



<b>Briefing on Water Rights</b>
---------------------------------

**Background**

Water rights are legal entitlements that authorize water to be diverted from a specified source and put to beneficial use. Water rights are based on a dual system, based on property ownership and priority, and serve multiple purposes. Water rights holders do not own the water to which they have rights, but instead have the right to use it. The State Water Resources Control Board (State Water Board) is the only agency with the authority to administer post-1914 appropriative water rights in California. (Water rights obtained prior to 1914 and riparian rights are outside of the Board's permitting authority.) The State Water Board must consider public trust issues, the effect of a diversion on older or more senior diverters, and environmental impacts when permitting a new water diversion.

Because water storage projects generally require water diversions, projects under consideration for funding from the Commission through the Water Storage Investment Program (WSIP) will likely require new or changed water rights permits from the State Water Board. These are among the permits WSIP applicants must obtain prior to receiving WSIP funding.

At this meeting, Erik Ekdahl, Deputy Director for the State Water Board's Division of Water Rights, and Amanda Montgomery, Section Chief for the Division of Water Rights' Permitting Section, will provide an overview of water rights in California. This presentation will address topics including the types of water rights likely to be needed for water storage projects, procedures for obtaining or changing water rights permits, and timelines.

This is an informational item.

**Contact**

Jennifer Ruffolo  
Assistant Executive Officer  
California Water Commission  
(916) 653-7937