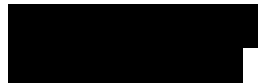




State Water Resources Control Board

July 7, 2022

Alan and Brett Piersall
Piersall Ranch



Emails: [REDACTED]

APPROVAL OF GROUNDWATER LOCAL COOPERATIVE SOLUTION FOR PIERSALL RANCH

Dear Messrs. Piersall:

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 Piersall Ranch (petitioners) 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 227 acres associated with Assessor's Parcel Numbers

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

023-220-080, 023-220-550, 024-110-400, 024-110-630, 024-110-650, 024-110-660, and 024-180-480, based on information provided in the petition as part of the request for approval of a groundwater local cooperative solution. These parcels comprise land that is owned and leased by the petitioners and are supplied only by groundwater. The proposal indicates that the lands are also served by surface water provided by Scott Valley Irrigation District (SVID), but that such surface water will not be used to substitute for groundwater reductions.

The proposal includes detailed “conservation plan” spreadsheets, “spray” maps, and a narrative description of conservation actions and tracking methods. The proposed local cooperative solution sets forth verifiable voluntary conservation measures to reduce water use on the identified parcels by 30.5 percent relative to a 2020 baseline. The proposed conservation actions are: planting grain instead of alfalfa and reduced wheel line set times.

The proposal includes a Groundwater Use Reduction and Binding Agreement for Local Cooperative Solution (Agreement) with the California Department of Fish and Wildlife (CDFW) granting CDFW sufficient access to verify compliance with the proposal. The Agreement notes that the proposal does not include the minimum 400 acres on its own. However, the proposal notes that the petitioners are part of the H&H Land and Livestock Company LLC local cooperative solution. H&H Land and Livestock Company LLC has confirmed that the Piersall Ranch local cooperative solution may be included with the H&H Land and Livestock Company LLC local cooperative solution. Therefore, in combination with the approved H&H Land and Livestock Company LLC proposal, which includes the approved O’Brien Ranch proposal, the combined number of acres exceeds the 400-acre minimum.

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 petitioners under their existing contract with SVID, or other sources from the watershed, 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 30.5 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, dated March 24, 2022, including the conservation plan, together with the terms of your executed Agreement dated April 18, 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. 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 curtailments associated with water rights SG003721, SG004035, and SG004307 are suspended as to the above-referenced properties that are owned and leased by Piersall Ranch and are part of this proposal. Please note this approval does not affect the curtailment status of the surface water rights referenced in the proposal.

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: California Department of Fish and Wildlife Klamath
Email: klamathwatershed@wildlife.ca.gov

H&H Land and Livestock Co., LLC
Email: [REDACTED]