
State Water Resources Control Board

July 22, 2022

Mr. and Mrs. Farnam
Patterson Creek Ranch



APPROVAL OF GROUNDWATER LOCAL COOPERATIVE SOLUTION FOR PATTERSON CREEK RANCH

Dear Mr. and Mrs. Farnam:

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), with conditions. Additional details regarding the contents of the proposal and conditions 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 Patterson Creek Ranch (petitioner) for approval of a groundwater local cooperative solution that includes commitments to reduce water use by at least 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 approximately 93.7 acres associated with Assessor's Parcel Numbers (APN) 023-030-420, 023-040-260, 023-051-370, and 023-430-110, based on information

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

provided in the petition's local cooperative solution proposal. This property is owned by Patterson Creek Ranch and is supplied only by groundwater.

The proposal includes detailed "conservation plan" spreadsheets describing the conservation plan's water savings as compared to 2020, maps, narrative description of conservation actions, a list of references, and a tracking method. The proposed local cooperative solution sets forth verifiable voluntary conservation measures to reduce water use on the identified parcels by approximately 31.9 percent, relative to a 2020 baseline. The proposed conservation action is a change in crop production, with most conservation resulting from replacement of a July through September corn silage crop with a less water intensive perennial grass mix on the largest field.

The proposal also includes a Binding Agreement (Agreement) with the Siskiyou Resource Conservation District (RCD) granting sufficient access for the Siskiyou RCD to verify compliance with the proposal.

The proposal does not include the minimum 400 acres on its own. However, the petitioner noted in subsequent correspondence that the petitioner is included in the Bryan/Morris Ranch local cooperative solution. Bryan/Morris Ranch has confirmed that the Patterson Creek Ranch local cooperative solution may be included with the Bryan/Morris Ranch local cooperative solution. Therefore, in combination with the approved Bryan/Morris Ranch proposal, the combined number of acres exceeds the 400-acre minimum.

The proposal and the Agreement appear to include different terms regarding the State Water Board's access to inspection information, with the Agreement stating that the Siskiyou RCD will provide the State Water Board access to information upon request. The proposal could be read to limit the State Water Board's access to inspection information to only if there is a violation of the Agreement or a report submitted at the end of the calendar year. Ensuring State Water Board access to information upon request allows the Board to conduct spot inspections or other oversight to gauge how well Coordinating Entities gather data as well as to gauge local cooperative solution compliance.

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:

- Information related to the local cooperative solution and access to confirm implementation of the local cooperative solution parcels shall be provided to the State Water Board upon request.

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, dated March 9, 2022, including the conservation plan and supplemental information, together

with the terms of your executed Agreement dated May 6, 2022, are hereby approved, as conditioned.

As described in Section 875, subdivision (f)(2), any violations of this approval are subject to enforcement as a violation of the Regulation. Additionally, violations of other provisions of the Regulation (e.g., prohibition on inefficient livestock watering, surface water curtailment) may result in termination of this approval. 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 curtailment associated with water right SG004002 is suspended as to the above-referenced properties that are owned by Patterson Creek Ranch and part of this proposal. Please note this approval does not affect the curtailment of any surface water rights.

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,



for
Erik Ekdahl
Deputy Director
Division of Water Rights

ec: Siskiyou Resource Conservation District
Email: [REDACTED]

Bryan/Morris Ranch
Email: [REDACTED]

Warren Farnam
Email: [REDACTED]