report my diversion or storage date by telemetry to the following website	

Measurement ID number	M010114
This Device/Method was used to measure water during the current reporting period	No
M1. Briefly describe the measurement device or method	Propeller Flowmeter
M2. Nickname	Plant
M3. Type of device / method	Flow meter (propeller)
M4. Device make	Hersey
M5. Serial number	
M6. Model number	1
M7. Approximate date of installation	01/01/2013

M8. Additional info	
M9. Approximate date the measuring device was last calibrated or the measurement method was updated	01/01/2013
M10. Estimated accuracy of measurement	+ or - 2%
M11. Description of calibration method	Timer
M12. Describe the maintenance schedule for the device/method	Unit is cleaned once a year.
Information for the person who last calibrated the device or designed the measurement method	
M13. Name	Graham Dobson
M14. Phone number	530-595-6227
M15. Email	graham_dobson@nps.gov
M16. Qualifications of the individual	Person trained and experienced in water measurement (for diversions of less than 100 acre-feet per year - no specific training is required; the person using any equipment and reporting the information must know how to use the equipment and submit correct information)
M17. License number and type for the qualified individual above and/or any other relevant explanation	T-2 Water Treatment Operator #12207
M18. Type of data recorder device / method	Analog register (flow meter)
M19. Data recorder device make	Hersey
M20. Data recorder serial number	
M21. Data recorder model number	1
M22. Data recorder units of measurement	Gallons
M23. Frequency of data recording	Daily
M24. Additional data recorder info	Operator enters data into a log on a daily basis.
M25. I am required to report my diversion or storage data by telemetry as of the date this report is submitted	No
M26. I report my diversion or storage date by telemetry to the following website	

Measurement ID number	M010115
This Device/Method was used to measure water during the current reporting period	No
M1. Briefly describe the measurement device or method	Propeller Flowmeter
M2. Nickname	Plant

M3. Type of device / method	Flow meter (propeller)
M4. Device make	Hersey
M5. Serial number	
M6. Model number	1
M7. Approximate date of installation	01/01/2013
M8. Additional info	
M9. Approximate date the measuring device was last calibrated or the measurement method was updated	01/01/2013
M10. Estimated accuracy of measurement	+ or - 2%
M11. Description of calibration method	Timer
M12. Describe the maintenance schedule for the device/method	Unit is cleaned once a yr.
Information for the person who last calibrated the device or designed the measurement method	
M13. Name	Graham Dobson
M14. Phone number	530-595-6227
M15. Email	graham_dobson@nps.gov
M16. Qualifications of the individual	Person trained and experienced in water measurement (for diversions of less than 100 acre-feet per year - no specific training is required; the person using any equipment and reporting the information must know how to use the equipment and submit correct information)
M17. License number and type for the qualified individual above and/or any other relevant explanation	T-2 Water Treatment Operator #12207
M18. Type of data recorder device / method	Analog register (flow meter)
M19. Data recorder device make	Hersey
M20. Data recorder serial number	
M21. Data recorder model number	1
M22. Data recorder units of measurement	Gallons
M23. Frequency of data recording	Daily
M24. Additional data recorder info	Operator enters data into a log on a daily basis.
M25. I am required to report my diversion or storage data by telemetry as of the date this report is submitted	No
M26. I report my diversion or storage date by telemetry to the following website	

Measurement ID number	M010116
This Device/Method was	No

used to measure water during the current reporting period	
M1. Briefly describe the measurement device or method	Propeller Flowmeter
M2. Nickname	Plant
M3. Type of device / method	Flow meter (propeller)
M4. Device make	Hersey
M5. Serial number	
M6. Model number	1
M7. Approximate date of installation	01/01/2013
M8. Additional info	
M9. Approximate date the measuring device was last calibrated or the measurement method was updated	01/01/2013
M10. Estimated accuracy of measurement	+ or - 2%
M11. Description of calibration method	Timer
M12. Describe the maintenance schedule for the device/method	Unit is cleaned once a year.
Information for the person who last calibrated the device or designed the measurement method	
M13. Name	Graham Dobson
M14. Phone number	530-595-6227
M15. Email	graham_dobson@nps.gov
M16. Qualifications of the individual	Person trained and experienced in water measurement (for diversions of less than 100 acre-feet per year - no specific training is required; the person using any equipment and reporting the information must know how to use the equipment and submit correct information)
M17. License number and type for the qualified individual above and/or any other relevant explanation	T-2 Water Treatment Operator #12207
M18. Type of data recorder device / method	Analog register (flow meter)
M19. Data recorder device make	Hersey
M20. Data recorder serial number	
M21. Data recorder model number	1
M22. Data recorder units of measurement	Gallons
M23. Frequency of data recording	Daily
M24. Additional data recorder info	Operator enters data into a log on a daily basis.
M25. I am required to report my diversion or storage data	No

by telemetry as of the date this report is submitted	
M26. I report my diversion or storage date by telemetry to the following website	

Measurement ID number	M010117
This Device/Method was used to measure water during the current reporting period	No
M1. Briefly describe the measurement device or method	Propeller Flowmeter
M2. Nickname	Plant
M3. Type of device / method	Flow meter (propeller)
M4. Device make	Hersey
M5. Serial number	
M6. Model number	1
M7. Approximate date of installation	01/01/2013
M8. Additional info	
M9. Approximate date the measuring device was last calibrated or the measurement method was updated	01/01/2013
M10. Estimated accuracy of measurement	+ or - 2%
M11. Description of calibration method	Timer
M12. Describe the maintenance schedule for the device/method	Unit is cleaned once a year.
Information for the person who last calibrated the device or designed the measurement method	
M13. Name	Graham Dobson
M14. Phone number	530-595-6227
M15. Email	graham_dobson@nps.gov
M16. Qualifications of the individual	Person trained and experienced in water measurement (for diversions of less than 100 acre-feet per year - no specific training is required; the person using any equipment and reporting the information must know how to use the equipment and submit correct information)
M17. License number and type for the qualified individual above and/or any other relevant explanation	T-2 Water Treatment Operator #12207
M18. Type of data recorder device / method	Analog register (flow meter)
M19. Data recorder device make	Hersey
M20. Data recorder serial number	
M21. Data recorder model number	1
M22. Data recorder units of	Gallons

measurement	
M23. Frequency of data recording	Daily
M24. Additional data recorder info	Operator enters data into a log on a daily basis.
M25. I am required to report my diversion or storage data by telemetry as of the date this report is submitted	No
M26. I report my diversion or storage date by telemetry to the following website	

Measurement ID number	M014854
This Device/Method was used to measure water during the current reporting period	No
M1. Briefly describe the measurement device or method	Hersey 1"
M2. Nickname	Plant
M3. Type of device / method	Flow meter (propeller)
M4. Device make	Heresey
M5. Serial number	
M6. Model number	1
M7. Approximate date of installation	01/13/2013
M8. Additional info	
M9. Approximate date the measuring device was last calibrated or the measurement method was updated	01/13/2013
M10. Estimated accuracy of measurement	+ or - 2%
M11. Description of calibration method	Timer
M12. Describe the maintenance schedule for the device/method	Unit is cleaned once a year
Information for the person who last calibrated the device or designed the measurement method	
M13. Name	Graham A. Dobson
M14. Phone number	530-595-6227
M15. Email	graham_dobson@nps.gov
M16. Qualifications of the individual	Person trained and experienced in water measurement (for diversions of less than 100 acre-feet per year - no specific training is required; the person using any equipment and reporting the information must know how to use the equipment and submit correct information)
M17. License number and type for the qualified individual above and/or any other relevant explanation	T-2 Water Treatment Operator #12207
M18. Type of data recorder device / method	Ledger

M19. Data recorder device make	
M20. Data recorder serial number	
M21. Data recorder model number	
M22. Data recorder units of measurement	Gallons
M23. Frequency of data recording	Daily
M24. Additional data recorder info	Operator enters data into a log on a daily basis.
M25. I am required to report my diversion or storage data by telemetry as of the date this report is submitted	No
M26. I report my diversion or storage date by telemetry to the following website	

Measurement Attachments			
Measurement ID Number	**File Name**	**Description**	**Size**
No attachments			

Measurement Data Files			
Measurement ID Number	**File Name**	**Description**	**Size**
No data files			

8. Conservation of Water		
a.	Are you now employing water conservation efforts?	No
	Describe any water conservation efforts you have initiated	
b.	Amount of water conserved	
	I have data to support the above surface water use reductions due to conservation efforts.	

9. Water Quality and Wastewater Reclamation		
a.	Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility, or water polluted by waste to a degree which unreasonably affects such water for other beneficial causes?	No
b.	Amount of reduced diversion	
	Type of substitute water supply	
	Amount of substitute water supply used	
	I have data to support the above surface water use reductions due to the use of a substitute water supply	

10. Conjuctive Use of Surface Water and Groundwater		
a.	Are you now using groundwater in lieu of surface water?	No
b.	Amount of groundwater used	
	I have data to support the above surface water use reductions due to the use of groundwater.	

Additional Remarks

Attachments		
File Name	**Description**	**Size**

Comity Doc.docx		11 KB

Contact Information of the Person Submitting the Form	
First Name	Graham
Last Name	Dobson
Relation to Water Right	Diverter of Record
The information in the report is true to the best of his/her knowledge and belief	Yes

[SUMMARY OF FINAL SUBMITTED VERSION]

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FOR 2017

Primary Owner: United States National Park Service - Lassen Volcanic National Park
Statement Number: S025182
Date Submitted: 07/09/2018

1. Water is used under	Riparian Claim Other: Federal Reserve
2. Year diversion commenced	1979

3. Purpose of Use	
Domestic	Est. 230,000 Persons/Yr.

4. Changes in Method of Diversion

Special Use Categories	
C1. Are you using any water diverted under this right for the cultivation of cannabis?	No

5-6. Maximum Rate of Diversion for each Month and Amount of Water Diverted and Used

Month	Rate of diversion (GPM)	Amount directly diverted (Acre-Feet)	Amount diverted or collected to storage (Acre-Feet)	Amount beneficially used (Acre-Feet)
January	21	0	0.070584	0
February	21	0	0.05524	0
March	21	0	0.058309	0
April	21	0	0.058309	0
May	21	0	0.067516	0
June	21	0	0.104342	0
July	21	0	0.24858	0
August	21	0	0.319164	0
September	21	0	0.184133	0
October	21	0	0.088998	0
November	21	0	0.05524	0
December	21	0	0.036827	0
Total		0	1.347242	0
Type of Diversion	Diversion to Storage Only			
Comments	Only unit II was used.			

