
State Water Resources Control Board

April 6, 2022

Mr. Jason Finley
Finley Farms



APPROVAL OF GROUNDWATER LOCAL COOPERATIVE SOLUTION FOR FINLEY FARMS

Dear Mr. Finley:

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 and conditions are described below.

For overlying or adjudicated groundwater diversions for irrigated agriculture described in 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 it 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 Finley Farms (petitioner) for approval of a groundwater local cooperative solution that includes commitments to reduce water use by at least 30 percent as specified under Section 875.5, subdivision (f)(4)(D)(ii). This proposal provides for reduced water use from groundwater wells on 2,179 acres associated with Assessor Parcel Numbers 024-260-010, 024-190-220, 024-190-210, 024-190-200, 024-110-180, 024-110-580, 024-110-490, 024-030-410, 014-390-120, 024-030-370, 024-080-190, 024-020-230, 024-020-080, 014-390-250, 024-080-360, 024-070-100, 014-121-730, 014-121-310, 024-110-280, 014-121-720, and

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

014-121-740, as determined from documents provided by the petitioner as part of the request for approval of a groundwater local cooperative solution. These parcels comprise land that is owned and leased by the petitioner. The petitioner has committed that these parcels will only be supplied by groundwater and will not receive other water. The proposal includes detailed spreadsheets describing the conservation plan's water savings as compared to 2020, maps, information on the efficacy of the "Low Elevation Spray Application" system, and 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 30.7 percent, relative to a 2020 baseline. The proposed conservation actions are: enhanced irrigation pivot efficiencies, reduced pivot revolutions, reduced end gun usage, early shut-off of wheel lines and pass reductions, fallowing of select acreage, and a fall irrigation forbearance starting September 1, 2022.

The proposal also includes a Groundwater Use Reduction and Verification Agreement (Agreement) with the California Department of Fish and Wildlife (CDFW) granting CDFW with sufficient access to verify compliance with the proposal.

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). As determined by the Regulation under this subsection, 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 8, 2022, including the conservation plan, together with the terms of your executed Agreement dated March 17, 2022, are hereby approved. As described in Section 875, subdivision (f)(2), any violations of this approval are subject to enforcement as a violation of the Regulation. 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 SG003040, SG003041, SG003042, SG003043, SG003044, SG003059, SG003060, SG003061, SG003062, SG003312, SG003313, SG003750, and SG004258, are rescinded.

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

Mr. Jason Finley

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ec: CDFW
Email: klamathwatershed@wildlife.ca.gov