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## State Water Resources Control Board

October 17, 2024

Matt Menne  
3 H Ranches



### **CONDITIONAL APPROVAL OF GROUNDWATER LOCAL COOPERATIVE SOLUTION FOR 3 H RANCHES**

Dear Mr. Menne:

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 Matt Menne (petitioner) that involves reducing water use from six groundwater wells that irrigate a total of 1,504 acres using Option 1 of the Graduated Cessation Schedule groundwater local cooperative solution. The Option 1 schedule involves ceasing:

- At least 15% of irrigated acres by July 15,
- At least 50% of irrigated acres by August 15, and
- At least 90% of irrigated acres by August 31, with a maximum of 8 inches of water to be applied to the remaining 10% of irrigated acres during the remainder of the irrigation season. This 10% can be on land previously fallowed.

Based on information provided by the petitioner, the petitioner complied with the graduated cessation schedule by ceasing irrigation:

- On 228 acres on July 15, 2024, accounting for 15% of the total 1,504 acres;
- On an additional 659 acres on August 15, 2024, for a total of 59% of the total acreage covered by the proposal;
- On another 525 acres on September 5, 2024, covering 94% of the total acreage; and
- On the remaining 92 acres, or 6% of the total on September 10, 2024, using no more than 8 inches of applied water.

The proposal was posted to the State Water Board's webpage for local cooperative solutions associated with the Regulation on May 22, 2024; a revised proposal was posted on September 17, 2024. A further description of the site and water reduction measures that indicate a reduction in usage as compared to prior practice 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 with 24-hour notice to verify compliance with the proposal. Division staff understand that three inspections were completed by the Coordinating Entity during the irrigation season, and the petitioner ceased diversions as proposed.

### **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. Additionally, 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 installed five meters on five pivots before the start of the 2024 irrigation season that irrigate 463 acres and submitted the metering information to the Coordinating Entity and the State Water Board throughout the irrigation season. The proposal also includes a plan to install five additional meters on five pivots in Fall 2024 that will irrigate an additional 295 acres, allowing water usage monitoring for 50% of the total 1,504 acres. The petitioner has agreed to record and maintain a log of the metering data from the time of installation through the entire 2025 irrigation season and submit it to the State Water Board. The proposal includes a request to waive the metering requirement for the remaining 746 acres covered by the proposal because the groundwater wells are not configured to accommodate meters and making the necessary modifications would require a substantial overhaul of the system.

**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 the following conditions:

- The petitioner shall collect and maintain a log of the water use data from the five groundwater meters that are to be installed in the fall of 2024 from the time of installation 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 10<sup>th</sup> of each month for the preceding month.

The Division of Water Rights agrees to waive a portion of the metering requirement for the remaining 746 acres for the 2024 irrigation season because the petitioner has installed meters on five pivots and plans to install meters on five additional pivots that will monitor slightly more than half of the total irrigated acreage and given the petitioner's statement that installing meters on the groundwater wells would require substantial overhaul. Conditional approval of this proposal does not assure approval under the same conditions in the future (e.g., additional metering may be required).

The petitioner's groundwater local cooperative solution proposal is hereby approved. Any failure to implement the proposal 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 email to: [ScottShastaDrought@waterboards.ca.gov](mailto: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

ec: Scott River Water Trust  
[scottwatertrust@gmail.com](mailto:scottwatertrust@gmail.com)