Water Transfers	
6d. Water transfered	No
6e. Quantity transfered (Acre-Feet)	
6f. Dates which transfer occurred	/ to /
6g. Transfer approved by	

Water Supply Contracts	
6h. Water supply contract	No

6i. Contract with	
6j. Other provider	
6k. Contract number	
6l. Source from which contract water was diverted	
6m. Point of diversion same as identified water right	
6n. Amount (Acre-Feet) authorized to divert under this contract	
6o. Amount (Acre-Feet) authorized to be diverted in 2017	
6p. Amount (Acre-Feet) projected for 2018	
6q. Exchange or settlement of prior rights	
6r. All monthly reported diversion claimed under the prior rights	
6s. Amount (Acre-Feet) of reported diversion solely under contract	

7. Water Diversion Measurement	
a. Required to measure as of the date this report is submitted	Yes
b. Is diversion measured?	Yes
c. An alternative compliance plan was submitted to the division of water rights on	
d. A request for additional time was submitted to the division of water rights on	

Measurement ID number	M010113
This Device/Method was used to measure water during the current reporting period	Yes
M1. Briefly describe the measurement device or method	Propeller Flowmeter
M2. Nickname	Plant
M3. Type of device / method	Flow meter (propeller)
M4. Device make	Hersey
M5. Serial number	
M6. Model number	1
M7. Approximate date of installation	01/01/2013
M8. Additional info	
M9. Approximate date the measuring device was last calibrated or the measurement method was updated	01/01/2013
M10. Estimated accuracy of measurement	+or - 2%
M11. Description of calibration method	Timer
M12. Describe the maintenance schedule for the device/method	Unit is cleaned once a year.
Information for the person who last calibrated the device or designed the measurement method	
M13. Name	Graham Dobson
M14. Phone number	530-595-6227
M15. Email	graham_dobson@nps.gov
M16. Qualifications of the individual	Person trained and experienced in water measurement (for diversions of less than 100 acre-feet per year - no specific training is required; the person using any equipment and reporting the information must know how to use the equipment and submit correct information)
M17. License number and	T-2 Water Treatment Operator #12207

type for the qualified individual above and/or any other relevant explanation	
M18. Type of data recorder device / method	Analog register (flow meter)
M19. Data recorder device make	Hersey
M20. Data recorder serial number	
M21. Data recorder model number	1
M22. Data recorder units of measurement	Gallons
M23. Frequency of data recording	Daily
M24. Additional data recorder info	Operator enters data into a log on a daily basis.
M25. I am required to report my diversion or storage data by telemetry as of the date this report is submitted	No
M26. I report my diversion or storage date by telemetry to the following website	
M27. I have attached additional information on the method I used to calculate the volume of water	
M28. Describe any documents related to this measurement device or method that are attached to this water use report	

Measurement ID number	M010114
This Device/Method was used to measure water during the current reporting period	
M1. Briefly describe the measurement device or method	Propeller Flowmeter
M2. Nickname	Plant
M3. Type of device / method	Flow meter (propeller)
M4. Device make	Hersey
M5. Serial number	
M6. Model number	1
M7. Approximate date of installation	01/01/2013
M8. Additional info	
M9. Approximate date the measuring device was last calibrated or the measurement method was updated	01/01/2013
M10. Estimated accuracy of measurement	+ or - 2%
M11. Description of calibration	Timer

method	
M12. Describe the maintenance schedule for the device/method	Unit is cleaned once a year.
Information for the person who last calibrated the device or designed the measurement method	
M13. Name	Graham Dobson
M14. Phone number	530-595-6227
M15. Email	graham_dobson@nps.gov
M16. Qualifications of the individual	Person trained and experienced in water measurement (for diversions of less than 100 acre-feet per year - no specific training is required; the person using any equipment and reporting the information must know how to use the equipment and submit correct information)
M17. License number and type for the qualified individual above and/or any other relevant explanation	T-2 Water Treatment Operator #12207
M18. Type of data recorder device / method	Analog register (flow meter)
M19. Data recorder device make	Hersey
M20. Data recorder serial number	
M21. Data recorder model number	1
M22. Data recorder units of measurement	Gallons
M23. Frequency of data recording	Daily
M24. Additional data recorder info	Operator enters data into a log on a daily basis.
M25. I am required to report my diversion or storage data by telemetry as of the date this report is submitted	No
M26. I report my diversion or storage date by telemetry to the following website	
M27. I have attached additional information on the method I used to calculate the volume of water	
M28. Describe any documents related to this measurement device or method that are attached to this water use report	

Measurement ID number	M010115
This Device/Method was used to measure water during the current reporting period	
M1. Briefly describe the measurement device or method	Propeller Flowmeter
M2. Nickname	Plant
M3. Type of device / method	Flow meter (propeller)

M4. Device make	Hersey
M5. Serial number	
M6. Model number	1
M7. Approximate date of installation	01/01/2013
M8. Additional info	
M9. Approximate date the measuring device was last calibrated or the measurement method was updated	01/01/2013
M10. Estimated accuracy of measurement	+ or - 2%
M11. Description of calibration method	Timer
M12. Describe the maintenance schedule for the device/method	Unit is cleaned once a yr.
Information for the person who last calibrated the device or designed the measurement method	
M13. Name	Graham Dobson
M14. Phone number	530-595-6227
M15. Email	graham_dobson@nps.gov
M16. Qualifications of the individual	Person trained and experienced in water measurement (for diversions of less than 100 acre-feet per year - no specific training is required; the person using any equipment and reporting the information must know how to use the equipment and submit correct information)
M17. License number and type for the qualified individual above and/or any other relevant explanation	T-2 Water Treatment Operator #12207
M18. Type of data recorder device / method	Analog register (flow meter)
M19. Data recorder device make	Hersey
M20. Data recorder serial number	
M21. Data recorder model number	1
M22. Data recorder units of measurement	Gallons
M23. Frequency of data recording	Daily
M24. Additional data recorder info	Operator enters data into a log on a daily basis.
M25. I am required to report my diversion or storage data by telemetry as of the date this report is submitted	No
M26. I report my diversion or storage date by telemetry to the following website	
M27. I have attached additional information on the method I used to calculate the volume of water	
M28. Describe any documents related to this measurement	

device or method that are attached to this water use report	

Measurement ID number	M010116
This Device/Method was used to measure water during the current reporting period	
M1. Briefly describe the measurement device or method	Propeller Flowmeter
M2. Nickname	Plant
M3. Type of device / method	Flow meter (propeller)
M4. Device make	Hersey
M5. Serial number	
M6. Model number	1
M7. Approximate date of installation	01/01/2013
M8. Additional info	
M9. Approximate date the measuring device was last calibrated or the measurement method was updated	01/01/2013
M10. Estimated accuracy of measurement	+ or - 2%
M11. Description of calibration method	Timer
M12. Describe the maintenance schedule for the device/method	Unit is cleaned once a year.
Information for the person who last calibrated the device or designed the measurement method	
M13. Name	Graham Dobson
M14. Phone number	530-595-6227
M15. Email	graham_dobson@nps.gov
M16. Qualifications of the individual	Person trained and experienced in water measurement (for diversions of less than 100 acre-feet per year - no specific training is required; the person using any equipment and reporting the information must know how to use the equipment and submit correct information)
M17. License number and type for the qualified individual above and/or any other relevant explanation	T-2 Water Treatment Operator #12207
M18. Type of data recorder device / method	Analog register (flow meter)
M19. Data recorder device make	Hersey
M20. Data recorder serial number	
M21. Data recorder model number	1
M22. Data recorder units of measurement	Gallons
M23. Frequency of data recording	Daily
M24. Additional data recorder	Operator enters data into a log on a daily basis.

info	
M25. I am required to report my diversion or storage data by telemetry as of the date this report is submitted	No
M26. I report my diversion or storage date by telemetry to the following website	
M27. I have attached additional information on the method I used to calculate the volume of water	
M28. Describe any documents related to this measurement device or method that are attached to this water use report	

Measurement ID number	M010117
This Device/Method was used to measure water during the current reporting period	
M1. Briefly describe the measurement device or method	Propeller Flowmeter
M2. Nickname	Plant
M3. Type of device / method	Flow meter (propeller)
M4. Device make	Hersey
M5. Serial number	
M6. Model number	1
M7. Approximate date of installation	01/01/2013
M8. Additional info	
M9. Approximate date the measuring device was last calibrated or the measurement method was updated	01/01/2013
M10. Estimated accuracy of measurement	+ or - 2%
M11. Description of calibration method	Timer
M12. Describe the maintenance schedule for the device/method	Unit is cleaned once a year.
Information for the person who last calibrated the device or designed the measurement method	
M13. Name	Graham Dobson
M14. Phone number	530-595-6227
M15. Email	graham_dobson@nps.gov
M16. Qualifications of the individual	Person trained and experienced in water measurement (for diversions of less than 100 acre-feet per year - no specific training is required; the person using any equipment and reporting the information must know how to use the equipment and submit correct information)
M17. License number and type for the qualified individual above and/or any other relevant explanation	T-2 Water Treatment Operator #12207

M18. Type of data recorder device / method	Analog register (flow meter)
M19. Data recorder device make	Hersey
M20. Data recorder serial number	
M21. Data recorder model number	1
M22. Data recorder units of measurement	Gallons
M23. Frequency of data recording	Daily
M24. Additional data recorder info	Operator enters data into a log on a daily basis.
M25. I am required to report my diversion or storage data by telemetry as of the date this report is submitted	No
M26. I report my diversion or storage date by telemetry to the following website	
M27. I have attached additional information on the method I used to calculate the volume of water	
M28. Describe any documents related to this measurement device or method that are attached to this water use report	

8. Conservation of Water		
a.	Are you now employing water conservation efforts?	Yes
	Describe any water conservation efforts you have initiated	Water Conservation handouts to visitors / Touchless faucets & toilets in bathrooms / Waterless urinals.
b.	Amount of water conserved	
	I have data to support the above surface water use reductions due to conservation efforts.	

9. Water Quality and Wastewater Reclamation		
a.	Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility, or water polluted by waste to a degree which unreasonably affects such water for other beneficial causes?	No
b.	Amount of reduced diversion	
	Type of substitute water supply	
	Amount of substitute water supply used	
	I have data to support the above surface water use reductions due to the use of a substitute water supply	

10. Conjuctive Use of Surface Water and Groundwater		
a.	Are you now using groundwater in lieu of surface water?	No
b.	Amount of groundwater used	
	I have data to support the above surface water use reductions due to the use of groundwater.	

