
State Water Resources Control Board

June 21, 2024

Mr. Joe O'Brien



APPROVAL OF GROUNDWATER LOCAL COOPERATIVE SOLUTION FOR O'BRIEN RANCH

Dear Mr. O'Brien:

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 Joe O'Brien (petitioner) for a percent reduction groundwater local cooperative solution that proposes to reduce water use by 37 percent compared to water use in the 2020 irrigation season. The proposal covers 116 acres of land irrigated from one groundwater well. The proposal was posted to the State Water Board's webpage for local cooperative solutions associated with the Regulation on May 21, 2024. The petitioner proposes to achieve the water use reduction with the following water conservation actions:

- Replacement of two, wheel lines with pivots implemented in 2021;
- Increased wheel line sprinkler efficiency and forbearance (i.e., change out wheel line nozzles, reseal wheel lines, and forbearance starting September 1, 2024);
- Reduced set times for handline and end gun usage (i.e., 11.5 hours to 10 hours each) on corners; and
- Irrigation forbearance of corners starting on September 1, 2024.

A further description of the site and water reduction measures is provided in the application submitted for this proposal. The petitioner has selected to not work with a Coordinating Entity and agrees to grant property access to State Water Board staff with 24-hour notice to verify compliance with the proposal.

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. 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 has installed a meter on the irrigation well and has been collecting and maintaining a log of water usage data since April 1, 2024. The proposal includes a plan to collect data and maintain a log that will be submitted to the State Water Board each month for the entire irrigation season.

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). The groundwater local cooperative solution proposal is hereby approved. Any failure to implement the proposal or violation of the conditions of this approval are 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 or by leaving a message on our dedicated phone line at: (916) 327-3113.

Sincerely,

 *for*

Erik Ekdahl
Deputy Director
Division of Water Rights