

## Summary

# Alternative Compliance Plan for Water Right (A021153)

You completed the survey on 06/19/2017 14:29:11

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## INTRODUCTION

See [Information and Instruction Sheet](#) for assistance in completing this form. The form shall be completed by the water right owner, the registrant, or for an Alternative Compliance Plan filed for a group, the designated contact. The vast majority of water right owners should be able to meet the measurement requirements. Participation in an Alternative Compliance Plan does not relieve the participant of the independent obligation to file an annual Report of Water Diversion and Use.

All sections of the form below must be completed. An incomplete form does not excuse non compliance with the regulation or release you from the obligation to measure. The Alternative Compliance Plan may not be used to avoid measurement and monitoring, but should be used to describe an alternative method of measurement and monitoring which will provide the information required by the Regulation. Estimated diversion records may not meet the Regulation's accuracy requirements without supporting documentation.

Note: The large text boxes in the form have a character limit of 2,000 characters. Responses requiring more than 2,000 characters for a particular text box should be submitted as an attachment in Section I of this form. Additional information should be attached in Section I.

## SECTION A - WATER RIGHT OWNER INFORMATION

This section of the form describes the information that is required for each water right or claimed right covered under the Alternative Compliance Plan.

In Section I, attach a table (in Microsoft Excel .xlsx, comma separated .csv, or tab separated .txt format) containing the Application or Statement Number for each water right covered under the Alternative Compliance Plan. For your water right, answer the questions below.

(1) Owner Name(s) \*

Hugh & Leslie Pitts

(2) Email Address \*

[REDACTED]

(3) Phone Number \*

[REDACTED]

(4) Mailing Address Line 1 \*

[REDACTED]

(5) Mailing Address Line 2:

(6) City \*

Paso Robles

(7) State \*

CA

(8) Zip Code \*

93446



(9) Is the Water Right Owner also the Primary Contact? \*

☒ Yes

☐ No



On questions 10 through 13, please tell us what you understand the requirements of the regulation to be for this water right to be.

(9) Installation Deadline \*

☐ January 1, 2017

- ☐ July 1, 2017
- ☒ January 1, 2018

**(10) Measurement Accuracy \***

- ☐ 10%
- ☒ 15%
- ☐ Other, as specified in the Alternative Compliance Plan (if submitted)

**(11) Required Monitoring Frequency \***

- ☐ Hourly
- ☐ Daily
- ☒ Weekly
- ☐ Monthly

**(12) Qualifications of the Individual Installing/Certifying \***

- ☒ A California Licensed Professional Engineer (PE), a person working under the supervision of a California PE, a California licensed contractor authorized by the State License Board for C-57 welding or C-61 Limited Specialty/D-21 Machinery and Pumps, or a Hydrologist or Engineer employed by a Federal Agency
- ☐ A person trained and experienced in water measurement (for diversions less than 100 acre feet per year)

## SECTION B - INFORMATION ON PRIMARY CONTACT

This section of the form includes the contact information for the primary contact associated with the Alternative Compliance Plan.

**(1) Name(s): \***

**(2) Phone Number: \***

**(3) Email Address: \***

**(4) Mailing Address Line 1: \***

**(5) Mailing Address Line 2:**

**(6) City: \***

**(7) State: \***

**(8) Zip Code: \***

**(8) The Alternative Compliance Plan Primary Contact is a(n): \***

- ☐ Water Right Owner
- ☐ Agent
- ☐ Designated Contact

## SECTION C - INFORMATION ON QUALIFIED INDIVIDUAL

This section of the form includes the contact information for the Qualified Individual certifying the Alternative Compliance Plan.

(1) Name(s): *	Shawn P. Ke
(2) Phone Number: *	
(3) Email Address: *	
(4) Mailing Address Line 1: *	
(5) Mailing Address Line 2:	
(6) City: *	Los Monos
(7) State: *	California
(8) Zip Code: *	96055
(9) The qualifications of the individual certifying the Alternative Compliance Plan are: *	<p><input checked="" type="radio"/> California Licensed Professional Engineer (PE)</p> <p><input type="radio"/> Person working under the supervision of a California Professional Engineer</p> <p><input type="radio"/> California licensed contractor authorized by the State License Board for C-57 well drilling or C-61 Limited Specialty/D-21 Machinery and Pumps</p> <p><input type="radio"/> Hydrologist or Engineer employed by a Federal Agency</p> <p><input type="radio"/> Person trained and experienced in water measurement (for diversions of less than 100 acre feet per year)</p>
(10) Qualifying Individual's PE or Contractor license number, if applicable:	49577

## SECTION D - REQUEST FOR ALTERNATIVE COMPLIANCE

Water right holders who divert more than 10 acre feet of water per year are required to measure the water they divert. A diverter may choose any measuring device, or combination of devices, that meet the measurement and monitoring requirements of the regulation. The measurement requirements are summarized on the [Reporting and Measurement Webpage](#).