Additional Remarks

Attachments		
File Name	**Description**	**Size**
Comity Declaration.docx	Comity	13 KB

Contact Information of the Person Submitting the Form	
First Name	Graham
Last Name	Dobson
Relation to Water Right	Diverter of Record
The information in the report is true to the best of his/her knowledge and belief	Yes

[SUMMARY OF FINAL SUBMITTED VERSION]

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FOR 2016

Primary Owner: United States National Park Service - Lassen Volcanic National Park
Statement Number: S025182
Date Submitted: 07/09/2018

1. Water is used under	Riparian Claim Other: Federal Reserve
2. Year diversion commenced	1979

3. Purpose of Use	
Domestic	Est. 200,000 Persons/Yr.

4. Changes in Method of Diversion

Special Use Categories	
C1. Are you using any water diverted under this right for the cultivation of cannabis?	No

5-6. Maximum Rate of Diversion for each Month and Amount of Water Diverted and Used

Month	Rate of diversion (GPM)	Amount directly diverted (Acre-Feet)	Amount diverted or collected to storage (Acre-Feet)	Amount beneficially used (Acre-Feet)
January	21	0	0.187202	0
February	21	0	0.162651	0
March	21	0	0.061378	0
April	21	0	0.046033	0
May	21	0	0.064447	0
June	21	0	0.233235	0
July	21	0	0.389749	0
August	21	0	0.233235	0
September	21	0	0.181064	0
October	21	0	0.104342	0
November	21	0	0.05524	0
December	21	0	0.05524	0
Total		0	1.773816	0
Type of Diversion	Diversion to Storage Only			
Comments	Only used section II			

Water Transfers	
6d. Water transfered	No
6e. Quantity transfered (Acre-Feet)	
6f. Dates which transfer occurred	/ to /
6g. Transfer approved by	

Water Supply Contracts	
6h. Water supply contract	No

6i. Contract with	
6j. Other provider	
6k. Contract number	
6l. Source from which contract water was diverted	
6m. Point of diversion same as identified water right	
6n. Amount (Acre-Feet) authorized to divert under this contract	
6o. Amount (Acre-Feet) authorized to be diverted in 2016	
6p. Amount (Acre-Feet) projected for 2017	
6q. Exchange or settlement of prior rights	
6r. All monthly reported diversion claimed under the prior rights	
6s. Amount (Acre-Feet) of reported diversion solely under contract	

7. Water Diversion Measurement	
a. Required to measure as of the date this report is submitted	Yes
b. Is diversion measured?	Yes
c. An alternative compliance plan was submitted to the division of water rights on	
d. A request for additional time was submitted to the division of water rights on	

Measurement ID number	M010113
This Device/Method was used to measure water during the current reporting period	Yes
M1. Briefly describe the measurement device or method	Propeller Flowmeter
M2. Nickname	Plant
M3. Type of device / method	Flow meter (propeller)
M4. Device make	Hersey
M5. Serial number	
M6. Model number	1
M7. Approximate date of installation	01/01/2013
M8. Additional info	
M9. Approximate date the measuring device was last calibrated or the measurement method was updated	01/01/2013
M10. Estimated accuracy of measurement	+or - 2%
M11. Description of calibration method	Timer
M12. Describe the maintenance schedule for the device/method	Unit is cleaned once a year.
Information for the person who last calibrated the device or designed the measurement method	
M13. Name	Graham Dobson
M14. Phone number	530-595-6227
M15. Email	graham_dobson@nps.gov
M16. Qualifications of the individual	Person trained and experienced in water measurement (for diversions of less than 100 acre-feet per year - no specific training is required; the person using any equipment and reporting the information must know how to use the equipment and submit correct information)
M17. License number and	T-2 Water Treatment Operator #12207

type for the qualified individual above and/or any other relevant explanation	
M18. Type of data recorder device / method	Analog register (flow meter)
M19. Data recorder device make	Hersey
M20. Data recorder serial number	
M21. Data recorder model number	1
M22. Data recorder units of measurement	Gallons
M23. Frequency of data recording	Daily
M24. Additional data recorder info	Operator enters data into a log on a daily basis.
M25. I am required to report my diversion or storage data by telemetry as of the date this report is submitted	No
M26. I report my diversion or storage date by telemetry to the following website	
M27. I have attached additional information on the method I used to calculate the volume of water	
M28. Describe any documents related to this measurement device or method that are attached to this water use report	

Measurement ID number	M010114
This Device/Method was used to measure water during the current reporting period	
M1. Briefly describe the measurement device or method	Propeller Flowmeter
M2. Nickname	Plant
M3. Type of device / method	Flow meter (propeller)
M4. Device make	Hersey
M5. Serial number	
M6. Model number	1
M7. Approximate date of installation	01/01/2013
M8. Additional info	
M9. Approximate date the measuring device was last calibrated or the measurement method was updated	01/01/2013
M10. Estimated accuracy of measurement	+ or - 2%
M11. Description of calibration	Timer

method	
M12. Describe the maintenance schedule for the device/method	Unit is cleaned once a year.
Information for the person who last calibrated the device or designed the measurement method	
M13. Name	Graham Dobson
M14. Phone number	530-595-6227
M15. Email	graham_dobson@nps.gov
M16. Qualifications of the individual	Person trained and experienced in water measurement (for diversions of less than 100 acre-feet per year - no specific training is required; the person using any equipment and reporting the information must know how to use the equipment and submit correct information)
M17. License number and type for the qualified individual above and/or any other relevant explanation	T-2 Water Treatment Operator #12207
M18. Type of data recorder device / method	Analog register (flow meter)
M19. Data recorder device make	Hersey
M20. Data recorder serial number	
M21. Data recorder model number	1
M22. Data recorder units of measurement	Gallons
M23. Frequency of data recording	Daily
M24. Additional data recorder info	Operator enters data into a log on a daily basis.
M25. I am required to report my diversion or storage data by telemetry as of the date this report is submitted	No
M26. I report my diversion or storage date by telemetry to the following website	
M27. I have attached additional information on the method I used to calculate the volume of water	
M28. Describe any documents related to this measurement device or method that are attached to this water use report	

Measurement ID number	M010115
This Device/Method was used to measure water during the current reporting period	
M1. Briefly describe the measurement device or method	Propeller Flowmeter
M2. Nickname	Plant
M3. Type of device / method	Flow meter (propeller)

M4. Device make	Hersey
M5. Serial number	
M6. Model number	1
M7. Approximate date of installation	01/01/2013
M8. Additional info	
M9. Approximate date the measuring device was last calibrated or the measurement method was updated	01/01/2013
M10. Estimated accuracy of measurement	+ or - 2%
M11. Description of calibration method	Timer
M12. Describe the maintenance schedule for the device/method	Unit is cleaned once a yr.
Information for the person who last calibrated the device or designed the measurement method	
M13. Name	Graham Dobson
M14. Phone number	530-595-6227
M15. Email	graham_dobson@nps.gov
M16. Qualifications of the individual	Person trained and experienced in water measurement (for diversions of less than 100 acre-feet per year - no specific training is required; the person using any equipment and reporting the information must know how to use the equipment and submit correct information)
M17. License number and type for the qualified individual above and/or any other relevant explanation	T-2 Water Treatment Operator #12207
M18. Type of data recorder device / method	Analog register (flow meter)
M19. Data recorder device make	Hersey
M20. Data recorder serial number	
M21. Data recorder model number	1
M22. Data recorder units of measurement	Gallons
M23. Frequency of data recording	Daily
M24. Additional data recorder info	Operator enters data into a log on a daily basis.
M25. I am required to report my diversion or storage data by telemetry as of the date this report is submitted	No
M26. I report my diversion or storage date by telemetry to the following website	
M27. I have attached additional information on the method I used to calculate the volume of water	
M28. Describe any documents related to this measurement	

device or method that are attached to this water use report	

Measurement ID number	M010116
This Device/Method was used to measure water during the current reporting period	
M1. Briefly describe the measurement device or method	Propeller Flowmeter
M2. Nickname	Plant
M3. Type of device / method	Flow meter (propeller)
M4. Device make	Hersey
M5. Serial number	
M6. Model number	1
M7. Approximate date of installation	01/01/2013
M8. Additional info	
M9. Approximate date the measuring device was last calibrated or the measurement method was updated	01/01/2013
M10. Estimated accuracy of measurement	+ or - 2%
M11. Description of calibration method	Timer
M12. Describe the maintenance schedule for the device/method	Unit is cleaned once a year.
Information for the person who last calibrated the device or designed the measurement method	
M13. Name	Graham Dobson
M14. Phone number	530-595-6227
M15. Email	graham_dobson@nps.gov
M16. Qualifications of the individual	Person trained and experienced in water measurement (for diversions of less than 100 acre-feet per year - no specific training is required; the person using any equipment and reporting the information must know how to use the equipment and submit correct information)
M17. License number and type for the qualified individual above and/or any other relevant explanation	T-2 Water Treatment Operator #12207
M18. Type of data recorder device / method	Analog register (flow meter)
M19. Data recorder device make	Hersey
M20. Data recorder serial number	
M21. Data recorder model number	1
M22. Data recorder units of measurement	Gallons
M23. Frequency of data recording	Daily
M24. Additional data recorder	Operator enters data into a log on a daily basis.

info	
M25. I am required to report my diversion or storage data by telemetry as of the date this report is submitted	No
M26. I report my diversion or storage date by telemetry to the following website	
M27. I have attached additional information on the method I used to calculate the volume of water	
M28. Describe any documents related to this measurement device or method that are attached to this water use report	

8. Conservation of Water		
a.	Are you now employing water conservation efforts?	Yes
	Describe any water conservation efforts you have initiated	Water Conservation handouts to visitors / Touchless faucets & toilets in bathrooms / Waterless urinals.
b.	Amount of water conserved	
	I have data to support the above surface water use reductions due to conservation efforts.	

9. Water Quality and Wastewater Reclamation		
a.	Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility, or water polluted by waste to a degree which unreasonably affects such water for other beneficial causes?	No
b.	Amount of reduced diversion	
	Type of substitute water supply	
	Amount of substitute water supply used	
	I have data to support the above surface water use reductions due to the use of a substitute water supply	

10. Conjuctive Use of Surface Water and Groundwater		
a.	Are you now using groundwater in lieu of surface water?	No
b.	Amount of groundwater used	
	I have data to support the above surface water use reductions due to the use of groundwater.	

Additional Remarks

Attachments		
File Name	**Description**	**Size**
Comity Declaration.docx	Comity	13 KB

Contact Information of the Person Submitting the Form	
First Name	Graham
Last Name	Dobson
Relation to Water Right	Diverter of Record
The information in the report is true to the best of his/her knowledge and belief	Yes

[SUMMARY OF FINAL SUBMITTED VERSION]

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FOR 2015

Primary Owner: United States National Park Service - Lassen Volcanic National Park
Statement Number: S025182
Date Submitted: 07/09/2018

1. Water is used under	Riparian Claim Other: Federal Reserve
2. Year diversion commenced	1979

3. Purpose of Use	
Domestic	Est. 200,000 Persons/Yr.

4. Changes in Method of Diversion

Special Use Categories	
C1. Are you using any water diverted under this right for the cultivation of cannabis?	No

5-6. Maximum Rate of Diversion for each Month and Amount of Water Diverted and Used

Month	Rate of diversion (GPM)	Amount directly diverted (Acre-Feet)	Amount diverted or collected to storage (Acre-Feet)	Amount beneficially used (Acre-Feet)
January	21	0	0.098204	0
February	21	0	0.039896	0
March	21	0	0.104342	0
April	21	0	0.098204	0
May	21	0	0.1381	0
June	21	0	0.190271	0
July	21	0	0.316095	0
August	21	0	0.230167	0
September	21	0	0.217891	0
October	21	0	0.070584	0
November	21	0	0.101273	0
December	21	0	0.141169	0
Total		0	1.746196	0
Type of Diversion	Diversion to Storage Only			
Comments	Only unit II was used.			

