
State Water Resources Control Board

July 12, 2024

Mr. Brett Piersall



CONDITIONAL APPROVAL OF GROUNDWATER LOCAL COOPERATIVE SOLUTION FOR PIERSALL RANCH

Dear Mr. Piersall:

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 Brett Piersall (petitioner) that involves reducing water use from seven groundwater wells that irrigate a total of 228 acres using Option 2 of the Graduated Cessation Schedule groundwater local cooperative solution. The Option 2 schedule involves ceasing:

- At least 20% of irrigated acres by July 20,
- At least 50% of irrigated acres by August 20, and
- At least 95% of irrigated acres by September 5, with a maximum of 6 inches of water to be applied to the remaining 5% of irrigated acres during the remainder of the irrigation season. This 5% can be on land previously fallowed.

To meet the conditions of this graduated cessation schedule, the petitioner proposes to cease irrigation of 58 acres on July 20, 2024, which accounts for 25% of the total 228 acres. On August 20, 2024 irrigation will cease on an additional 80 acres, bringing the total irrigated acres with irrigation ceased for the season to 60%. Finally, on

E. JOAQUIN ESQUIVEL, CHAIR | ERIC OPPENHEIMER, EXECUTIVE DIRECTOR

September 5, 2024, irrigation will cease on the remaining 90 acres, achieving 100% cessation of irrigation for the 228 acres covered by this groundwater local cooperative solution.

The proposal was posted to the State Water Board's webpage for local cooperative solutions associated with the Regulation on May 7, 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 24-hour notice.

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 installed meters on two groundwater wells that irrigate 90 acres of the total 228 irrigated acres. The proposal includes a plan to collect and maintain a log of the metered water use data that will be submitted to the Coordinating Entity monthly for the entire irrigation season. Additionally, the proposal provides a plan and timeline for upgrades to an 80-acre pivot system in Fall 2024 that will include the installation of an additional meter that will record water usage for four additional wells included in the proposal, providing for metering of six of the seven groundwater wells and 170 acres of the 228 acres (75 percent of the acres) covered by the groundwater local cooperative solution proposal. The petitioner has agreed to collect and report the meter data to the State Water Board for the four wells and 80 acres covered by the meter that will be installed in Fall 2024 from the time of installation in the Fall of 2024 until the end of the 2025 irrigation season.

The petitioner requests a waiver of the metering requirement for one well used to irrigate 58 acres because it is operated under a year-to-year lease agreement. Staff determined the groundwater well is located more than one mile from the closest surface waterbody. The petitioner informed State Water Board staff on July 2, 2024, that the petitioner will monitor water usage for the wheel lines that receive water from this well by calculating the flow rate for each irrigation set based on nozzle size and pump pressure. The water usage data will be submitted to the Coordinating Entity each month throughout the irrigation season to support implementation of the groundwater local cooperative solution.

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 58 acres on land operated under a year-to-year lease agreement. This waiver is granted because meters either have been or will be installed to monitor water usage for 75% of the total irrigated acreage, the time constraints associated with the lease, the number of acres irrigated, and the distance of the well to surface water.

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 that will be installed on the 80-acre pivot system from the time of installation (anticipated in fall of 2024) 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

cc: Scott River Water Trust
scottwatertrust@gmail.com