For each box checked in questions 1a through 3 below, submit a detailed explanation and attach substantiating documentation.



(1a) Diverter is seeking alternative compliance from the requirement(s) checked below. \*

- ☐ Measuring Device Location
- ☐ Required Accuracy
- ☐ Certification of Accuracy
- ☒ Installation and Maintenance
- ☒ Monitoring Frequency
- ☐ Telemetry
- ☐ Other (describe in Section 1b)

(1b) Provide additional information for each of the reasons selected in question 1a: \*

This stockpond water right for Sapo Reservoir is part of the Chmney Rock Ranch. There are 19 ponds on this ranch. No pond except San Marcos Reservoir has the ability to store more than 100 acre feet of water right. This Alternative Compliance Plan is one of three covering Sapo, Pueblo, and Chmney Rock ponds. The total volume of these ponds is 116 acre feet (AF). All of the ponds on the ranch are listed for clarity: San Marcos Reservoir will have standard compliance with regulations with measurement devices for storage and for releases. The Application Numbers and storage rights of all the ponds are: \*\*Chmney Rock Ranch\*\* Pond Application ID Volume (AF) Sapo A021153 44 Pueblo (Rock Corral) A018763 A016609 27 Chmney Rock A016829 45 San Marcos A021262 A021153 A016829 325 Bull Pasture A023341 3 Badger A023919 0 2 Big Horse A023917 0 2 Little Horse A023918 0 6 Buena Vista A021153 0 03 Loma Vista A021153 1 Spring Dam (Skunk) A018763 3 Mesa (Abbey) A018762 2 2 Hidden A018754 2 5 Alex A018673 1 6 Zorn A018673 1 9 Wild Turkey A018673 0 5 Little Headquarters A018673 1 4 Bald Mountain A018673 9 2 Pine A016829 2 No human actions taken to fill or drain any of the ponds except San Marcos Reservoir. The ponds fill by San Marcos Creek or its tributaries or sheet flow and flow can only leave these ponds over spillways. The ponds have no gated inlets or outlets and are now part of the landscape of the area. These 19 ponds provide all of the fish and shore habitat on the ranch and provide nearly all of the drinking water for the cattle on the ranch as well as elk and other terrestrial wildlife. The high ponds dry up in the summer so the cattle are kept in the higher pastures in spring and come down into the valley in the summer and fall. The ranch has dryland pasture in the late fall, winter, and early spring. Up to 69 acres may be irrigated at the bottom of the ranch below San Marcos Reservoir in those years when irrigation makes economic sense.

(5000 character max.)

?

**(2a) Alternative compliance is being pursued because strict compliance with one or more of the requirements for measuring and monitoring (check all that apply): \***

- ☒ Is not feasible.
- ☐ Would unreasonably affect public trust resources.\*
- ☐ Is unreasonably expensive.\*\*
- ☐ Would result in the waste or unreasonable use of water.

\* Including fish, wildlife, recreation, navigation, and aesthetic values.

\*\* Plans claiming that strict compliance is unreasonably expensive shall be accompanied by an attached supporting cost analysis. The cost analysis should compare the cost of the proposed alternative measuring devices to the cost of the measurement devices required by the Regulation. Plans shall include a budget and shall identify sources of financing. The budget should provide sufficient detail to show the cost of the proposed alternative measuring devices, the cost of obtaining any necessary permits, and the cost of installation.

**(2b) Provide additional information for each justification selected in question 2a: \***

Most of the Chmney Rock Ranch ponds are inaccessible by vehicles in the winter and spring. All of the dirt roads turn to mud and cannot be navigated with a four-wheel drive or ATV when wet. Even those ponds that are accessible by highways only have vehicle access over dirt roads. Checking these ponds would chase away wildlife and reduce the ponds' use by birds and walking animals. It would result in the waste and unreasonable use of water if a fire were started in the process of attempting to access a pond in the summer or fall. Also, the bull elk that come to the ranch from Camp Roberts habitually tear up fences, new structures, and small equipment. Any installation of measurement equipment would have to be protected by steel just to survive. Water level loggers would have to be installed in galvanized pipe from the top of each dam down to the bottom, and the pipe would have to be secured to the dams and pond bottoms. The least expensive equipment to monitor pond levels would have to be electronic and would cost at least \$5000 in capital and \$4000 in labor for installation plus \$2500 per year to check, download, and maintain pressure transducers. \$11500 in the first year to electronically measure 116 AF which is not controlled or able to be controlled is not reasonable or feasible. In fact, it would be less expensive for the landowner to reduce the dam heights for the licensed ponds to a level at which each stores less than 10 AF.

