

## Summary

# Alternative Compliance Plan for Water Right (A023298)

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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, their agent, 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 online 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) \*

L. B. Vandegrift Trust

(2) Email Address \*

[REDACTED] and singrundy@att.net

(3) Phone Number \*

[REDACTED]

(4) Mailing Address Line 1 \*

[REDACTED]

(5) Mailing Address Line 2:

(6) City \*

magalia

(7) State \*

ca

(8) Zip Code \*

95954

(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 well drilling 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 of less than 100 acre-feet per year - no specific training is required; the person using any equipment and reporting the information must know how to use the equipment and submit correct information)

## 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): \***

paul I vandegrift

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

[REDACTED] cell

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

[REDACTED]

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

[REDACTED]

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

**(6) City: \***

magalia

**(7) State: \***

ca

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

95954

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

- ☐ Water Right Owner
- ☐ Agent

## 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): *	<input type="text" value="paul I vandegrift"/>
(2) Phone Number: *	<input type="text" value="REDACTED"/>
(3) Email Address: *	<input type="text" value="REDACTED"/> singrundy@att.net
(4) Mailing Address Line 1: *	<input type="text" value="REDACTED"/>
(5) Mailing Address Line 2:	<input type="text"/>
(6) City: *	<input type="text" value="magalia"/>
(7) State: *	<input type="text" value="ca"/>
(8) Zip Code: *	<input type="text" value="95954"/>
(9) The qualifications of the individual certifying the Alternative Compliance Plan are: *	<div><p><input 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 checked="" type="radio"/> Person trained and experienced in water measurement (for diversions of less than 100 acre-feet per year - no specific training is required; the person using any equipment and reporting the information must know how to use the equipment and submit correct information)</p></div>
(10) Qualifying Individual's PE or Contractor license number, if applicable:	<input type="text" value="ca lic 500258"/>

## 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: \***

The point of diversion is not under my control. Our head dam is located on land of the Lassen National Forest. It is administered by the Plumas National Forest offices located in Oroville ca. The head dam is often vandalized Boards are pulled culverts are blocked. Any measuring device at this location would be subject to attack by vehicles, guns, chain saws, you name it. A methhead with a sledge hammer can do an unbelievable amount of damage in a remote location! It is my belief that the head dam itself is a metering device. When boards are placed in the dam to create a pond which has a water level 6 inches above the diverting culverts, that is to say 6 inches of head. math tells us that a 12 inch corrugated culvert will flow 3.1 cfs. If this is not acceptable I would propose putting a weir in our west ditch on our property I have proposed this to Tomas.Eggers@waterboards.ca.gov As to frequency the ditches east & west can be observed from both my house and my brothers house when the flow goes down you can bet some one has messed with the head dam.

(5000 character max.)

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**(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 alternate measuring devices to the cost of the measurement devices required by the Regulation. All Plans shall include a budget and shall identify sources of financing. The budget should provide sufficient detail to show the cost of the proposed alternate 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: \***

I all ready have a metering device in place. the design of our head dam put 3.1 cfs down our ditch

(5000 character max.)

?

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

- ☐ Highly 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 diversion is 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: \***

the design of our head dam put 3.1 cfs down our ditch

(5000 character max.)



**(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 used at each point of diversion in the plan to achieve closest attainable compliance. \***

as I have stated the design of our head dam puts 3.1 cfs down our ditch. the ditch flows with in 30 ft of my house . It also flows with in 30 ft of my brothers house the ditch is monitored 24 hrs a day when you have been listening to the creek or ditch to tell if PG&E is dumping water with out notify us. you listen to and visually observe the ditch to know when some one has vandalized the head dam. the are things we have been doing our hole lives .It is just part of daily lives

(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. \***

The area covered by this alternative compliance plan is Meadowbrook Ranch. Meadowbrook Ranch is some 260 acres of forest located in the foothills of the Sierra Nevada Mountains at some 3000 ft elevation. The Ranch is mostly pine forest with some 15 acres of pasture along the banks of the Little Butte Creek, which roughly bisects the Ranch north to south. The ranch is composed of four parcels and is approx. 3/4 X 1/2 miles. We have a small lake of approx. 7 surface acres on the Little Butte Creek. We also have 13 ponds along our two ditches. The ponds are all about 1/4 acre in size and 5 to 8 ft deep. The parcels are owned by the LB Vandegrift Trust . The parcel # are 065/010/010 , 065/010/083 , 065/010/085 , 065/060/009,

(5000 character max.)

