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## State Water Resources Control Board

June 14, 2024

Mr. Gary Black  
Black Ranch Farming



### **APPROVAL OF GROUNDWATER LOCAL COOPERATIVE SOLUTION FOR BLACK RANCH FARMING**

Dear Mr. Black:

The State Water Resources Control Board (State Water Board) adopted an emergency regulation that went into effect on February 1, 2024, that establishes emergency minimum flows in the Scott River and Shasta River watersheds (Cal. Code Regs., tit. 23, §§ 875-875.9) (Regulation). Under the Regulation, local cooperative solutions by individuals or groups may be proposed by petition to the Deputy Director of the Division of Water Rights (Deputy Director) as an alternative means of reducing water use to meet or preserve the emergency minimum flows, or to provide other fishery benefits, in lieu of curtailment. Section 875, subdivision (f)(4)(D) describes three types of local cooperative solutions that are specifically available for overlying or adjudicated groundwater diversions for irrigated agriculture: Best Management Practices, Graduated Cessation Schedule, and Percent Reduction. The Deputy Director may approve a proposal submitted by an individual or group, provided that it meets the specific requirements of the applicable groundwater local cooperative solution type and satisfies the metering and inspection requirements.

#### **Summary of Proposal**

The State Water Board received a proposal from Gary Black (petitioner) for a groundwater local cooperative solution that proposes to implement a graduated cessation schedule that reduces water use by ceasing to irrigate an increasing percentage of the 218 acres of irrigated land. The schedule for ceasing irrigation is as follows:

- at least 20% of acres by July 20,
- at least 50% of acres by August 20, and
- at least 95% of acres by September 5, with a maximum of 6 inches of water to be applied to the remaining 5% of irrigated acres during the remainder of the irrigation season. This 5% can be on land previously fallowed.

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E. JOAQUIN ESQUIVEL, CHAIR | ERIC OPPENHEIMER, EXECUTIVE DIRECTOR

To meet the conditions of this graduated cessation schedule, the petitioner proposes to cease irrigation for three fields totaling 47 acres on July 20th, covering 22% of the total 218 acres. On August 31st, irrigation will be discontinued for an additional seven fields totaling 63 acres, bringing the total to 50% of the irrigated acreage. Finally, on September 5th, irrigation will be ceased for six more fields totaling 108 acres, achieving 100% cessation of irrigation across all 218 acres.

The proposal was posted to the State Water Board's webpage for local cooperative solutions associated with the Regulation on May 7, 2024. A further description of the site and water reduction measures is provided in the application submitted for this proposal. The application identifies Scott River Water Trust as the Coordinating Entity and includes a Binding Agreement that grants property access with 24-hour notice to verify compliance with the proposal and additional conditions included as part of this approval.

### **Groundwater Metering**

A groundwater local cooperative solution must include a description of metering in place for groundwater well extractions and a proposal to meter, record, and report such extractions to the Deputy Director or the Coordinating Entity, as applicable. If a meter has not been installed prior to the start of the irrigation season, the petitioner may submit a time schedule as part of the proposal that describes and substantiates the efforts, actions, and timelines for installation of a meter. The Deputy Director may waive the metering requirement for groundwater wells irrigating less than 30 acres or upon a determination that metering in a particular instance is not feasible.

The proposal includes a plan to monitor water usage and provide monthly reports to the State Water Board or Coordinating Entity. The petitioner installed a meter on the one (1) groundwater well in May and agrees to collect, maintain, and provide water usage data to the Coordinating Entity monthly throughout the irrigation season to ensure implementation of the local groundwater cooperative solution. To monitor water usage prior to the meter's installation, the petitioner kept daily logs of run times and calculated the amount of water used for irrigation using the data obtained from the flow meter.

### **Approval**

The Division of Water Rights has reviewed the groundwater local cooperative solution proposal and finds that it meets the requirements of Regulation section 875, subdivision (f)(4)(D). The groundwater local cooperative solution proposal is hereby approved. Any failure to implement the proposal or violation of the conditions of this approval are subject to enforcement as a violation of the Regulation. Additionally, violations of other provisions of the Regulation (e.g., surface water curtailment) may result in termination of this approval.

Mr. Gary Black  
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If you have questions regarding this approval, please contact Division of Water Rights staff via email to: [ScottShastaDrought@waterboards.ca.gov](mailto:ScottShastaDrought@waterboards.ca.gov) or by leaving a message on our dedicated phone line at: (916) 327-3113.

Sincerely,



for

Erik Ekdahl  
Deputy Director  
Division of Water Rights

cc: Scott River Water Trust

ebc: Erik Ekdahl, Water Rights  
Erin Ragazzi, Water Rights  
Philip Dutton, Water Rights  
Shay Richardson, Water Rights  
Zachary Zwahlen, Water Rights  
Marianna Aue, Office of Chief Counsel