Water Transfers	
6d. Water transfered	No
6e. Quantity transfered (Acre-Feet)	
6f. Dates which transfer occurred	/ to /
6g. Transfer approved by	

Water Supply Contracts	
6h. Water supply contract	No

6i. Contract with	
6j. Other provider	
6k. Contract number	
6l. Source from which contract water was diverted	
6m. Point of diversion same as identified water right	
6n. Amount (Acre-Feet) authorized to divert under this contract	
6o. Amount (Acre-Feet) authorized to be diverted in 2015	
6p. Amount (Acre-Feet) projected for 2016	
6q. Exchange or settlement of prior rights	
6r. All monthly reported diversion claimed under the prior rights	
6s. Amount (Acre-Feet) of reported diversion solely under contract	

7. Water Diversion Measurement	
a. Required to measure as of the date this report is submitted	Yes
b. Is diversion measured?	Yes
c. An alternative compliance plan was submitted to the division of water rights on	
d. A request for additional time was submitted to the division of water rights on	

Measurement ID number	M010113
This Device/Method was used to measure water during the current reporting period	Yes
M1. Briefly describe the measurement device or method	Propeller Flowmeter
M2. Nickname	Plant
M3. Type of device / method	Flow meter (propeller)
M4. Device make	Hersey
M5. Serial number	
M6. Model number	1
M7. Approximate date of installation	01/01/2013
M8. Additional info	
M9. Approximate date the measuring device was last calibrated or the measurement method was updated	01/01/2013
M10. Estimated accuracy of measurement	+or - 2%
M11. Description of calibration method	Timer
M12. Describe the maintenance schedule for the device/method	Unit is cleaned once a year.
Information for the person who last calibrated the device or designed the measurement method	
M13. Name	Graham Dobson
M14. Phone number	530-595-6227
M15. Email	graham_dobson@nps.gov
M16. Qualifications of the individual	Person trained and experienced in water measurement (for diversions of less than 100 acre-feet per year - no specific training is required; the person using any equipment and reporting the information must know how to use the equipment and submit correct information)
M17. License number and	T-2 Water Treatment Operator #12207

type for the qualified individual above and/or any other relevant explanation	
M18. Type of data recorder device / method	Analog register (flow meter)
M19. Data recorder device make	Hersey
M20. Data recorder serial number	
M21. Data recorder model number	1
M22. Data recorder units of measurement	Gallons
M23. Frequency of data recording	Daily
M24. Additional data recorder info	Operator enters data into a log on a daily basis.
M25. I am required to report my diversion or storage data by telemetry as of the date this report is submitted	No
M26. I report my diversion or storage date by telemetry to the following website	
M27. I have attached additional information on the method I used to calculate the volume of water	
M28. Describe any documents related to this measurement device or method that are attached to this water use report	

Measurement ID number	M010114
This Device/Method was used to measure water during the current reporting period	
M1. Briefly describe the measurement device or method	Propeller Flowmeter
M2. Nickname	Plant
M3. Type of device / method	Flow meter (propeller)
M4. Device make	Hersey
M5. Serial number	
M6. Model number	1
M7. Approximate date of installation	01/01/2013
M8. Additional info	
M9. Approximate date the measuring device was last calibrated or the measurement method was updated	01/01/2013
M10. Estimated accuracy of measurement	+ or - 2%
M11. Description of calibration	Timer

method	
M12. Describe the maintenance schedule for the device/method	Unit is cleaned once a year.
Information for the person who last calibrated the device or designed the measurement method	
M13. Name	Graham Dobson
M14. Phone number	530-595-6227
M15. Email	graham_dobson@nps.gov
M16. Qualifications of the individual	Person trained and experienced in water measurement (for diversions of less than 100 acre-feet per year - no specific training is required; the person using any equipment and reporting the information must know how to use the equipment and submit correct information)
M17. License number and type for the qualified individual above and/or any other relevant explanation	T-2 Water Treatment Operator #12207
M18. Type of data recorder device / method	Analog register (flow meter)
M19. Data recorder device make	Hersey
M20. Data recorder serial number	
M21. Data recorder model number	1
M22. Data recorder units of measurement	Gallons
M23. Frequency of data recording	Daily
M24. Additional data recorder info	Operator enters data into a log on a daily basis.
M25. I am required to report my diversion or storage data by telemetry as of the date this report is submitted	No
M26. I report my diversion or storage date by telemetry to the following website	
M27. I have attached additional information on the method I used to calculate the volume of water	
M28. Describe any documents related to this measurement device or method that are attached to this water use report	

Measurement ID number	M010115
This Device/Method was used to measure water during the current reporting period	
M1. Briefly describe the measurement device or method	Propeller Flowmeter
M2. Nickname	Plant
M3. Type of device / method	Flow meter (propeller)

M4. Device make	Hersey
M5. Serial number	
M6. Model number	1
M7. Approximate date of installation	01/01/2013
M8. Additional info	
M9. Approximate date the measuring device was last calibrated or the measurement method was updated	01/01/2013
M10. Estimated accuracy of measurement	+ or - 2%
M11. Description of calibration method	Timer
M12. Describe the maintenance schedule for the device/method	Unit is cleaned once a yr.
Information for the person who last calibrated the device or designed the measurement method	
M13. Name	Graham Dobson
M14. Phone number	530-595-6227
M15. Email	graham_dobson@nps.gov
M16. Qualifications of the individual	Person trained and experienced in water measurement (for diversions of less than 100 acre-feet per year - no specific training is required; the person using any equipment and reporting the information must know how to use the equipment and submit correct information)
M17. License number and type for the qualified individual above and/or any other relevant explanation	T-2 Water Treatment Operator #12207
M18. Type of data recorder device / method	Analog register (flow meter)
M19. Data recorder device make	Hersey
M20. Data recorder serial number	
M21. Data recorder model number	1
M22. Data recorder units of measurement	Gallons
M23. Frequency of data recording	Daily
M24. Additional data recorder info	Operator enters data into a log on a daily basis.
M25. I am required to report my diversion or storage data by telemetry as of the date this report is submitted	No
M26. I report my diversion or storage date by telemetry to the following website	
M27. I have attached additional information on the method I used to calculate the volume of water	
M28. Describe any documents related to this measurement	

device or method that are attached to this water use report	

8. Conservation of Water		
a.	Are you now employing water conservation efforts?	Yes
	Describe any water conservation efforts you have initiated	Water Conservation handouts to visitors / Touchless faucets & toilets in bathrooms / Waterless urinals.
b.	Amount of water conserved	
	I have data to support the above surface water use reductions due to conservation efforts.	

9. Water Quality and Wastewater Reclamation		
a.	Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility, or water polluted by waste to a degree which unreasonably affects such water for other beneficial causes?	No
b.	Amount of reduced diversion	
	Type of substitute water supply	
	Amount of substitute water supply used	
	I have data to support the above surface water use reductions due to the use of a substitute water supply	

10. Conjuctive Use of Surface Water and Groundwater		
a.	Are you now using groundwater in lieu of surface water?	No
b.	Amount of groundwater used	
	I have data to support the above surface water use reductions due to the use of groundwater.	

Additional Remarks

Attachments		
File Name	**Description**	**Size**
Comity Declaration.docx	Comity	13 KB

Contact Information of the Person Submitting the Form	
First Name	Graham
Last Name	Dobson
Relation to Water Right	Diverter of Record
The information in the report is true to the best of his/her knowledge and belief	Yes

[SUMMARY OF FINAL SUBMITTED VERSION]

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FOR 2014

Primary Owner: United States National Park Service - Lassen Volcanic National Park
Statement Number: S025182
Date Submitted: 07/09/2018

1. Water is used under	Riparian Claim Other: Federal Reserve
2. Year diversion commenced	1979

3. Purpose of Use	
Domestic	200,000 Persons / Yr.

4. Changes in Method of Diversion

Special Use Categories	
C1. Are you using any water diverted under this right for the cultivation of cannabis?	No

5-6. Maximum Rate of Diversion for each Month and Amount of Water Diverted and Used

Month	Rate of diversion (GPM)	Amount directly diverted (Acre-Feet)	Amount diverted or collected to storage (Acre-Feet)	Amount beneficially used (Acre-Feet)
January	21	0	0.095136	0
February	21	0	0.135031	0
March	21	0	0.135031	0
April	21	0	0.147307	0
May	21	0	0.159582	0
June	21	0	0.22096	0
July	21	0	0.334509	0
August	21	0	0.242442	0
September	21	0	0.196409	0
October	21	0	0.171858	0
November	21	0	0.070584	0
December	21	0	0.08286	0
Total		0	1.991709	0
Type of Diversion	Diversion to Storage Only			
Comments	Only section II was used.			

Water Transfers	
6d. Water transfered	No
6e. Quantity transfered (Acre-Feet)	
6f. Dates which transfer occurred	/ to /
6g. Transfer approved by	

Water Supply Contracts	
6h. Water supply contract	No

6i. Contract with	
6j. Other provider	
6k. Contract number	
6l. Source from which contract water was diverted	
6m. Point of diversion same as identified water right	
6n. Amount (Acre-Feet) authorized to divert under this contract	
6o. Amount (Acre-Feet) authorized to be diverted in 2014	
6p. Amount (Acre-Feet) projected for 2015	
6q. Exchange or settlement of prior rights	
6r. All monthly reported diversion claimed under the prior rights	
6s. Amount (Acre-Feet) of reported diversion solely under contract	

7. Water Diversion Measurement	
a. Required to measure as of the date this report is submitted	Yes
b. Is diversion measured?	Yes
c. An alternative compliance plan was submitted to the division of water rights on	
d. A request for additional time was submitted to the division of water rights on	

Measurement ID number	M010113
This Device/Method was used to measure water during the current reporting period	Yes
M1. Briefly describe the measurement device or method	Propeller Flowmeter
M2. Nickname	Plant
M3. Type of device / method	Flow meter (propeller)
M4. Device make	Hersey
M5. Serial number	
M6. Model number	1
M7. Approximate date of installation	01/01/2013
M8. Additional info	
M9. Approximate date the measuring device was last calibrated or the measurement method was updated	01/01/2013
M10. Estimated accuracy of measurement	+or - 2%
M11. Description of calibration method	Timer
M12. Describe the maintenance schedule for the device/method	Unit is cleaned once a year.
Information for the person who last calibrated the device or designed the measurement method	
M13. Name	Graham Dobson
M14. Phone number	530-595-6227
M15. Email	graham_dobson@nps.gov
M16. Qualifications of the individual	Person trained and experienced in water measurement (for diversions of less than 100 acre-feet per year - no specific training is required; the person using any equipment and reporting the information must know how to use the equipment and submit correct information)
M17. License number and	T-2 Water Treatment Operator #12207

type for the qualified individual above and/or any other relevant explanation	
M18. Type of data recorder device / method	Analog register (flow meter)
M19. Data recorder device make	Hersey
M20. Data recorder serial number	
M21. Data recorder model number	1
M22. Data recorder units of measurement	Gallons
M23. Frequency of data recording	Daily
M24. Additional data recorder info	Operator enters data into a log on a daily basis.
M25. I am required to report my diversion or storage data by telemetry as of the date this report is submitted	No
M26. I report my diversion or storage date by telemetry to the following website	
M27. I have attached additional information on the method I used to calculate the volume of water	
M28. Describe any documents related to this measurement device or method that are attached to this water use report	