(5000 character max.)

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**(3a) Alternative compliance is requested under the following categories (check all that apply): \***

- ☒ High variable flow rate at point of diversion.
- ☒ Point of diversion is inaccessible a portion of the year due to weather or other on-site conditions.
- ☐ Point of diversion is under tidal influence.
- ☐ There is an existing measuring device or measurement method in use.
- ☐ Water is corrosive to measurement equipment.

☐ The diversions measured by another entity (identify entity and method of measurement used).

☒ Other (provide complete description in section 3b)

**(3b) Provide additional information for each of the categories selected in question 3a: \***

This Alternative Compliance Plan is for 3 water rights on the Chmney Rock Ranch west of Paso Robles. These rights are for small ponds and no irrigated acreage. The total water right of the three ponds combined is 116 AF per year. Most of the Chmney Rock Ranch ponds are inaccessible by vehicles in the winter and spring. All of the dirt roads turn to mud and cannot be navigated with a four-wheel drive or ATV when wet. Even those ponds that are accessible by highways only have vehicle access over dirt roads. Checking these ponds would chase away wildlife and reduce the ponds' use by birds and walking animals. It would result in the waste and unreasonable use of water if a fire were started in the process of attempting to access a pond in the summer or fall. The least expensive equipment to monitor pond levels would have to be electronic and would cost at least \$5000 in capital and \$4000 in labor for installation plus \$2500 per year to check, download, and maintain pressure transducers. \$11,500 in the first year to electronically measure 116 AF or less is not reasonable or feasible.

(5000 character max.)

2

**(4) Alternative Compliance Plans shall include alternative, objective measurement and performance standards that achieve the closest attainable compliance. Describe the measurement or alternative to measurement that will be used at each point of diversion in the plan to achieve closest attainable compliance. \***

This Alternative Compliance Plan is for 3 water rights on the Chmney Rock Ranch west of Paso Robles. These rights are for small ponds and no irrigated acreage. The total water right of the three ponds combined is 116 AF per year. Most of the Chmney Rock Ranch ponds are inaccessible by vehicles in the winter and spring. All of the dirt roads turn to mud and cannot be navigated with a four-wheel drive or ATV when wet. Even those ponds that are accessible by highways only have vehicle access over dirt roads. Checking these ponds would chase away wildlife and reduce the ponds' use by birds and walking animals. It would result in the waste and unreasonable use of water if a fire were started in the process of attempting to access a pond in the summer or fall. The least expensive equipment to monitor pond levels would have to be electronic and would cost at least \$5000 in capital and \$4000 in labor for installation plus \$2500 per year to check, download, and maintain pressure transducers. \$11,500 in the first year to electronically measure 116 AF or less is not reasonable or feasible.

(5000 character max.)

## SECTION E - AREA COVERED BY THE ALTERNATIVE COMPLIANCE PLAN

Summarize the following for each water right covered by the Alternative Compliance Plan. In Section I, attach maps, aerial photographs, or other renderings showing the area covered by the Alternative Compliance Plan and delineating the acreage of each place of use served. For the area covered by the Alternative Compliance Plan, include a list of assessor's parcel numbers and the current owner of each parcel.

