



State Water Resources Control Board

April 8, 2022

Mr. Tom Menne
Menne Ranch Hay, Inc.



APPROVAL OF GROUNDWATER LOCAL COOPERATIVE SOLUTION FOR MENNE RANCH HAY, INC.

Dear Mr. Menne:

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 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 Menne Ranch Hay, Inc. (petitioner) for approval of a groundwater local cooperative solution that includes commitments to reduce water use by 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 1,541.5 acres associated with Assessor Parcel Numbers 014-100-100, 014-130-370, 014-130-390, 014-130-490, 014-361-380, 014-361-460, 014-361-470, 014-130-210, 014-130-460, 014-130-470, 014-380-060, 014-100-080, 014-370-040, 014-370-050, 014-130-560, 014-130-561, 014-390-230, 014-390-240,

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024-020-170, 024-020-180, 024-180-370, 024-180-430, 024-180-440, 023-220-440, 023-220-450, 024-180-450, and 024-180-460, 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 and are supplied by groundwater. The proposal commits that conserved groundwater will not be replaced with other water. The proposal includes detailed spreadsheets describing the conservation plan's water savings as compared to 2020, maps, information on the efficacy of various equipment upgrades, 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 percent relative to a 2020 baseline. The proposed conservation actions are: enhanced irrigation pivot efficiencies (i.e., higher efficiency nozzles), groundwater pump upgrades, installation and use of soil moisture sensors, planting 50 percent more grain than was planted in 2020 that does not require irrigation past July 1, reduced irrigation via wheel line by replacing 22 old wheel lines with 11 pivots, reduce or eliminate the use of big gun and hand line irrigation to water corners, and a 2022 fall irrigation forbearance that includes planting 50 percent more grain than in 2020 (as noted above) and no irrigation of a fourth cutting of alfalfa.

The proposal also includes a Groundwater Use Reduction and Binding Agreement for Local Cooperative Solution (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 local cooperative solution proposal and finds that it meets the requirements of Regulation section 875, subdivision (f)(4)(D) with the following condition:

- To the extent surface water is available to the petitioner under its existing surface water rights, surface water used in the 2022 irrigation season shall not exceed the amount of water used during the 2020 irrigation season, nor decrease the estimated overall 30 percent reduction in groundwater use approved as part of this local cooperative solution.

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, received on March 25, 2022, including the conservation plan, together with the terms of your executed Agreement dated March 24, 2022, are hereby approved, as conditioned. As described in Regulation 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 SG003050, SG003068, SG003069, SG003070, SG003071, SG003184, SG003600, and SG003753 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,

A handwritten signature in black ink, appearing to read 'Erik Ekdahl', written in a cursive style.

for
Erik Ekdahl
Deputy Director
Division of Water Rights

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