Measurement ID number	M010114
This Device/Method was used to measure water during the current reporting period	
M1. Briefly describe the measurement device or method	Propeller Flowmeter
M2. Nickname	Plant
M3. Type of device / method	Flow meter (propeller)
M4. Device make	Hersey
M5. Serial number	
M6. Model number	1
M7. Approximate date of installation	01/01/2013
M8. Additional info	
M9. Approximate date the measuring device was last calibrated or the measurement method was updated	01/01/2013
M10. Estimated accuracy of measurement	+ or - 2%
M11. Description of calibration	Timer

method	
M12. Describe the maintenance schedule for the device/method	Unit is cleaned once a year.
Information for the person who last calibrated the device or designed the measurement method	
M13. Name	Graham Dobson
M14. Phone number	530-595-6227
M15. Email	graham_dobson@nps.gov
M16. Qualifications of the individual	Person trained and experienced in water measurement (for diversions of less than 100 acre-feet per year - no specific training is required; the person using any equipment and reporting the information must know how to use the equipment and submit correct information)
M17. License number and type for the qualified individual above and/or any other relevant explanation	T-2 Water Treatment Operator #12207
M18. Type of data recorder device / method	Analog register (flow meter)
M19. Data recorder device make	Hersey
M20. Data recorder serial number	
M21. Data recorder model number	1
M22. Data recorder units of measurement	Gallons
M23. Frequency of data recording	Daily
M24. Additional data recorder info	Operator enters data into a log on a daily basis.
M25. I am required to report my diversion or storage data by telemetry as of the date this report is submitted	No
M26. I report my diversion or storage date by telemetry to the following website	
M27. I have attached additional information on the method I used to calculate the volume of water	
M28. Describe any documents related to this measurement device or method that are attached to this water use report	

8. Conservation of Water		
a.	Are you now employing water conservation efforts?	Yes
	Describe any water conservation efforts you have initiated	Water Conservation handouts to visitors / Touchless faucets & toilets in bathrooms / Waterless urinals.
b.	Amount of water conserved	
	I have data to support the above surface water use reductions due to conservation efforts.	

9. Water Quality and Wastewater Reclamation		
a.	Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility, or water polluted by waste to a degree which unreasonably affects such water for other beneficial causes?	No
b.	Amount of reduced diversion	
	Type of substitute water supply	
	Amount of substitute water supply used	
	I have data to support the above surface water use reductions due to the use of a substitute water supply	

10. Conjuctive Use of Surface Water and Groundwater		
a.	Are you now using groundwater in lieu of surface water?	No
b.	Amount of groundwater used	
	I have data to support the above surface water use reductions due to the use of groundwater.	

Additional Remarks

Attachments		
File Name	**Description**	**Size**
Comity Declaration.docx	Comity	13 KB

Contact Information of the Person Submitting the Form	
First Name	Graham
Last Name	Dobson
Relation to Water Right	Diverter of Record
The information in the report is true to the best of his/her knowledge and belief	Yes

[SUMMARY OF FINAL SUBMITTED VERSION]

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FOR 2013

Primary Owner: United States National Park Service - Lassen Volcanic National Park
Statement Number: S025182
Date Submitted: 07/09/2018

1. Water is used under	Riparian Claim Other: Federal Reserve
2. Year diversion commenced	1979

3. Purpose of Use	
Domestic	200,000 Persons/Yr.

4. Changes in Method of Diversion

Special Use Categories	
C1. Are you using any water diverted under this right for the cultivation of cannabis?	No

5-6. Maximum Rate of Diversion for each Month and Amount of Water Diverted and Used

Month	Rate of diversion (GPM)	Amount directly diverted (Acre-Feet)	Amount diverted or collected to storage (Acre-Feet)	Amount beneficially used (Acre-Feet)
January	21	0	0.061378	0
February	21	0	0.05524	0
March	21	0	0.058309	0
April	21	0	0.058309	0
May	21	0	0.067516	0
June	21	0	0.104342	0
July	21	0	0.245511	0
August	21	0	0.319164	0
September	21	0	0.184133	0
October	21	0	0.088998	0
November	21	0	0.05524	0
December	21	0	0.036827	0
Total		0	1.334967	0
Type of Diversion	Diversion to Storage Only			
Comments	Only Section II was used.			

Water Transfers	
6d. Water transfered	No
6e. Quantity transfered (Acre-Feet)	
6f. Dates which transfer occurred	/ to /
6g. Transfer approved by	

Water Supply Contracts	
6h. Water supply contract	No

6i. Contract with	
6j. Other provider	
6k. Contract number	
6l. Source from which contract water was diverted	
6m. Point of diversion same as identified water right	
6n. Amount (Acre-Feet) authorized to divert under this contract	
6o. Amount (Acre-Feet) authorized to be diverted in 2013	
6p. Amount (Acre-Feet) projected for 2014	
6q. Exchange or settlement of prior rights	
6r. All monthly reported diversion claimed under the prior rights	
6s. Amount (Acre-Feet) of reported diversion solely under contract	

7. Water Diversion Measurement	
a. Required to measure as of the date this report is submitted	Yes
b. Is diversion measured?	Yes
c. An alternative compliance plan was submitted to the division of water rights on	
d. A request for additional time was submitted to the division of water rights on	

Measurement ID number	M010113
This Device/Method was used to measure water during the current reporting period	Yes
M1. Briefly describe the measurement device or method	Propeller Flowmeter
M2. Nickname	Plant
M3. Type of device / method	Flow meter (propeller)
M4. Device make	Hersey
M5. Serial number	
M6. Model number	1
M7. Approximate date of installation	01/01/2013
M8. Additional info	
M9. Approximate date the measuring device was last calibrated or the measurement method was updated	01/01/2013
M10. Estimated accuracy of measurement	+or - 2%
M11. Description of calibration method	Timer
M12. Describe the maintenance schedule for the device/method	Unit is cleaned once a year.
Information for the person who last calibrated the device or designed the measurement method	
M13. Name	Graham Dobson
M14. Phone number	530-595-6227
M15. Email	graham_dobson@nps.gov
M16. Qualifications of the individual	Person trained and experienced in water measurement (for diversions of less than 100 acre-feet per year - no specific training is required; the person using any equipment and reporting the information must know how to use the equipment and submit correct information)
M17. License number and	T-2 Water Treatment Operator #12207

type for the qualified individual above and/or any other relevant explanation	
M18. Type of data recorder device / method	Analog register (flow meter)
M19. Data recorder device make	Hersey
M20. Data recorder serial number	
M21. Data recorder model number	1
M22. Data recorder units of measurement	Gallons
M23. Frequency of data recording	Daily
M24. Additional data recorder info	Operator enters data into a log on a daily basis.
M25. I am required to report my diversion or storage data by telemetry as of the date this report is submitted	No
M26. I report my diversion or storage date by telemetry to the following website	
M27. I have attached additional information on the method I used to calculate the volume of water	
M28. Describe any documents related to this measurement device or method that are attached to this water use report	

8. Conservation of Water		
a.	Are you now employing water conservation efforts?	Yes
	Describe any water conservation efforts you have initiated	Water Conservation handouts to visitors / Touchless faucets & toilets in bathrooms / Waterless urinals.
b.	Amount of water conserved	
	I have data to support the above surface water use reductions due to conservation efforts.	

9. Water Quality and Wastewater Reclamation		
a.	Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility, or water polluted by waste to a degree which unreasonably affects such water for other beneficial causes?	No
b.	Amount of reduced diversion	
	Type of substitute water supply	
	Amount of substitute water supply used	
	I have data to support the above surface water use reductions due to the use of a substitute water supply	

10. Conjuctive Use of Surface Water and Groundwater		
a.	Are you now using groundwater in lieu of surface water?	No

b.	Amount of groundwater used	
	I have data to support the above surface water use reductions due to the use of groundwater.	

Additional Remarks

Attachments		
File Name	**Description**	**Size**
Comity Declaration.docx	Comity	13 KB

Contact Information of the Person Submitting the Form	
First Name	Graham
Last Name	Dobson
Relation to Water Right	Diverter of Record
The information in the report is true to the best of his/her knowledge and belief	Yes

CALIFORNIA
Water Boards

State Water Resources Control Board

February 2018

ACTION REQUIRED: ANNUAL WATER USE REPORTING FOR 2017

ERIC LORD
1201 Oak Ridge Drive Ste 250
Fort Collins, CO 80525

Dear United States National Park Service - Lassen Volcanic National Park:

The State Water Resources Control Board (State Water Board) Division of Water Rights (Division) has determined that you are the legally responsible party for the Water Right(s) listed on the following page(s) and you must complete online reporting for your 2017 water use.

State law requires that Water Right holders electronically file water diversion and use reports each year (Cal. Code Reg, tit. 23, §910). The information you report is critical in managing California's most vital natural resource, and we appreciate your cooperation.

To report, go online to: www.rms.waterboards.ca.gov and login with your Water Right ID and Password (see below). For assistance with reporting online, see the Report Management System (RMS) training videos at: www.waterboards.ca.gov/videos/rms.html. You must file a seperate report for each Water Right ID. Do not combine information for multiple Water Right IDs on one report.

Measurement Requirements Reminder: As part of their 2017 water use reporting, parties who divert or are authorized to divert 10 or more acre-feet per year are required to provide information on their measurement device. More information is available at:
www.waterboards.ca.gov/waterrights/measurement.html.

If you do not file your report on time, you may be liable for a violation in the amount of $500 for each day in which the violation occurs (Water Code section 1846). Previous enforcement actions for failure to comply with the State Water Board's reporting regulations have resulted in fines of up to $10,000. To avoid receiving an Administrative Civil Liability Complaint (fine) for failure to file, please complete your 2017 use reports by the appropriate due date (see below).

If you have questions please contact Division Staff by email at: ewrims@waterboards.ca.gov or by phone at: (916) 323-9393.

Sincerely,

Eloise Berryman

Eloise Berryman, Manager
Reporting and Data Management Unit
Division of Water Rights

LIST OF WATER RIGHTS. Total Number = 9

Water Right ID	Password	Water Right Type	Reporting Deadline
S025179	BL5B7X	Statement of Div and Use	July 1 2018
S025180	82RQ4Q	Statement of Div and Use	July 1 2018
S025181	3MFP4B	Statement of Div and Use	July 1 2018
S025182	K66RW6	Statement of Div and Use	July 1 2018
S025183	XNRTS5	Statement of Div and Use	July 1 2018
S025184	7DHRQC	Statement of Div and Use	July 1 2018
S025191	69RRSH	Statement of Div and Use	July 1 2018
S025193	P6WXTY	Statement of Div and Use	July 1 2018
S025194	FMHTBV	Statement of Div and Use	July 1 2018

Updated February 29, 2016

Water Boards

Fact Sheet

EMERGENCY REGULATION FOR MEASURING AND REPORTING ON THE DIVERSION OF WATER

Governor Edmund G. Brown Jr. signed Senate Bill (SB) 88 on June 24, 2015. Sections 15 through 18 of SB 88 add measurement and reporting requirements for a substantial number of diverters. The State Water Resources Control Board (State Water Board) adopted a regulation to implement the new law at its January 19, 2016 Board Meeting. The regulation will go into effect upon approval by the Office of Administrative Law, which is anticipated to occur in March 2016.