**(1) Provide a general description of the area covered by the Alternative Compliance Plan. \***

This stockpond water right for Sapo Reservoir is part of the Chmney Rock Ranch. There are 19 ponds on this ranch. No pond except San Marcos Reservoir has the ability to store more than its water right. This Alternative Compliance Plan is one of three covering Sapo, Pueblo, and Chmney Rock ponds. The total volume of these ponds is 116 acre feet (AF). All of the ponds on the ranch are listed for clarity: San Marcos Reservoir will have standard compliance with regulations with measurement devices for storage and for releases. The Application Numbers and storage rights of all the ponds are: \*\*Chmney Rock Ranch\*\* Pond Application ID Volume (AF) Sapo A021153 44 Pueblo (Rock Corral) A018763 A016609 27 Chmney Rock A016829 45 San Marcos A021262 A021153 A016829 325 Bull Pasture A023341 3 Badger A023919 0 2 Bg Horse A023917 0 2 Little Horse A023918 0 6 Buena Vista A021153 0 03 Loma Vista A021153 1 Spring Dam (Skunk) A018763 3 Mesa (Abbey) A018762 2 2 Hadden A018754 2 5 Alex A018673 1 6 Zom A018673 1 9 Wild Turkey A018673 0 5 Little Headquarters A018673 1 4 Bald Mountain A018673 9 2 Pine A016829 2 No human actions taken to fill or drain any of the ponds except San Marcos Reservoir. The ponds fill by San Marcos Creek or its tributaries or sheet flow and flow can only leave these ponds over spillways. The ponds have no gated inlets or outlets and are now part of the landscape of the area. These 19 ponds provide all of the fish and shore habitat on the ranch and provide nearly all of the drinking water for the cattle on the ranch as well as elk and other terrestrial wildlife. The high ponds dry up in the summer so the cattle are kept in the higher pastures in spring and come down into the valley in the summer and fall. The ranch has dryland pasture in the late fall, winter, and early spring. Up to 69 acres may be irrigated at the bottom of the



ranch below San Marcos Reservoir in those years when irrigation makes economic sense

(5000 character max.)

**(2) Describe all diversion and conveyance works covered by the Alternative Compliance Plan. \***

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(5000 character max.)

**(3) Describe the type(s) of Beneficial Use(s). \***

Stock watering, Recreational, and Wildlife Propagation Uses

(5000 character max.)

- (4) Have you attached a list of assessor's parcel numbers and the current owner of each parcel covered by the Alternative Compliance Plan? (Attachments may be made under Section I of this form.) \***
- ☒ Yes ☐ No

## SECTION F - MEASUREMENT AND MONITORING

**(1) For each Point of Diversion listed in the Alternative Compliance Plan, describe how the water is measured. \***

There are no diversions except from San Marcos Reservoir. Pond levels are visually measured when it is safe and when weather, low fire danger, and time allows to visit the remote locations.

(5000 character max.)

**(2) Identify the measurement accuracy associated with the measurement devices. \***

The accuracy is unknown if the estimate were made by the volume of each water right, the real volume could be significantly lower, but not higher because the ponds spill in wet years.

(5000 character max.)

**(3) Describe how the accuracy of the Alternative Compliance Plan was calculated. \***

The accuracy was not calculated.

(5000 character max.)

## SECTION G - IMPLEMENTATION SCHEDULE (IF NECESSARY)

(1) If applicable, describe the implementation schedule for the Alternative Compliance Plan, including objective milestones from date of filing through final implementation. Milestones should include date of completion for construction and testing, expected dates of issuance of required permits, and expected date for compliance with the California Environmental Quality Act:

There are no milestones

(5000 character max.)

An Alternative Compliance Plan shall be submitted and implemented by the established regulatory deadlines (see form instructions for additional information) unless a Request for Additional Time has been granted.

## SECTION H - OTHER PERMITS

(1) Describe any other permits required to implement the Alternative Compliance Plan. Include information on the agency that will issue the permit, and the expected date of issuance.

Not Applicable

(5000 character max.)

## SECTION I - ATTACHMENTS



(1) Attach documents that support the Alternative Compliance Plan.

Choose File

No file selected

Upload

(Uploaded files:)

a016609\_Pueblo.pdf  
a016829\_SanMarcos\_ChorneyRock\_Pne.pdf  
a018673\_Alex\_Zorn\_Wdturkey\_LtHeadquarters\_BadMountain.pdf  
a018754\_Hdden.pdf  
a018762\_Mesa.pdf  
a018763\_Pueblo\_SpringDam.pdf  
a021153\_BuenaVista\_Sapo\_SanMarcos\_LomaVista.pdf  
a021262\_SanMarcos.pdf  
a023341\_Bu Pasture.pdf  
a023917\_Bghorse.pdf  
a023918\_LtHorse.pdf  
a023919\_Badger.pdf  
ChorneyRock\_Ranch\_Map\_032017\_300\_dp\_2.pdf  
ChorneyRock\_PQ\_Own\_Records\_20170530\_20170530154320.xlsx  
GoogleEarth\_ChorneyRock\_Ponds with Ranch Boundary.pdf  
A016609 2016 REPORT OF LICENSEE.pdf  
A016829 2016 REPORT OF LICENSEE.pdf  
A018673 2016 REPORT OF LICENSEE.pdf  
A018754 2016 REPORT OF LICENSEE.pdf  
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A023917 2016 REPORT OF LICENSEE.pdf  
A023918 2016 REPORT OF LICENSEE.pdf  
A023919 2016 REPORT OF LICENSEE.pdf  
ChorneyRock\_PQ\_Own\_Aerial\_20170530.pdf  
ChorneyRock\_PQ\_Own\_Map\_20170530.pdf

