

Following is an email notification issued on December 7, 2022.



**This is a message from the State Water Resources Control Board.**

## NOTICE OF LIFTING OF CURTAILMENTS UNDER STANDARD WATER RIGHT TERM 91

This email is to notify water right permit and license holders with Standard Water Right Term 91 (Term 91) and other interested parties that curtailments under Term 91 are no longer in effect due to a lack of supplemental project water (SPW) releases by the Department of Water Resources and U.S. Bureau of Reclamation (Projects) at this time. If the Projects are required to resume consistent SPW releases and the Sacramento-San Joaquin River Delta (Delta) remains in balanced conditions, the State Water Resources Control Board (State Water Board) will resume Term 91 curtailments.

Please monitor your email and the State Water Board's Term 91 status website ([https://www.waterboards.ca.gov/waterrights/water\\_issues/programs/bay\\_delta/docs/term91graph.pdf](https://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/docs/term91graph.pdf)) for further updates on Term 91 curtailments. Term 91 may be re-imposed in the near future if hydrologic conditions degrade. Diverters should be prepared to curtail their diversions immediately upon any resumption of Term 91 curtailments. Please note that future notices related to Term 91 will continue to be provided by email only and posted on the State Water Board's website. To maintain compliance with Term 91, water right holders with Term 91 in their permits and licenses are responsible for monitoring these email notices and/or the State Water Board's website to determine when Term 91 curtailments are in effect.

Additionally, please be advised that water is not necessarily available under a specific water right permit or license when Term 91 curtailments are not in effect. In addition to Term 91, water availability depends on local conditions, the priority of the water right, other terms and conditions of a permit or license, as well as other applicable curtailment orders, including those issued pursuant to current emergency regulations. Water right holders must comply with all terms and conditions of their specific water rights, including the applicable season of diversion and bypass flow conditions. Water right holders should maintain a record of their diversions in order to meet reporting requirements. Any diversion in violation of water right permit or license terms and conditions is subject to enforcement.

### Additional Information on Term 91

Term 91 prohibits diversion of water when (i) the Delta is in "Balanced Condition" and (ii) SPW releases are being made by the Projects. The Delta is in "Balanced Condition" when the Projects are being operated to meet water quality and flow requirements in the Delta. SPW releases are releases of imported and previously stored Project water

made to meet inbasin entitlements, including maintenance of Delta water quality and flow requirements.

Additional information regarding Term 91 is available on the State Water Board's website at:

[https://www.waterboards.ca.gov/waterrights/water\\_issues/programs/bay\\_delta/term\\_91/](https://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/term_91/)

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