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

The water is diverted out of the Little Butte Creek at our head dam. The dam is not on our property but is on property owned by the Lassen National Forest . The parcel is on our north ,it is 80 acres its parcel # is 065/010/011. The property is administered by the Plumas National Forest with headquarters in Oroville Ca. The water is diverted down our ditches the west ditch, the east ditch . The design of our head dam put 3.1 cfs. down one ditch at a time . We run one ditch at a time. We put the boards in our dam on June 15. We run most of the water down our west ditch. We irrigate our 15 acres of pasture out of the first pond on our west ditch. We irrigate 5 times / year. We pull the boards out of our dam on Nov.1. We have been doing this for 5 generations. The west ditch is 1 & 1/8 miles in length . I will send you maps and diagrams in the mail as I lack the technical skill to do it electronically. The west ditch begins at the head dam flows south to pond # 2 flows south to pond #3 where it meets the water of Meadowbrook which flows south to pond #5 south to pond # 6 south to pond #7 south to the Richardson site dump & back to the Little Butte Creek. The east ditch flows south from the head dam to the Bob pond south to the Bud pond south through the #2 east ditch dump to the east tail pond #11 then north to the Little Butte Creek @SAV lake. Meadowbrook comes on to our property at the north west corner and into Meadowbrook Lake some 2 surface acres average depth of 6 ft. it flows west to Meadowbrook pond on our west ditch. the water flows south down the ditch as described above. The west ditch has been the course of Meadowbrook for all my life some 60 years and is the defacto Brook. All ponds fill and spill and are riparian in use.

(5000 character max.)

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

The water we divert from Little Butte Creek some 856 acre ft. is mostly put right back in the creek. We use almost 40 acres to irrigate pasture . We graze horses now but have grazed cows, sheep ,goats, mules and will again. We use some water for domestic uses The landscaping, garden, in the range of 3 acre ft. The water that flows down our ditches provides or enhances the habitat for all manor of wildlife in the valley that is Meadowbrook Ranch. We have a Ponderosa Pine tree that is over 200 ft. tall . In that tree is a nest that successive pairs of Ospreys have ben using for more than 30 years. We have turkey ,Valley and Mountain Quail , Mountain Lion, Bobcat ,Black Bears. The pastures are on the banks of the Little Butte Creek so other than transpiration the water all ends up back in the Little Butte Creek. We are practicing a way of life that my great grand father S.A Vandegrift wanted to preserve. We are protecting a part of California that he saw was vanishing almost 100 years ago. S.A Vandegrift bought Meadowbrook Ranch in 1921. At the same

time he quit working as a timber cruiser for Diamond match. He wanted to preserve some of the 200 ft. Ponderosa and sugar pines he loved. We still have some 200 ft tall 6ft dia. pines on the Ranch. We are doing our best to practice what S. A. Vandegrift preached. We run the water every June. We put the boards in the head dam because its what we have done for 5 generations. We don't sell the water. The Ranch is about preserving a way of life. preserving a part of California. We open the ranch to groups like the CSHA, AERC, PHSA, Hope church out reach ,Well ministry, Kristina Chesterman memorial foundation. We share the Ranch with these groups and others . I believe if you ask then they will tell you the water is put to good use.

(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. \***

the head dam is in effect a weir the design with designed head and culvert size math tells us 3.1 cfs

(5000 character max.)

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

10%

(5000 character max.)

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

math and U.S.G.S. table for culvert sizing on logging roads

(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:**

If you accept my head dam is a metering device then no construction is necessary. I have applied for a special use permit with the US Forest service at the advise of Michale Contreras state water boards I have also meet with Tomas Eggers state waterboards. I have also been working with Matt kurtz state waterboards to get current with statement of diversion I believe I am now current be it with a not approved meter. As I have stated in earlier sections our head dam is in an unsecure location the dam itself is about the only thing to survive the vandalism. I will begin application for more time to go to a csu class on water measuring when one is made avlable

(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.**

As I stated in previous sections I have applied for a special use permit from the U.S. Forest service

on 11/6/2017 as of 2/9/2018 they still have a back log of current permits to work through and will get back to me

(5000 character max.)

## SECTION I - ATTACHMENTS



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

Choose File

No file selected

Upload

(Uploaded files:)

0%

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

As I stated earlier I lack the technical skills and will need to mail maps and drawings

(5000 character max.)

## SECTION J - IMPORTANT INFORMATION AND SIGNATURES

Each participant in an Alternative Compliance Plan (Plan) must sign this form or an "opt-in" form that must be retained by the Plan manager. Attach a listing of participants, as needed, in Microsoft Excel .xlsx, comma-separated .csv, or tab-separated .txt format. By signing this form or the Plan's "opt-in" form, each Plan participant acknowledges that the Plan will be timely implemented and that the measurement of diversions will substantially comply with the Measurement Regulation. Further, each Plan participant acknowledges that the water rights covered by the Plan will not be exercised outside the scope of the Plan. Each Plan participant is responsible for promptly informing the Division of Water Rights or Delta Watermaster, as appropriate, if the participant withdraws from the Plan. The Plan manager is responsible for promptly informing the Division of Water Rights or the Delta Watermaster, as appropriate, if the Plan is modified or abandoned or if the Implementation Schedule is 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 \***

Paul Vandegrift

Division of Water Rights and Delta Watermaster staff may or may not evaluate the contents of an Alternative Compliance Plan at the time of receipt. Staff will initially determine if all the information has been filled out, and accept the Alternative Compliance Plan as complete or return it as incomplete. An Alternative Compliance Plan may be reviewed for compliance purposes at any time or as part of a systematic audit.