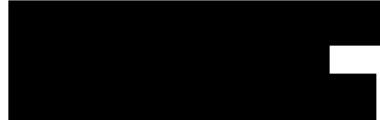

State Water Resources Control Board

July 7, 2022

Karin Newton
Newton Family Ranch
Karin Piersall Newton Trust



APPROVAL OF GROUNDWATER LOCAL COOPERATIVE SOLUTION FOR NEWTON FAMILY RANCH

Dear Ms. Newton:

On August 17, 2021, the State Water Resources Control Board (State Water Board) adopted a regulation establishing drought 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 may be submitted by individuals or groups as alternative means of reducing water use. The Division of Water Rights has reviewed the proposed local cooperative solution and finds that it meets the requirements of Regulation section 875, subdivision (f)(4)(D). Additional details regarding the contents of the proposal are described below.

For overlying or adjudicated groundwater diversions for irrigated agriculture described in Regulation section 875.5, subdivision (f)(4)(D), the Deputy Director for the Division of Water Rights (Deputy Director) may approve a local cooperative solution totaling at least 400 irrigated acres where the proposal is based on a binding agreement, and reduces water use in the Scott River watershed by 30 percent compared to 2020 or 2021 during the total irrigation season (April 1 – October 31), and specifically includes a 30 percent monthly reduction in water use for July through October. (See section 875.5, subdivision (f)(4)(D) of the Regulation.) Such reductions may be demonstrated by a number of mechanisms, including pumping reports, conservation measures, electric bills, or planting decisions.

The State Water Board received a proposal from Newton Family Ranch (petitioner) for approval of a groundwater local cooperative solution that includes commitments to reduce water use by at least 30 percent as specified under Regulation section 875.5, subdivision (f)(4)(D)(ii). This proposal provides for reduced water use from groundwater wells on approximately 108 acres associated with Assessor Parcel Numbers 024-110-430, 024-110-590, 024-110-610, 024-110-620, and 024-110-640, based on information provided in the petition as part of the request for approval of a groundwater

E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

local cooperative solution. These parcels comprise land that is owned by the petitioner and are supplied only by groundwater. The proposal includes detailed “conservation plan” spreadsheets, information on end gun operating efficiencies, a narrative description of conservation actions, and a tracking method. The proposed local cooperative solution sets forth verifiable voluntary conservation measures to reduce water use on the identified parcels by 33.8 percent, relative to a 2020 baseline. The proposed conservation actions are: end gun shutdown by July 1, 2022; reduced irrigation set times for corners and strips; reduced wheel line set times; and cessation of all irrigation by October 1, 2022.

The proposal includes a Groundwater Use Reduction and Binding Agreement for Local Cooperative Solution (Agreement) with the California Department of Fish and Wildlife (CDFW) granting CDFW sufficient access to verify compliance with the proposal. The Agreement notes that the proposal does not include the minimum 400 acres on its own. However, the Agreement notes that the petitioner is included in the H&H Land and Livestock Company LLC local cooperative solution. H&H Land and Livestock Company LLC has confirmed that the Newton Family Ranch local cooperative solution may be included with the H&H Land and Livestock LLC local cooperative solution. Therefore, in combination with the approved H&H Land and Livestock Company LLC proposal, which includes the approved O'Brien Ranch proposal, the combined number of acres exceeds the 400-acre minimum.

The Division of Water Rights has reviewed the local cooperative solution proposal and finds that it meets the requirements of Regulation section 875, subdivision (f)(4)(D).

As determined by the Regulation under section 875, subdivision (f)(4)(D), continued diversions under this local cooperative solution are reasonable and will not result in injury to other legal users of water. Your local cooperative solution proposal, dated March 6, 2022, including the conservation plan, together with the terms of your executed Agreement dated April 24, 2022, are hereby approved. As described in Regulation section 875, subdivision (f)(2), any violations of this approval are subject to enforcement as a violation of the Regulation. Additionally, violations of other provisions of the Regulation (e.g., prohibition on inefficient livestock watering, surface water curtailment) may result in termination of this approval. Any changes to the approved local cooperative solution or Agreement shall be submitted to the Deputy Director for review and approval prior to implementation.

So long as this approval and the terms of the proposal and the Agreement remain in effect, the curtailments associated with water rights SG003058 and SG003698 are suspended as to the above-referenced properties that are owned by Newton Family Ranch and part of this proposal.

Thank you for your efforts to help support both farming and fisheries in the Scott River watershed during this drought emergency.

If you have questions regarding this letter, please reach out to staff by email at: ScottShastaDrought@waterboards.ca.gov or leave a message on our phone line at: (916) 327-3113.

Sincerely,



Erik Ekdahl
Deputy Director
Division of Water Rights

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H&H Land and Livestock Co., LLC
Email: [REDACTED]