The measurement requirements of the regulation apply to all water right holders who divert more than 10 acre-feet of water per year. The annual reporting requirements in the regulation apply to all statement holders as well as persons authorized to appropriate water under a permit, license, registration (small domestic, small irrigation, or livestock stockpond), or certificate for livestock stockpond use.

Information on the regulation, SB 88, and related documents are available at:

http://www.waterboards.ca.gov/waterrights/water_issues/programs/measurement_regulation/

If you have any questions or concerns, please contact the Division of Water Rights (Division) at:

Email Address: dwr-measurement@waterboards.ca.gov
Phone Number: (916) 341-5300

Key Provisions of Regulation

Annual Water Use Reporting Requirements for Water Right Holders

All water right holders shall report on their diversion and use of water annually, beginning with reports for the 2016 diversion season. Annual water use reports for permits, licenses, registrations and stock pond certificates must be filed by April 1 of each year starting April 1, 2017 for diversions made in 2016. The annual use reports for statements shall be filed prior to July 1 of each year. All reports will continue to document diversions during the prior calendar year. The filing dates are for the annual water use reports are summarized below:

DIVERSION/STORAGE PERIOD	WATER USE REPORT DEADLINES				
	PERMITS	LICENSES	STATEMENTS	REGISTRATIONS	CERTIFICATES
2015	JULY 1, 2016	JULY 1, 2016	JULY 1, 2016	VARIES	NOT REQUIRED
2016	APRIL 1, 2017	APRIL 1, 2017	JULY 1, 2017	APRIL 1, 2017	APRIL 1, 2017

Reporting Requirements for Water Right Holders During Times of Insufficient Supply

When the amount of water available in a surface water source is not sufficient to support the needs of existing water right holders and in-stream uses, the State Water Board may require monthly or more frequent reporting in the affected areas to provide the most accurate assessment of water demand. The State Water Board will notify diverters in affected areas when additional reporting is required.

Deadline for Complying with Measurement and Reporting Requirements

The regulation provides for a phased approach to compliance. The compliance deadlines, by volume of water diverted, are shown in the table below.

Required Accuracy for Measurement and Frequency for Monitoring

SB 88 set expectations for both the accuracy of measurement devices as well as the monitoring frequency of the device. The regulation links both device accuracy and monitoring frequency to the volume categories. Larger diversions and larger reservoirs or ponds have more stringent measurement and monitoring requirements and more stringent requirements for the installation and certification of measurement devices as described in the table below.

Type of Diversion (af = acre-feet)	Installation Deadline	Required Accuracy	Required Monitoring Frequency	Qualifications For Installation And Certification
Direct Diversion ≥ 1,000 af/year Storage ≥ 1000 af	January 1, 2017	10%	Hourly	Engineer/Contractor/Professional
Direct Diversion ≥ 100 af/year Storage ≥ 200 af	July 1, 2017	10%	Daily	Engineer/Contractor/Professional
Direct Diversion > 10 af/year Storage ≥ 50 af	January 1, 2018	15%	Weekly	Individual experienced with measurement and monitoring
Storage > 10 af	January 1, 2018	15%	Monthly	Individual experienced with measurement and monitoring

Measurement Methods

Diverters may propose a measurement method, in lieu of a measuring device, to comply with measurement and accuracy requirements under the regulation. Examples of measurement methods include:

- Multiple water right holders on a single surface supply can propose a collaborative measurement approach.
- A single water right holder with multiple points of diversion can propose a measurement method that may preclude the need to install a measurement device at each point of diversion.

Alternative Compliance

A water right holder may request an alternative compliance approach when strict compliance is not feasible, would be unreasonably expensive, would unreasonably affect public trust resources, or would result in the waste or unreasonable use of water.

The Division is preparing the forms to request alternative measurement or alternative compliance. All requests must be submitted on the Division's forms. Please note; persons subject to the regulation are not allowed to claim "not locally cost effective".

Certification of Water Measurement Device

The regulation requires that the accuracy of the water measurement device be certified every five years, in accordance with the table above. The regulation calls for an initial certification with the first water use report filed after the device has been installed.

CALIFORNIA
Water Boards

EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIQUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

NOTICE REGARDING STATEMENT OF WATER DIVERSION AND USE

February 19, 2016

Responsible Party:
ERIC LORD
1201 OAK RIDGE DRIVE STE 250
FORT COLLINS, CO 80525
Diverter: UNITED STATES NATIONAL PARK SERVICE - LASSEN VOLCANIC NATIONAL PARK

Statement Number: S025182

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

Water Code section 5104 (a) now requires diverters to file supplemental statements of water diversion and use (Supplemental Statements) **every year**. Supplemental Statements must be filed on electronic forms provided by the State Water Resources Control Board (State Water Board). (Cal. Code Regs., tit. 23, § 920, subds. a-b.) **All reports must be completed online through the State Water Board's Report Management System (RMS); paper copies are not available.** To report online, go to **www.waterboards.ca.gov/rms** and login with your user ID and password. The information required to login and access your online Supplemental Statement is:

User ID (Statement ID): **S025182**
Password (Reporting Identifier): **K66RW6**

The Supplemental Statement is associated with the diversion works of **Southwest System**. Information about the source, parcel number, county and other summary information is pre-populated on the Supplemental Statement, if the information is available.

IMPORTANT: PLEASE NOTE BELOW

Beginning January 2016 and every year there after you will be required to file an on-line Supplemental Statement of Water Diversion and Use Report (Supplemental Statement). The Division will **NO LONGER** notify you via mail when the supplemental statement is due. If you would like to be notified when reporting is due and other reporting related material, please subscribe to our Lyris list (Water Rights Reporting Notification) at:

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

Also note, if you reported your water use three years ago you will be required to complete the reports for 2013, 2014 and 2015. If you reported your water use two years ago you will be required to complete the reports for 2014 and 2015 and if you reported your water use a year ago you will be required to complete the 2015 report.

You are required to complete the online report(s) no later than **June 30, 2016. If you do not file your Supplemental Statement in a timely manner, you may be subject to civil liability of up to $1,000 and additional civil liability of $500 per day for each day the violation continues if you do not file a statement within 30 days after the board calls the violation to your attention.** (Wat. Code, § 5107, subd. (c)(1).)

Division staff cannot fill the form out on your behalf. If you have multiple points of diversion, you must file a separate Supplemental Statement for each point of diversion. (Wat. Code, § 5102.) Do not list total combined diversions from multiple diversion works on one Supplemental Statement.

CHANGES FOR REPORTING AND MEASUREMENT OF DIVERSIONS MADE IN 2016, AND THEREAFTER

- See attached "Fact Sheet" for updates.

SPECIAL REPORTING FEATURES

- It is possible to create one account on the RMS site to report all of your diversions. Please see the RMS login page for more information and instructions. Note: It is not necessary to create an account if you would like to report your diversions individually.
- RMS also includes the capability to amend reports submitted incorrectly or in error. This capability applies to past reports as well.
- RMS includes new on screen help tools and instructions

REQUIRED NOTIFICATION OF CHANGE IN NAME OR ADDRESS OF PERSON DIVERTING WATER

If there has been a change in the name or address of the person diverting the water, you must report that change to the Board. (Wat. Code, § 5104, subd. (b).) Notification to the Division should be made using the Change of Name/Address or Ownership form on the Water Rights Forms link located at www.waterboards.ca.gov/waterrights/publications_forms/forms/index.shtml.

CONTACT INFORMATION

Frequently asked questions pertaining to filling out online reports are posted at the RMS website and we encourage you to read these first. However, if you still have any questions or need assistance completing the report, please contact the Division of Water Rights at (916) 445-2812 or send an email to: DWR-statements@waterboards.ca.gov.

Sincerely,

Barbara Evoy, Deputy Director
Division of Water Rights

CALIFORNIA
Water Boards

EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIQUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

October 2, 2015

In Reply Refer to:
DCC:**S025182**

United States National Park Service - Lassen Volcanic National Park
c/o Eric Lord
1201 Oak Ridge Drive, Ste: 250
Fort Collins, CO 80525

Diverter of Record: **United States National Park Service - Lassen Volcanic National Park**

STATEMENT OF WATER DIVERSION AND USE (**S025182**) FOR DIVERSION FROM **FOREST CREEK**, IN **TEHAMA** COUNTY

The State Water Resources Control Board, Division of Water Rights (Division), received your Initial Statement of Water Diversion and Use (Statement) filed on **9/1/2015** for the diversion site named **Southwest System**. This letter is confirmation that the Division has reviewed and processed the Statement related to your claim. Your Statement has been assigned identification number **S025182**. This number should be referenced in all correspondence with the Division regarding the Statement.

IMPORTANT: PLEASE NOTE BELOW

Beginning January 2016 and every year there after you will be required to file an on-line Supplemental Statement of Water Diversion and Use Report (Supplemental Statement). The Division will **NOT** notify you when the supplemental statement is due. If you would like to be notified when reporting is due and other reporting related material, please subscribe to our Lyris list (Water Rights Reporting Notification) at:

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

All reports must be completed online through the State Water Board's Report Management System (RMS); Paper copies are not available.

To report online, go to **www.waterboards.ca.gov/rms** and login with your user ID and password. The information required to login and access your online Supplemental Statement is:

User ID (Statement ID): **S025182**
Password (Reporting Identifier): **K66RW6**

Please retain the User ID and Password for future reference.

Additionally, you are also required to file a Supplemental Statement if there is a change in the name or address of the person diverting water. (Water Code, § 5104, subd. (b).). You may also notify the Division of any change in diverter, responsible party or mailing address by visiting our website at: **http://www.waterboards.ca.gov/waterrights/publications_forms/forms/**.

Your water diversion might be subject to the notification requirements in Fish and Game Code §1602. Information regarding the Department of Fish and Wildlife's (DFW) Lake and Streambed Alteration program and DFW's Regional Office directory can be found on DFW's website at: **http://www.dfg.ca.gov/habcon/1600/**.

The submittal of a Supplemental Statement is a record of your water use. It is used by the Division to verify existing data and to notify you of water right matters related to your claim.

Please be advised that if you have a riparian right, your right does not generally permit you to store water. Stock ponds or reservoirs filled with water diverted pursuant to a riparian right may be subject to enforcement action.

If you have questions, please contact the Division at (916) 445-2812, or by e-mail **DWR-statements@waterboards.ca.gov**. Written correspondences or inquiries should be addressed as follows:

State Water Resources Control Board
Division of Water Rights
Attn: Statements Unit
P.O. BOX 2000
Sacramento, CA, 95812-2000.

Sincerely,

Robert J. Rinker

Robert Rinker, Manager
Fee and Data Management and Statements Unit

RJR

STATE WATER RESOURCES CONTROL BOARD

2015 SEP -1 AM 11:00

DIV OF WATER RIGHTS
SACRAMENTO

State Water Resources Control Board
Division of Water Rights
P.O. Box 2000
Sacramento, CA 95812-2000

August 27, 2015

Dear State Water Resources Control Board,

Please find enclosed ~~six~~ nine Initial Statements of Water Diversion and Use pertaining to water uses within Lassen Volcanic National Park.

