

---

## State Water Resources Control Board

July 1, 2024

Scott and Don Murphy  
Murphy Ranch



### **DENIAL OF GROUNDWATER LOCAL COOPERATIVE SOLUTION FOR MURPHY RANCH**

Dear Scott and Don Murphy:

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 groundwater local cooperative solution proposal from Scott and Don Murphy (petitioners) that involves reducing water use from one groundwater well that irrigates a total of 62 acres using the Best Management Practices and Graduated Cessation Schedule groundwater local cooperative solution options.

- **Best Management Practices Proposal.** Under the Best Management Practices portion of the proposal, the petitioners propose to use a low-energy precision application (LEPA) system on 20 acres of the irrigated land, stop irrigating corners after June 15, and forgo the use of end guns. The proposal does not include soil moisture sensors, which are a requirement of the Best Management Practices groundwater local cooperative solution option.

---

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

- Graduated Cessation Schedule Proposal. Under the Graduated Cessation Schedule portion of the proposal, the petitioners propose to reduce water usage by implementing the Option 2 schedule for graduated cessation of irrigation the other 42 acres of the irrigated land covered by the 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.

To meet the conditions of the graduated cessation schedule, the petitioners propose to cease irrigation for 12 acres on July 20, 2024, which accounts for 28% of the total 42 acres. On August 20, 2024 irrigation will cease on an additional nine acres, bringing the total irrigated acres with irrigation ceased for the season to 50%. Finally, on September 5, 2024 irrigation will cease on the remaining 21 acres, achieving 100% cessation of irrigation for the total 42 acres.

The proposal was posted to the State Water Board's webpage for local cooperative solutions associated with the Regulation on May 21, 2024. A further description of the 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 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 diversions 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 proposal does not include a plan to install a meter on the groundwater well or to record and report water usage data to the Coordinating Entity. Mr. Scott Murphy advised State Water Board staff on June 20, 2024, that the petitioners do not intend to purchase and install a meter and would not seek funding from the State Water Board for the meter. Petitioners have not submitted evidence indicating that their proposal fits any of the other categories for approval of an exception to the metering requirement – irrigation of less than 30 acres for a well; later installation pursuant to a reasonable time schedule; or infeasibility. (See Cal. Code Regs., tit 23, § 875, subsection (f)(4)(D)(iii)(a)-(c).)

**Denial**

The Division of Water Rights has reviewed the groundwater local cooperative solution proposal and finds that it does not meet the requirements of Regulation section 875, subsection (f)(4)(D). The proposal fails to include a plan to install a meter to monitor and report water usage to the State Water Board, which is required under the Regulation, unless the proposal meets a specified exception to the requirement. Additionally, the petitioners have not installed soil moisture sensors to inform irrigation timing for the acreage included under the Best Management Practices portion of the proposal, which is a required element of this groundwater local cooperative solution option. Consequently, the groundwater local cooperative solution proposal is hereby denied.

Please note that absent an approved groundwater local cooperative solution, failure to adhere to the conditions of any curtailment order issued by the State Water Board will be subject to enforcement actions as a violation of the Regulation.

Opportunity to Revise and Resubmit

If the petitioners wish to amend the Graduated Cessation Schedule proposal to include meters or to provide evidence regarding how the groundwater local cooperative solution proposal qualifies for an exception to the metering requirement, the petitioners may re-submit an amended proposal for consideration.

If you have questions regarding this denial, 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

cc: Scott River Water Trust