



State Water Resources Control Board

July 26, 2024

John Kraus
Kraus & Sons Ranch



CONDITIONAL APPROVAL OF GROUNDWATER LOCAL COOPERATIVE SOLUTION FOR KRAUS & SONS RANCH

Dear Mr. Kraus:

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 John Kraus (petitioner) that involves reducing water use from six groundwater wells that irrigate a total of 329.5 acres using Option 2 of the Graduated Cessation Schedule groundwater local cooperative solution. The Option 2 schedule involves ceasing:

- At least 20% of irrigated acres by July 20,
- At least 50% of irrigated acres by August 20, and
- At least 95% of irrigated acres by September 5, with a maximum of 6 inches of water to be applied to the remaining 5% of irrigated acres during the remainder of the irrigation season. This 5% can be on land previously fallowed.

E. JOAQUIN ESQUIVEL, CHAIR | ERIC OPPENHEIMER, EXECUTIVE DIRECTOR

To meet the conditions of this graduated cessation schedule, the petitioner proposes to cease irrigation for four fields totaling 66 acres on July 20, 2024, which accounts for 20% of the total 329.5 acres. On August 20, 2024, irrigation will cease on an additional 100 acres, bringing the total irrigated acres with irrigation ceased for the season to 50%. Finally, on September 5, 2024, irrigation will cease on 163.5 additional acres, achieving cessation of irrigation on 100% of the total 329.5 acres.

The proposal was posted to the State Water Board's webpage for local cooperative solutions associated with the Regulation on July 10, 2024. A further description of the site and water reduction measures that indicate a reduction in usage as compared to prior practice on the property 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.

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 has not yet installed meters but has requested funding from the State Water Board for metering of the six groundwater wells associated with this proposal and committed to monitoring and monthly reporting of water usage for at least five (5) years following meter installation. The State Water Board has approved funding and directed UC Davis (as contractor) to work with the petitioner on meter installation.

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 agrees to collect, maintain, and provide data and associated records related to the meters and water use for at least five years from the date State Water Board funded meter(s) are installed.
- If the petitioner withdraws from the State Water Board's funding program for meters, the approval of the local cooperative solution will be terminated, unless meters are installed by another means and petitioner agrees to collect, maintain and provide data and associated records related to the meters and water use for at least one complete irrigation season following installation of the meters.

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

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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,



Erik Ekdahl
Deputy Director
Division of Water Rights

ecc: Scott River Water Trust
scottwatertrust@gmail.com