If you have any questions or concerns, please contact me at (970) 225-3526.

Sincerely,

Eric Lord

Eric Lord
Water Rights Specialist
Water Resources Division
National Park Service
1201 Oak Ridge Drive Suite 250
Fort Collins, CO 80525

Enclosures (9)

RJR

State Water Resources Control Board

DIVISION OF WATER RIGHTS

INITIAL STATEMENT OF WATER DIVERSION AND USE

A STATEMENT SHALL NOT ESTABLISH OR CONSTITUTE EVIDENCE OF A WATER RIGHT

READ THE ATTACHED INFORMATION AND INSTRUCTION SHEET BEFORE COMPLETING THIS FORM

FURTHER INFORMATION CAN BE FOUND IN WATER CODE, SECTIONS 5100-5107

STATE WATER RESOURCES CONTROL BOARD
2015 SEP -1 AM 11:01
DIV OF WATER RIGHTS
SACRAMENTO

DIVERTER NAME United States National Park Service-Lassen Volcanic National Park

SOURCE/TRIBUTARY Forest Creek

DIVERSION WORKS NAME Southwest System

A. Diverter Information

Diverter Name(s): United States National Park Service-Lassen Volcanic National Park			
Mailing Address: P.O. Box 100	City: Mineral	State: CA	Zip: 96063
Phone Number: 530 595-4480	Email Address (if available):		
Person Filing Statement (If Different From Diverter): Eric Lord			
Mailing Address: 1201 Oak Ridge Drive Ste 250	City: Fort Collins	State: CO	Zip: 80525
Phone Number: 970 225-3526	Email Address (if available): eric_lord@nps.gov		
Land Owner Name: United States			
Mailing Address: P.O. Box 100	City: Mineral	State: CA	Zip: 96063

Mail Receiver ○ **Diverter** ◉ **Person Filing**

B. Signature and Important Information

DATE: August 27, 2015

SIGNATURE: Eric Lord

PRINTED NAME: ERIC (first name) H (middle name) LORD (last name)

I declare that the information in this report is true to the best of my knowledge and belief. **Submit Form Electronically**

THE STATE WATER RESOURCES CONTROL BOARD MAY RELY ON THE NAMES AND ADDRESSES ON THIS DOCUMENT FOR MAILING NOTICES REGARDING PROCEEDINGS BEFORE THE BOARD. (Wat. Code, § 5106, subd. (b)(1).)

SUPPLEMENTAL STATEMENTS OF WATER DIVERSION AND USE MUST BE FILED AT THREE-YEAR INTERVALS OR IF THERE IS A CHANGE IN THE NAME OR ADDRESS OF THE DIVERTER. (Wat. Code, § 5104.)

THE MAKING OF A WILLFUL MISSTATEMENT ON A STATEMENT OF WATER DIVERSION AND USE IS A MISDEMEANOR PUNISHABLE BY A FINE NOT EXCEEDING $1,000 OR BY IMPRISONMENT IN THE COUNTY JAIL FOR UP TO SIX MONTHS, OR BOTH. THE BOARD MAY IMPOSE CIVIL LIABILITY UPON A PERSON WHO KNOWINGLY MAKES A MATERIAL MISSTATEMENT ON THIS FORM. (Wat. Code, § 5107.)

UPON COMPLETION OF THIS STATEMENT, ATTACH ALL SUPPORTING DOCUMENTATION AND MAPS AND MAIL TO:

State Water Resources Control Board
Division of Water Rights
PO Box 2000
Sacramento, CA 95812-2000

Additional copies of this form, instructions on how to complete this form and water right information can be obtained at http://www.waterboards.ca.gov/waterrights/water_issues/programs/diversion_use/. Revised January 2014.

S025182

State Water Resources Control Board

DIVISION OF WATER RIGHTS

INITIAL STATEMENT OF WATER DIVERSION AND USE

A STATEMENT SHALL NOT ESTABLISH OR CONSTITUTE EVIDENCE OF A WATER RIGHT

READ THE ATTACHED INFORMATION AND INSTRUCTION SHEET BEFORE COMPLETING THIS FORM

FURTHER INFORMATION CAN BE FOUND IN WATER CODE, SECTIONS 5100-5107

DIVERTER NAME: United States National Park Service-Lassen Volcanic National Park

SOURCE/TRIBUTARY: Forest Creek

DIVERSION WORKS NAME: Southwest System

1. Type of Claim

Check the box(s) which describe the type of claim(s) under which you are diverting water.

☑ Riparian ☐ Pre-1914 ☐ Court Decree ☐ Pending Appropriative Application ☐ Pueblo ☑ Other: Federal Reserved Right

If you checked yes for Court Decree, Pending Appropriative Application or other, list the decree number, application ID or explanation:

Reserved right based on reservation of federal land for national forest and national park purposes

2. Water Course Description

Water Course Name at the point of diversion	Water Course is tributary to
Forest Creek	Sulphur Creek

3. Legal Land Description

Provide the location of the Point of Diversion using one of the following methods (check one box and enter coordinates, if applicable)

☐ Latitude/Longitude Measurements: _____

☐ California Coordinate System (NAD 1983): _____

☑ USGS Topographic Map with point of diversion labeled on map (if checked yes, please attach map)

Assessor's Parcel Number(s), if assigned:	County
	Tehama

Provide Public Land Description to nearest 40 acres (if assigned)

NW ¼ of the NW ¼ of Section 28, Township 30N, Range 4E, B&M Mount Diablo

4. Place of Use Description

Provide a general description of the area in which the water was used

Lassen Volcanic National Park - visitor center, campground, entrance station

Identify the location of the place of use on a specific United States Geological Survey (USGS) topographic map and on any other maps with identifiable landmarks. If assigned, provide the public land description to the nearest 40-acre subdivision and the assessor's parcel number. (check box indicating each map attached)

☑ USGS Topographic Map ☐ County Assessor's parcel map

5. Purpose of Use Description (Please select all that apply below)

☐ Irrigation Number of Acres :	☑ Domestic Persons Served :	☐ Stock watering Number of stock and type:	☐ Other Please Explain:
NA	Estimated 200,000/Yr.	NA	

6. Diversion Works Description

Name of Diversion Works, if named	Year in which diversion commenced (or specify nearest known year)
Southwest System	Record to 1979, though use goes back much further

List any related existing water rights, if applicable (for example, an appropriative right using the same diversion works)

No appropriative rights

Type of Diversion Facility (select one)

☑ Gravity ☐ Water Course Pump ☐ Well Pump ☐ Other (please specify) _____

Do you directly divert water? ☑ Yes ☐ No

Capacity of Direct Diversion Works (specify unit and amount) 21

☐ Cubic feet per second ☑ Gallons per minute ☐ Gallons per day

Do you divert water to storage?

☐ On-stream storage (Complete Section B)

☑ Off-stream storage (Complete Sections A & B)

A. Capacity of Storage Diversion Works (specify unit and amount) 30,000

☐ Cubic feet per second ☐ Gallons per minute ☑ Gallons per day

B. Capacity of Storage Tank or Reservoir (specify unit and amount) 40,000

☑ Gallons ☐ Acre-feet

7. Quantity of Water Diverted Note; Measurements must be made using best available technologies and best professional practices as listed in Section 8a unless documentation is provided to the State Water Resources Control Board that the implementation of those practices is not locally cost effective.

Provide the quantity of water diverted each month in the table below as a measured in (check one box) ☑ Gallons (Millions) ☐ Acre-feet

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2014	.031	.044	.034	.048	.052	.070	.109	.079	.064	.056	.023	.027	.637

CONTINUE TO PAGE 2

PAGE 3 of 3: INITIAL STATEMENT OF WATER DIVERSION AND USE DIVERTER NAME United States National Park Service-Lassen Volcanic National Park

SOURCE/TRIBUTARY Forest Creek DIVERSION WORKS NAME Southwest System

8. Measurement Device Description

Method used to measure water diverted (select one)

(●) Water directly diverted and/or diverted to storage was measured with a measuring device.
(if checked, proceed to section 8a and skip section 8b)

( ) Direct measurement using a device listed in Section 8a is not locally cost effective for water directly diverted and/or diverted to storage.
(If checked, skip section 8a and proceed to section 8b).

8a. Measuring Device

Indicate the types of measuring devices used (check all that apply):

- [x] Propeller Meter
- [ ] Sluice/Slide Gate
- [ ] Acoustic Meter
- [ ] Weir
- [ ] Staff gage and storage capacity curve
- [ ] Staff gage and floodable acreage
- [ ] Pressure transducer and storage capacity curve
- [ ] Other: _____

Indicate any additional technology used (check all that apply and explain below):

- [x] Flow totalizer
- [ ] Data Logger
- [ ] Telemetry
- [ ] Other: _____

Indicate who installed your measuring device(s) (check all that apply):

- [ ] Representative using manufacturer's recommendations
- [ ] Representative who is American Water Works Association (AWWA)-certified
- [ ] Representative using United States Geological Survey (USGS) techniques
- [ ] Licensed Civil or Agricultural Engineer
- [ ] Hydrographer
- [x] Other/Unknown: T-2 WTO

List the make, model number, and last calibration date of your measuring device(s), if available:
Hersey 1" 2013

8b. Explanation of why use of a measuring device is "not locally cost effective"

Indicate why you concluded that direct measurement using a device listed in Section 8a is not locally cost effective (check all that apply)

- [ ] Diversion is small or minimal in size
- [ ] Diversions are infrequent
- [ ] Ungauged Siphon
- [ ] No power at diversion point
- [ ] Other: _____

Indicate method(s) used as an alternative to direct measurement in order to complete this report (check all that apply)

- [ ] Electricity records dedicated to the pump
- [ ] Total facility electricity records minus estimated non-pump electricity
- [ ] Engine fuel use or hour meter records
- [ ] Crop duty estimates/consumptive use estimates
- [ ] Power generation estimates
- [ ] Other water duty estimates other than for crops
- [ ] Modeled/estimated flows
- [ ] Remote satellite imaging
- [ ] Pipe/trajectory method
- [ ] Bucket and stopwatch
- [ ] Float and stopwatch
- [ ] Other: _____

Explain your measurement alternatives:

9. Maximum Rate of Diversion (if available)

Provide the maximum rate of diversion achieved in each month as measured in (check one box) [ ] cfs [ ] gpm [x] gpd (millions)

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2014	.005	.006	.005	.014	.017	.019	.018	.015	.008	.016	.006	.006

10. Recent Water Use

Provide the annual water use in recent years:

Maximum .955 - 2012 (millions) [x] Gallons [ ] Acre Feet

Minimum .637 - 2014 (millions) [x] Gallons [ ] Acre Feet

11. Water Conservation Efforts (answer only sections applicable to your diversion)

Water Conservation: Are you currently employing any methods of water conservation? [x] Yes [ ] No

If yes, describe any water conservation efforts in use:
Water Conservation handouts to visitors / Touchless faucets / toilets in bathroms / Waterless urinals.

