

State Water Resources Control Board

August 2, 2024

Ms. Karin Newton
Newton Family Ranch

[REDACTED]
[REDACTED]
[REDACTED]

CONDITIONAL APPROVAL OF GROUNDWATER LOCAL COOPERATIVE SOLUTION FOR NEWTON FAMILY RANCH

Dear Ms. Newton:

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 Karin Newton (petitioner) for a percent reduction groundwater local cooperative solution that proposes to reduce water use by 34% percent compared to water use in the 2020 irrigation season. The proposal covers 108 acres of land irrigated from two groundwater wells. The petitioner proposes to achieve the water use reduction with the following water conservation actions:

- Reduced set times for the wheel lines from 11 hours to 6 hour;
- Reduced set times for the handline and guns from two 11 hour sets per day to one 6 hour set per day; and
- Discontinued use of end guns to irrigate corners on July 1, 2024.

Applied Water Baseline

Per the Regulation, if evidence from the 2020, 2021, 2022, or 2023 irrigation seasons indicates that the base rate of applied water is higher than 33 inches per year for alfalfa,

14 inches per year for grain, or 30 inches per year for pasture, then the base rate of applied water shall be adjusted to these specified values, or the petitioner may request a higher base rate for approval by the State Water Board. The petitioner must provide supporting information as part of any such request, such as multi-year practices, soil type, and irrigation methods. The petitioner has requested to use a higher baseline rate of applied water for pasture and alfalfa, proposing 44 inches per year as the baseline amount for 108 acres of pasture and alfalfa in the Percent Reduction proposal.

The petitioner provided two documents by the Scott Valley Agriculture Water Alliance to justify the baseline, which offer guidance for calculating applied water needs and support using a higher baseline amount than 30 inches for pasture and 33 inches for alfalfa. The State Water Board finds the baseline amounts proposed by the petitioner to be high when considering the water demands of the crops, soil moisture levels, and seasonal precipitation contributions. However, the State Water Board approves this request because there is considerable uncertainty regarding water application needs in the Scott Valley and a meter will be installed on one of the irrigation wells, which will provide the data necessary to inform applied water amounts relative to different watering practices that may be used in the future. Additionally, the proposal provides sufficient evidence that the proposed changes to irrigation methods will result in reduced application of water (i.e., substantial reduction in set times will result in less water use such that to the extent the estimated 2020 irrigation amount is high, the corresponding reduction in water use is also high).

The proposal was posted to the State Water Board's webpage for local cooperative solutions associated with the Regulation on May 22, 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 to verify compliance with the proposal.

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 meter installation. 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 petitioner has not yet installed meters on the two irrigation wells but has an active application with the Natural Resources Conservation Service (NRCS) to receive funding for installing a meter on one well that irrigates 82 acres, in addition to upgrading a pivot to the LEPA system. If NRCS funding is not awarded, the petitioner agrees to self-purchase the meter. The petitioner agrees to record and maintain a log of the meter data from the time of installation through one full irrigation season and submit it to the

State Water Board. The proposal includes a request to waive the metering requirement for the other well because it irrigates less than 30 acres and is located on leased land.

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), with conditions.

The Division of Water Rights grants the petitioner's request for a partial waiver of the metering requirement for one well that irrigates 24 acres on land operated under a lease agreement. This waiver is granted because the well irrigates less than 30 acres and a meter will be installed to monitor water usage for 76% of the total irrigated acreage.

The groundwater local cooperative solution proposal is hereby approved with the following condition:

- The petitioner shall collect and maintain a log of the water usage data from the groundwater meter from the time of installation through the end of one full irrigation season (anticipated 2025 irrigation season). The metering data shall be submitted to the State Water Board by the 10th of each month for the preceding month.

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.

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

Sincerely,



Erik Ekdahl
Deputy Director
Division of Water Rights

ec: Scott River Water Trust
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