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(2) Provide a brief description of the attached documents.

a016609\_Pueblo.pdf L cense for Appl cat on D A016609  
a016829\_SanMarcos\_Ch mneyRock\_P ne.pdf L cense for Appl cat on D A016829  
a018673\_Alex\_Zom\_WldTurkey\_L ttleHeadquarters\_BaldMunta n.pdf L cense for Appl cat on  
D A018673 a018754\_H dden.pdf L cense for Appl cat on D A018754 a018762\_Mesa.pdf  
L cense for Appl cat on D A018762 a018763\_Pueblo\_Spr ngDam.pdf L cense for Appl cat on D  
A018763 a021153\_BuenaVsta\_Sapo\_SanMarcos\_LomaVsta.pdf L cense for Appl cat on D  
A021153 a021262\_SanMarcos.pdf L cense for Appl cat on D A021262  
a023341\_BullPasture.pdf L cense for Appl cat on D A023341 a023917\_B ghHorse.pdf L cense  
for Appl cat on D A023917 a023918\_L ttleHorse.pdf L cense for Appl cat on D A023918  
a023919\_Badger.pdf L cense for Appl cat on D A023919 Ch mneyRock Ranch Map and  
Ponds kmz Google Earth KMZ file of Ch mneyRock Ranch and ponds  
Ch mneyRock\_Ranch\_Map\_03 20 17\_1007.pdf Ch mneyRock Ranch map on quads  
Ch mneyRock\_PQ\_Own\_Aer al\_20170530.pdf ParcelQuest ownersh p map of Ch mneyRock  
Ranch on aer al photo Ch mneyRock\_PQ\_Own\_Map\_20170530.pdf ParcelQuest ownersh p  
map of Ch mneyRock Ranch on road map base  
Ch mneyRock\_PQ\_Own\_Records\_20170530\_20170530154320.xlsx ParcelQuest AP Maps and  
records for Ch mneyRock Ranch ownersh p as Excel file GoogleEarth\_Ch mneyRock\_Ponds.pdf  
Google Earth map of Ch mneyRock Ranch ponds A016609 2016 REPORT OF L CENSEE.pdf  
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## SECTION J - IMPORTANT INFORMATION AND SIGNATURES

Each part c pant n an A ternat ve Comp ance Pan (Pan) must s gn th s form or an "opt n" form that must be reta ned by the Pan manager. Attach a st ng of part c pants, as needed, n Microsoft Exce .xlsx, comma separated .csv, or tab separated .txt format. By s gn ng th s form or the Pan's "opt n" form, each Pan part c pant acknowledges that the Pan w be t me y mp emented and that the measurement of d vers ons w substant a y comp y with the Measurement Regu at on. Further, each Pan part c pant acknowledges that the water r ghts covered by the Pan w not be exerc sed outs de the scope of the Pan. Each Pan part c pant s respons be for prompt y nform ng the D v s on of Water R ghts or De ta Watermaster, as approp rate, f the part c pant withdraws from the Pan. The Pan manager s respons be for prompt y nform ng the D v s on of Water R ghts or the De ta Watermaster, as approp rate, f the Pan s mod fed or abandoned or f the Imp ementat on Schedu e s adjusted.

I hereby certify that the information in  
this Alternative Compliance Plan is true  
to the best of my knowledge and belief  
and that the Alternative Compliance Plan  
is in compliance with the requirements of  
Title 23, Division 3, Chapter 2.8, Section  
931 through 938 of the California Code of  
Regulations. \*

☒ Yes ☐ No

Printed Name \*

Shawn P ke

D v s on of Water R ghts and De ta Watermaster staff may or may not eva uate the contents of an A ternat ve Comp ance Pan at the t me of rece pt. Staff w nta y determ ne fa the nformat on has been f ed out, and accept the A ternat ve Comp ance Pan as comp ete or return t as ncomp ete. An A ternat ve Comp ance Pan may be rev ewed for comp ance purposes at any t me or as part of a systemat c aud t.