

DIRECTIONS ON HOW TO FILL OUT COMPLIANCE FORM

Step One: Check to see if you have been curtailed.

Go to www.waterboards.ca.gov/drought/delta/

Scroll down. Under “Delta Watershed Curtailment List, find the blank labeled “Search for Water Right. Fill in S0 or A0 number and then “enter” on your keyboard. The info that comes up will inform you if you are curtailed. Do this for EVERY S0 and A0) number you have. **SEE ATTACHMENT #1A & #1B**

Step Two: Sign up to the SWRCB Drought Mailing List.

On that same webpage (www.waterboards.ca.gov/drought/delta/)

Scroll down to bottom of the page and under “Stay Informed” fill in the blanks under “Email Subscription List” and then click on “Subscribe.” One of the requirements of the Emergency Curtailment regulations is that you either subscribe to this email mailing list or visit the webpage each week. We recommend subscribing. **SEE ATTACHMENT #2**

Subscribing will result in you receiving an email, but you need not open that email now.

Step Three: Exit the webpage and then go to <http://public.waterboards.ca.gov>

This brings you to the webpage where you can fill out your Compliance Certification.

When you are at the webpage, click on the “Log In Here” tab. **SEE ATTACHMENT #3A & 3B**

Logging in requires your ID (S0 or A0) number and the password. These are the same numbers and passwords used to fill your Report of Licensees and/ or your Statements of Diversion and Use. If you do not have these contact the person who helped you do those past filings.

After you click on “Log In” you will be at the “Water User Dashboard.” Click on the word “Survey” associated with “Delta Watershed Compliance Certification Form.” The first page is an Introduction. **SEE ATTACHMENT #4**

After reviewing, click on “Next.”

The following two pages are more information regarding future notices will be by email only. Click on “Next.” **SEE ATTACHMENT #5A & 5B**

You are now at the beginning of the Compliance Form.

Assuming you are an agricultural diverter, click on the three circles next to the three paragraphs each beginning with “I certify...” Then click on “Next.” **SEE ATTACHMENT #6**

Under the Heading “Alternative Sources of Water” click on “Other.” Then cut and paste the following into the (unlabeled) comment box. **SEE ATTACHMENT #7**

COMMENTS TO “Certifications” checked above:

General Comments: I object to the Emergency Regulations underlying this form and do not agree that they are supported by an adequate factual basis, are consistent with the law, and/or are correctly applied

to me and other diverters in the Delta. I assert that for numerous reasons previously provided to the SWRCB that the Delta is a tidal estuary that always has water and thus in-Delta diverters can always legally divert. The water in the tidal estuary is a mixture of water from many sources including abundant natural tidal flows, upstream flows, groundwater accretions, artesian flow, recycled/recaptured water, salvaged (saved) water, precipitation and discharges from the drainage pumps that drain Delta land, which itself is comprised of a mixture of many sources including groundwater, artesian flow and precipitation. Among other illegalities, the Emergency Regulations underlying this form illegally shift the burden of the State Water Project's and Central Valley Project's obligations onto senior water right holders within the Delta and the Delta Watershed and ignore numerous statutes, regulations and case law that protect in-Delta and Delta Watershed diversions and rights and uphold and impose such burdens on those projects. My choice to comply with any curtailment under the Emergency Regulations relating to any of my appropriative and/or other water rights or claims is not an admission of the SWRCB's legal authority to curtail such rights or claims nor an acquiescence to any such curtailment efforts, orders or notices, and such compliance does not preclude me from exercising any such rights or claims in the future.

Comment to First "Certification" above pertaining to the SWRCB's use of the Delta Drought email list and Delta Drought webpage:

Notwithstanding my previous "checking of this 'Certification,'" I do not agree that the SWRCB's posting of future notices, orders or information on its webpage, or sending electronic communications, regarding curtailment of water rights or claims affords adequate due process for the holders of such rights or claims and, as such, any future notices, orders or information may not be binding on me or other water right holders or claimants. The continued exercise of my water rights and claims after such postings or communications cannot constitute an unlawful diversion of water in the absence of a curtailment decision that is rendered after the completion of a legally adequate adjudicatory hearing and issued prior to such postings or communications.

Comment to Third "Certification" above pertaining to the ceasing of my diversions:

Notwithstanding my previous "checking of this 'Certification,'" I will cease my diversion and use of water under the subject curtailed water rights or claims, but I hereby reserve the right to resume such diversion and use regardless of any electronic postings or communications by the SWRCB regarding curtailment issued in the absence of a curtailment decision that is rendered after the completion of a legally adequate adjudicatory hearing and issued prior to such postings or communications. In that event, I will notify the SWRCB when I plan on resuming such diversion and use and provide an outline of my reasons supporting such diversion and use.

After pasting the above, click on "Next." You are now at the final page of the Form, entitled "Submission." Fill in the blanks, click on the final "I certify ..." and then click "Finish and Submit. **SEE ATTACHMENT #8**

You have now completed the Compliance Form and my exit the webpage.