Water Quality and Wastewater Reclamation: Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree that unreasonably affects such water for other beneficial uses? [ ] Yes [x] No

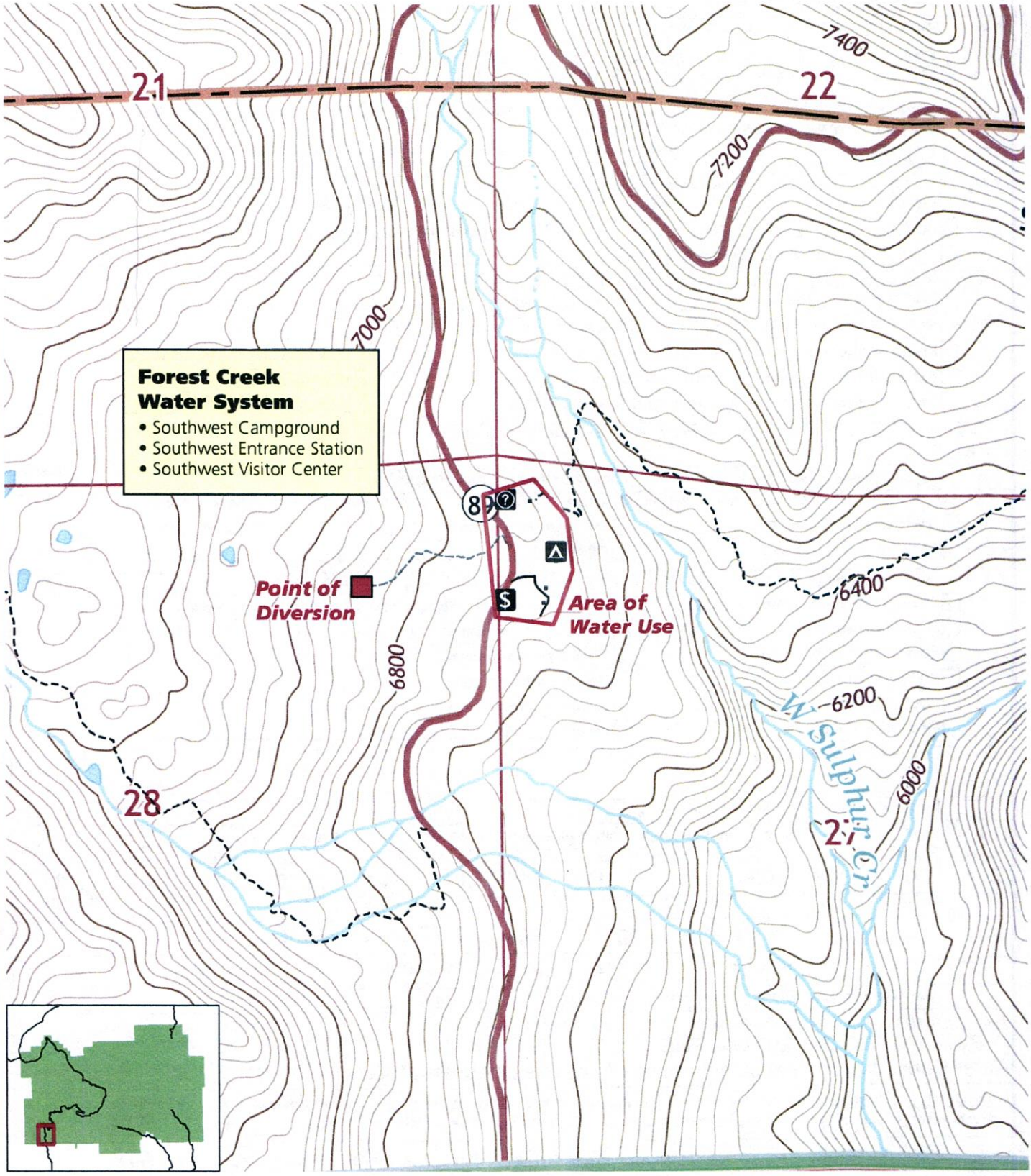
Conjunctive use of surface water and groundwater: Are you using groundwater in lieu of surface water? [ ] Yes [x] No

END OF INITIAL STATEMENT FORM

Sign and Submit Form | Save Form (submit later)

Surface Water Diversion: Forest Creek
Lassen Peak Quad

U.S. Department of the Interior
National Park Service
Lassen Volcanic National Park



N
W E
S

0 0.25 0.5 Miles

0 0.25 0.5 Kilometers

Produced by LAVO GIS for Water Resources Division 2015-6-17
Imagery: 2015 US Topo

S025182

Contact Report

A. Diverter/Responsible Party: Initial report

B. Contact #: 530-595-4480

C. Temporary statement # (if applicable; i.e. 2012-206): 2015-0499

D. Contact Attempts:

Date/ Time	Contacted By	Person Contacted	Reason for Contact	Result of Contact
09/03/2015 3:47pm			Initial form	

Conversions:

E. Cycle: ☐ 1 ☐ 2 ☑ 3 F: Year POD Commenced: 1979

G. Diversion Works Name:

H. Capacity of diversion works: 21gpm.

I. Capacity of storage: 40,000gal

J. Latitude/Longitude: -121deg 32'17.37W 40deg 26'10.357N

Statement Processing:

	Date	Completed by
K. Entered into eWRIMS:	09/03/2015	DCC
L. Plotted:	09/03/2015	DCC

M. POD ID#: 64952

N. Additional Comments:

S025182

O. Missing Information

- ☐ Name/Address
- ☐ Source/Tributary
- ☐ POD/Map Info
- ☐ Capacity of Diversion Works/Storage
- ☐ Purpose of Use
- ☐ Year Commenced
- ☐ Place of Use
- ☐ Qty Water Diverted
- ☐ Measurements

03 HISTORY

Lassen Volcanic National Park

SOUTHWEST SYSTEM - S025182

Land History

National Park Service
U. S. Department of the Interior
Natural Resource Stewardship & Science
Water Resources Division

1201 Oakridge Dr., Ste. 250
Fort Collins, CO 80525
970-225-3548 phone
970-225-9965 fax

Water Rights Branch

Note to File

Date: August 10, 2022
From: Joseph Chafey, WRB Water Rights
File: LAVO Docket S025182
Subject: Land History
Little Gem of the Cascades: An Administrative History of Lassen Volcanic National Park

Krahe, Diane L. and Theodore Catton. Little Gem of the Cascades: An Administrative History of Lassen Volcanic National Park. 422 p., University of Montana, September 2010.

http://npshistory.com/publications/lavo/adhi.pdf

Also available at National Park Service (NPS) Integrated Resource Management Applications (IRMA) Data Store Reference Code: 2294137

https://irma.nps.gov/DataStore/Reference/Profile/2294137

The purpose of this report is to describe how the park was conceived and established and how it has been managed to the present day. Its primary audience is park managers and staff, but it is also directed to the interested public. The report aims to be as comprehensive as possible while emphasizing management issues of ongoing concern. It is essentially a chronological narrative with the selection of topics and the amount of detail weighted somewhat more heavily toward the recent past. While the administrative history covers many diverse management issues, its core objective is to distinguish those historical themes that most ably explain this national park's unique character and course of development.

Deed 13
23,830.69
acres.

An Act To revise the boundaries of the Lassen Volcanic National Park, in the State of California, and for other purposes, approved January 19, 1929 (45 Stat. 1081)

BE IT ENACTED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES OF AMERICA IN CONGRESS ASSEMBLED, That the boundaries of the Lassen Volcanic National Park are hereby changed to read as follows:

"Beginning at the southwest corner of the southeast quarter of section 29, township 30 north, range 5 east, Mount Diablo meridian, on the present south boundary line; thence west on the section line between sections 29 and 30 and 30 and 31, township 30 north, range 5 east, and between sections 25 and 36 and 26 and 35 and 27 and 34 and 28 and 33 and 29 and 32 to the southwest corner of section 29, township 30 north, range 4 east; thence north on the section line between sections 29 and 30 and 19 and 20 and 18 and 17 and 7and 8 and 6 and 5 to the northwest corner of fractional section 5, township 30 north, range 4 east; thence east on the township line to the southwest corner of section 32, township 31 north, range 4 east; thence north on the section line between sections 31 and 32, 29 and 30, and 19 and 20, to the northwest corner of section 20, same township and range; thence west to the southwest corner of section 18, same township and range; thence north on township line to the northwest corner of the southwest quarter of section 7, same township and range; thence east on the quarter section line to the northwest corner of the southwest quarter of section 8, same township and range; thence north to the northwest corner of said section 8; thence east to the northeast corner of said section 8; thence north to the northwest corner of the southwest quarter of section 4, same township and range; thence east on the quarter section line to the point where it intersects Lost Creek; thence following Lost Creek in a southerly direction to a point where it intersects the north line of section 14, township 31 north, range 4 east; thence east on said section line and along the section line between sections 12 and 13, said township and range, to intersection with the present park boundary; and

"Beginning at a point on the present north boundary which is the southwest corner of the southeast quarter section 8, township 31 north, range 5 east; thence north to the northwest corner of the southeast quarter, same section, township, and range; thence east on quarter section line to a point on the present park boundary which is the northwest corner of the southwest quarter of section 12, same township and range; and

"Beginning at the northeast corner of the northwest quarter of section 24, township 31 north, range 6 east, a point on the present east boundary line; thence east between sections 13 and 24 to the northeast corner of section 24, said township; thence south on the range line three miles to the southeast corner of section 36, said township; thence west on the township line to the northeast corner of section 1, township 30 north, range 6 east; thence south on the range line to the southeast corner of section 25, said township; thence west along the section line to the southwest corner of

LASSEN VOLCANIC, N. P. D. 13

section 26 on the present south boundary line; thence along the present boundary line and continuing on the section line to the southwest corner of section 28; thence north on the section line to the northwest corner of the southwest quarter of the southwest quarter of said section 28; thence west to the southwest corner of the northeast quarter of the southwest quarter of section 29; thence north to the northwest corner of the southeast quarter of the northwest quarter of said section 29; thence west to the southwest corner of the northeast quarter of the northeast quarter of section 30; thence north to the northwest corner of the northeast quarter of the northeast quarter of the northeast quarter of said section 30; thence west to the northeast corner of the northeast quarter of the northwest quarter of said section 30; thence south to the southeast corner of the northeast quarter of the northwest quarter of said section 30; thence west to the southeast corner of the northwest quarter of the northwest quarter of said section 30; thence south to the southeast corner of the northwest quarter of the southwest quarter of said section 30; thence west to the southwest corner of the northwest quarter of the southwest quarter of said section 30, township 30 north, range 6 east, which is a point on the present boundary line.

"All of those lands lying within the boundary lines above described and the present boundary lines are hereby included in and made a part of the Lassen Volcanic National Park."
(U.S.C., 6th supp., title 16, sec. 20la.)

06 DATA

Lassen Volcanic National Park

SOUTHWEST SYSTEM - S025182

Supporting Hydrologic Data

Docket Information

Number of Documents in Docket : 31

Documents Dated from : 01-19-1929 to 11-23-2022

Docket Compiled: 2/2/2023