October 30, 2026

Ms. Patricia Ellis
Ellis Trust
[redacted]

**CONDITIONAL APPROVAL OF 2026 GROUNDWATER LOCAL COOPERATIVE SOLUTION FOR ELLIS TRUST**

Dear Ms. Ellis:

Assembly Bill (AB) 263, signed into law on September 26, 2025, extended the effective period of the State Water Resources Control Board's (State Water Board's) Scott River and Shasta River Emergency Regulation (Cal. Code Regs., tit. 23, §§ 875-875.9) (Regulation) until January 1, 2031, or until permanent rules establishing and implementing long-term instream flow requirements are adopted for those watersheds, whichever occurs first. Under the Regulation[1], 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) of the Regulation describes three types of local cooperative solutions specifically 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, satisfies the metering and inspection requirements, is founded on a binding agreement with a coordinating entity if the petitioner chooses that option, and is to be implemented throughout the entirety of the irrigation season. The Deputy Director's approval of a proposal for a groundwater local cooperative solution may be subject to appropriate conditions, including metering, monitoring, and reporting requirements.

[1] *Establishment of Minimum Instream Flow Requirements, Curtailment Authority, and Information Order Authority in the Scott River and Shasta River Watersheds*, available online at: https://www.waterboards.ca.gov/drought/scott_shasta_rivers/docs/2025/2025-scott-shasta-emergency-reg-adopted-searchable.pdf.

**Summary of Proposal**
The State Water Board received a proposal[2] from Patricia Ellis (petitioner) for a Percent Reduction groundwater local cooperative solution for the 2026 season that proposes to reduce water use by 30% compared to water use in the 2020 irrigation season. The proposal covers 29.73 acres of land irrigated by one pivot and one groundwater well. The petitioner proposes to achieve the water use reduction with the following water conservation actions:

- Reduced total irrigated acreage by ceasing irrigation on 8.17 acres of corners and rotating the crop in these areas to dryland grain; and
- Reduced pivot set times to shorter durations (i.e., 1,260 hours) in 2026 compared to the 2020 baseline year (i.e., 1,800 hours), which is verifiable by the cumulative hour meter on the pivot control panel.

These actions reduce the amount of water applied by the pivot (i.e., 69.58 acre-feet) compared to the amount used during the 2020 baseline year (i.e., 99.43 acre-feet).

*Applied Water Baseline*
Per the Regulation, the relevant water use reduction shall generally be based on a comparison to the 2020, 2021, 2022, or 2023 irrigation season, and may be demonstrated by evidence that provides a reasonable assurance that the change in farming practice or other action results in at least the relevant proportionate reduction in water use. However, if evidence for the amount of water applied during 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 set to these specified values, unless the petitioner makes an additional showing that a higher base rate number is an appropriate comparison in light of relevant information that can include but is not limited to multi-year practices, soil type, and irrigation methods. (Cal. Code Regs., tit.23, § 875, subd. (f)(4)(D)(v).) The petitioner requested to use the 2020 base rate of 32 inches of applied water for alfalfa in the Percent Reduction Proposal.

A further description of the site and water reduction measures is provided in the application submitted for this proposal. The application identifies the California Department of Fish and Wildlife (CDFW) as the coordinating entity and includes a "Binding Agreement" that grants property access to verify compliance with the proposal. The proposal was posted to the State Water Board's webpage for local cooperative solutions[3] associated with the Regulation on May 21, 2026. No comments were received on the proposal.

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[2] The term "proposal" includes, as applicable, elements of the petitioners' Application Form for 2026 Local Cooperative Solution, communications with Division of Water Rights staff, and content from one or more of the petitioners' previous local cooperative solutions. Generally, any applicable content is restated in this letter as part of the current proposal.
[3] http://www.waterboards.ca.gov/waterrights/water_issues/programs/drought/scott_shasta_rivers/lcs2026.html

**Groundwater Metering**
A groundwater local cooperative solution must include a description of any existing groundwater metering, and a proposal to meter and record such extractions or applications on a weekly basis, and to report this information monthly to the Deputy Director (or the coordinating entity, if so agreed), with limited exceptions. If a meter may not be 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 Deputy Director may also approve a time schedule for the installation of a meter if not currently installed at the start of the irrigation season. (Cal. Code Regs., tit. 23, § 875, subd. (f)(4)(D)(iii)(a)-(c).)

The petitioner has one meter installed on one pivot that irrigates 29.73 acres, enabling monitoring of water usage on 100% of the total irrigated acreage covered by the proposal (29.73 acres). The proposal includes a plan to record and maintain a log of the meter data from the one pivot on a weekly basis and provide monthly reports to the State Water Board or the coordinating entity, where the coordinating entity will then submit the information to the State Water Board monthly and upon request.

**Approval**
The Deputy Director has delegated the authority to approve groundwater local cooperative solutions to the Assistant Deputy Director of the Water Quality Certification, Flow, Data, and Administrative Branch in the Division of Water Rights. The Assistant Deputy Director has reviewed the groundwater local cooperative solution proposal and finds that it meets the requirements of Regulation section 875, subdivision (f)(4)(D), with the following conditions:

- The petitioner is required to meter, record, and maintain a weekly log documenting the volume of water pumped, as measured by the existing groundwater meter corresponding to one pivot**,** throughout the 2026 irrigation season in accordance with the Regulation. This data must be submitted to the State Water Board by the 10$^{th}$ of each month, reflecting records from the previous month.

The petitioner's groundwater local cooperative solution proposal is hereby approved, as described in this letter. Any failure to implement any commitments of the proposal and any conditions of this approval (collectively, the approved local cooperative solution) is 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 an email to: ScottShastaFlows@waterboards.ca.gov or by leaving a message on our dedicated phone line at (916) 327-3113.

Sincerely,



Erin Ragazzi
Assistant Deputy Director
Water Quality Certification, Flow, Data, and Administrative Branch
Division of Water Rights

ec: California Department of Fish and Wildlife
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