

State Water Resources Control Board

August 7, 2025

Mr. Nick Jenner



CONDITIONAL APPROVAL OF 2025 GROUNDWATER LOCAL COOPERATIVE SOLUTION FOR JENNER CATTLE COMPANY

Dear Mr. Jenner:

The State Water Resources Control Board (State Water Board) readopted a regulation that went into effect on January 27, 2025, 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](#)¹, 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) of the Regulation 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, satisfies the metering and inspection requirements, is founded on a binding agreement with a Coordinating Entity if the petitioner chooses that option, and is to be implemented throughout the entirety of the irrigation season.

Summary of Proposal

The State Water Board received a proposal² from Nick Jenner (petitioner) for a percent reduction groundwater local cooperative solution for the 2025 irrigation season that proposes to reduce water use by 39 percent compared to water use in the 2020

¹ https://www.waterboards.ca.gov/drought/scott_shasta_rivers/docs/2025/2025-scott-shasta-emergency-reg-adopted-searchable.pdf

² The term "proposal" includes, as applicable, elements of the petitioners' Application Form for 2025 Local Cooperative Solution, communications with Division of Water Rights staff, and content from the petitioners' approved 2024 local cooperative solution. Generally, any applicable content is restated in this letter as part of the current proposal.

irrigation season. The proposal covers 1,912 acres of land irrigated by 12 groundwater wells³. The petitioner proposes to achieve the water use reduction with the following water conservation actions:

- Reduced amount of water applied by pivots compared to the amount used during the baseline year;
- Installation of three new low-energy precision application (LEPA) pivots (replacing wheel lines) since the baseline year;
- Reduced volume of water applied by decreasing the number of days of flood irrigation compared to the amount used during the baseline year; and
- Ceased water usage on 655 acres earlier in the irrigation season than was previously done in 2020.

Applied Water Baseline

Per the Regulation, if evidence from the 2020, 2021, 2022, or 2023 irrigation seasons indicates that the base rate of applied water is higher than 33 inches per year for alfalfa, 14 inches per year for grain, or 30 inches per year for pasture, then the base rate of applied water shall be adjusted to these specified values, unless the applicant can provide additional information showing that the higher base rate number is an appropriate comparison for approval, such as multi-year practices, soil type, and irrigation methods. The petitioner requests to use a higher baseline rate of applied water for pasture and grain, proposing 36 inches per year as the baseline amount for pasture and 38 inches per year for alfalfa in the Percent Reduction proposal. These baseline rates are lower than those noted in the petitioner's 2024 groundwater local cooperative solution and are based on upgrading to more efficient irrigation systems and reduced amounts of applied water.

The petitioner's justification supporting the request for the higher base rate is that flood irrigation requires a consistent amount of water to ensure full field coverage, and any reduction or speeding up of the process would cause unequal watering of areas, leading to potential crop damage. Furthermore, pasture has a shallower root system compared to alfalfa, making it more susceptible to stress and irreversible damage under dry conditions. The State Water Board finds the baseline amounts proposed by the petitioner to be high when considering the water demands of the crops, soil moisture levels, and seasonal precipitation contributions. However, the State Water Board approves this request because there is considerable uncertainty regarding water application needs in the Scott Valley and meters are installed on two of the irrigation wells and three pivots, which will provide data to inform applied water amounts relative to different watering practices that may be used in the future. Additionally, the proposal provides sufficient evidence that the proposed changes to irrigation methods will result in reduced application of water (i.e., substantial reduction in the volume of water applied and duration of flood irrigation will result in less water use).

The proposal was posted to the State Water Board's webpage for local cooperative solutions associated with the Regulation on June 27, 2025. A further description of the

³ The application lists 13 groundwater wells, but the petitioner noted that one well is not used.

site and water reduction measures 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 to verify compliance with the proposal.

Groundwater Metering

A groundwater local cooperative solution must include a description of any existing groundwater metering, and a proposal to meter and record such extractions or applications on a weekly basis and to report this information monthly to the Deputy Director (or the Coordinating Entity, if so agreed), with limited exceptions. 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 Deputy Director may also approve a time schedule for the installation of a meter if not currently installed at the start of the irrigation season.

At the start of the irrigation season, the petitioner had a meter installed on a groundwater well and another meter installed on a pivot that irrigated 442 acres. In June 2025, the petitioner installed a meter on another well that irrigates 585 acres, along with two additional meters on pivots that irrigate an additional 102 acres, enabling monitoring of water usage on 59% of the total irrigated acreage covered by the proposal (1,127 of 1,912 acres). The proposal includes a commitment to record and maintain a log of the water usage data and submit monthly reports to the Coordinating Entity for the two wells and three pivots. Additionally, the proposal includes the calculated estimated water usage for unmetered acreage for the entire season and a commitment to inform the Coordinating Entity if updates to the estimated water usage are needed. The proposal includes a request to waive the metering requirement for the remaining groundwater wells because of infeasibility. The applicant provided quotes from Scott River Pump and Irrigation Inc., to support these claims. The petitioner has plans to install a pivot with a meter in May 2026 that would irrigate an additional 200 acres.

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), and is approved with the following conditions:

- During the irrigation season, the petitioner shall:
 - Meter, record, and maintain a log of the water pumping data from the groundwater meters installed on two wells and three pivots on a weekly basis, consistent with the Regulation. The Division of Water Rights recognizes that implementation may require operational adjustments, and will allow reasonable time to achieve full compliance, provided there is demonstrable progress towards meeting the weekly requirement. The metering data shall be submitted to the State Water Board by the 10th of each month for the preceding month.

- Inform the Coordinating Entity if the estimated water usage for the unmetered irrigated acreage needs to be updated based on new information or another reason.
- The petitioner shall collect and maintain a log of the water usage data from the meter that is to be installed in the spring of 2026 on one pivot that will irrigate 200 acres. Water usage data shall be collected from the time of installation through the end of one full irrigation season (anticipated 2026 irrigation season). The metering data shall be collected at least weekly and submitted to the State Water Board by the 10th of each month for the preceding month. This requirement is supplemental to the approved data plan submitted in the proposal.

The Division of Water Rights waives a portion of the metering requirement for 10 of the 12 groundwater wells because the petitioner has installed meters on two wells and three pivots, and has committed to install an additional meter on one pivot in May 2026 that will monitor an additional 200 acres associated with the proposal, and in consideration that installing meters on the remaining wells would require a substantial overhaul and is not feasible at this time. The petitioner is encouraged to continue to assess the ability to meter the remaining acreage not covered by meters as 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 is hereby approved as noted in this letter. Any failure to implement any commitments of the proposal and any conditions of this approval (collectively, the approved local cooperative solution) 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 an email to: ScottShastaFlows@waterboards.ca.gov or by leaving a message on our dedicated phone line at: (916) 327-3113.

Sincerely,



Erin Ragazzi
Assistant Deputy Director
Acting Deputy Director for Scott-Shasta Local Cooperative Solutions
Division of Water Rights

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