

Inquiries and Responses

Communication with SSWD may be made by telephone, email, or in writing. Text messages are only accepted with the permission of District staff. Depending on the topic or issue, communications may be placed on Board agendas or discussed within ad-hoc meetings for the purpose of providing input to the Watermaster or to develop a response.

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To keep overhead costs down the District's
Administrative Office is not regularly attended.
Please call to make an appointment.



Creation of the Watermaster District



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Refer to AB1580 for full content.

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Background and AB 1580

The State established the Watermaster Program in 1924 to provide for general public welfare and safety after many injuries and some deaths resulting from disputes over adjudicated water rights. Until February 1, 2012 Watermaster service was administered by the State of California, Department of Water Resources (DWR) in accordance with Part 4, Division 2 of the California Water Code. Watermaster service areas were created by DWR either at the request of water users or by order of the Superior Court.

Since 1992 DWR charged diversion owners approximately \$84,000 to cover the expenses associated with the watermaster program in Siskiyou County, specifically the Scott and Shasta Valleys. A fee was assessed on property tax billings as the method for collecting payment for these charges. Overall, the program budget through fiscal year 2003-2004 was \$170,000, with the State of California covering approximately half the cost using the General Fund.

In 2004, the legislature eliminated the State's share which further increased the likelihood of significantly increasing the cost to diversion owners. At that time other funding was provided to DWR which covered their budgeted portion of the expense and relieved water users of

that burden. However, in 2006, this funding was not available. The results – diversion owners under watermaster service in Siskiyou County found the 2006-2007 tax assessment to be in the range of 300% to 500% over their usual fee. During this time the Siskiyou County Farm Bureau and the Save Our Shasta and Scott Valleys Coalition (SOSS) sought assistance from Siskiyou County and California Farm Bureau to bring the cost issue to the attention of State Legislators. Action by Legislators reversed the decision to increase tax assessments in the 2006-2007 tax year. This did not prevent an increase from occurring in tax year 2011-2012, when diversion owners received an increase of over 800% in their annual fee. These events prompted the effort by SOSS and California Farm Bureau, along with a local advisory committee, to develop a local program through the creation of AB1580. AB1580 was introduced by Assembly Member LaMalfa on February 23, 2007 and approved by the Governor and filed with the Secretary of State on October 10, 2007.

On December 22, 2011 Presiding Judge Laura Masunaga signed the Siskiyou County Superior Court Order to appoint the SSWD as watermaster in the Scott Valley and Shasta Valley Service Areas effective February 1, 2012.

Financial Impact

Since the late 1960's diversion owners have paid an annual fee for watermaster service. Until 1992 there was a fluctuation in cost over the years to accommodate the needs of the State's program. From 1992 to 2011 the rates remained fairly consistent at an average of about \$84,000 for both the Scott Valley and Shasta Valley Service Areas regardless of the State's budgeted amount. In part this amount remained in effect due to the contribution of the State's General Fund to help supplement the cost of the program. In FY2011-2012, when the State no longer provided funding for the program through its General Fund the diversion owners were charged the full increased budget amount of \$668,000. Billing for the Watermaster Program is accomplished through both property tax bills and direct bills for organizations where there is not a single parcel number associated with the organization (i.e. municipalities and irrigation districts).

In FY2012-2013 the SSWD provided a reduced budget at approximately 50% of the State's amount. Due to the substitution of service occurring mid-year in 2011-2012 there was an availability of cash from the previous year that was used to further reduce the amount billed to diversion owners in 2012-2013. Further reduction in budget has been applied in all subsequent years. The SSWD bases its annual budget on actual cost from the previous year, therefore each year's billing may fluctuate.



Compensation

All revenue for the SSWD comes from billing diversion owners through property tax bills and direct bills for those organizations where there is not a single parcel number associated with the organization (i.e. municipalities and irrigation districts). This is consistent with the California Water Code Section 4200 and 4201:

4200. The department may incur such expense and make such expenditures as may be necessary to provide for the administration of any service area and the distribution of water therein.

4201. All of the cost of administration of a service area and the distribution of water therein shall be paid by the owners of the rights to divert or store water within the service area as provided in this chapter.

Ownership

The SSWD is considered a "Special District" and is a public agency without ownership by any individual or corporation. The SSWD is currently funded through fees charged to water diversion owners within the SSWD Service Area. It also may receive funds through fundraising, private donations and service contracts. Financial records are administered through the SSWD's Administrative Services.

Organizational Goals

The primary goal for the SSWD is to "provide quality service at the lowest possible cost and still meet standards." The organizational objectives to support this goal includes:

- ⇒ Implementing a locally managed Watermaster Program at a fair and affordable rate to affected water right holders.
- ⇒ Supporting the authority of the Watermaster to take necessary measures for ensuring water is allocated from decreed diversions, or is in accordance with State Water Resources Control Board licenses/permits and voluntary agreements between water right holders and District.

Service Areas

Water Code section 4000 et seq. authorizes the establishment of service areas to ensure the most practical and economical supervision of the distribution of water within that part of the State. See, e.g., Water Code § 4025 . Watermaster service areas may be created where water rights have been "ascertained and determined" by any procedure provided by law, including by a court decree, by agreement among water claimants recorded with the County Recorder, and permits and licenses issued subsequent to a decree. Id. §§ 4026-4028.5. The service areas may be enlarged, reduced, consolidated, or abolished from time to time as convenience of administration may require. Current service areas include:

- ⇒ Shasta Valley Service Area includes all streams in the Shasta River Decree, plus Willow Creek a tributary to the Klamath River.
- ⇒ Scott Valley Service Area includes French Creek and its tributaries (French Creek Decree), and a portion of Wildcat Creek (Scott River Decree).