



County of Lassen  
Department of Planning and Building Services

• Planning • Building Permits • Code Enforcement • Surveyor • Surface Mining

**Maurice L. Anderson, Director**  
707 Nevada Street, Suite 5  
Susanville, CA 96130-3912  
Phone: 530 251-8269  
Fax: 530 251-8373  
email: landuse@co.lassen.ca.us  
website: www.co.lassen.ca.us

November 13, 2018

Zoning & Building  
Inspection Requests  
Phone: 530 257-5263

Chris Gallagher, Chairman  
Lassen County Board of Supervisors  
221 South Roop Street, Suite 4  
Susanville, CA 96130

Re: Estill Ranch LLC - Monitoring Update  
Groundwater Exportation Permit #2017-001

Dear Mr. Chairman:

This letter is to update the Board of Supervisors regarding Estill Ranches LLC groundwater exportation activity in 2018. On March 27, 2018, the Board adopted Resolution No.18-023 (attached) allowing Estill Ranches LLC to export water from property in Lassen County, California, to property in Washoe County Nevada. The permit is valid for a three year period and allows the export of 504.4 acre-feet annually (AFA) of groundwater from 2 points of diversion located within Lassen County's portion of Surprise Valley to a point of use located in Washoe County's portion of Surprise Valley (map attached). Both the points of diversion and the point of use (a pivot utilized to irrigate 129 acres) are owned by the Estill Ranch. The conditions of approval of Groundwater Exportation Permit # 2017-001 requires bi-annual monitoring, conducted by Department of Planning and Building staff, to occur prior to beginning seasonal extraction and no less than 72 hours after seasonal extraction has ended. The monitoring plan requires the Department to measure groundwater elevations at the 2 points of diversion, and to read flow meters installed at both wells and on the pivot.

Results from the 2018, 2017, and 2016 monitoring are summarized in the tables below (for comparison). As expected due to irrigation, the water table at both points of diversion (well #1 and #2) had lowered at the time of the Fall 2018 site visit. However, the 362.75 acre-feet of water measured by the flow meter at the Nevada pivot is less than the allotment allowed under the permit. The 1,032.1 acre-feet pumped by Well #1 is within the rights of Estill Ranches, and was mainly used for irrigation within Lassen County.

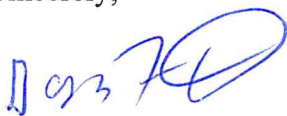
2018	Fall Meter Reading (AFA)	Spring Depth to Water (ft)	Fall Depth to Water (ft)
Well #1	1,032.1	23.11	45.3
Well #2	384.14	2.9	15.3
Pivot	362.75		

2017	Fall Meter Reading (AFA)	Spring Depth to Water (ft)	Fall Depth to Water (ft)
Well #1	971+ (still pumping)	no measurement (oil in casing)	no measurement
Well #2	65	0 (artesian)	4.6
Pivot	no 2017 measurement (running)		

2016	Fall Meter Reading (AFA)	Spring Depth to Water (ft)	Fall Depth to Water (ft)
Well #1	918	22.2	34.9
Well #2	215	0 (artesian)	16.5
Pivot	306		

In short, the Estill Ranch is operating within the parameters of the subject permit. Please contact the Department of Planning and Building Services if you have any questions.

Sincerely,



fs Maurice L. Anderson,  
Director

MLA:njm

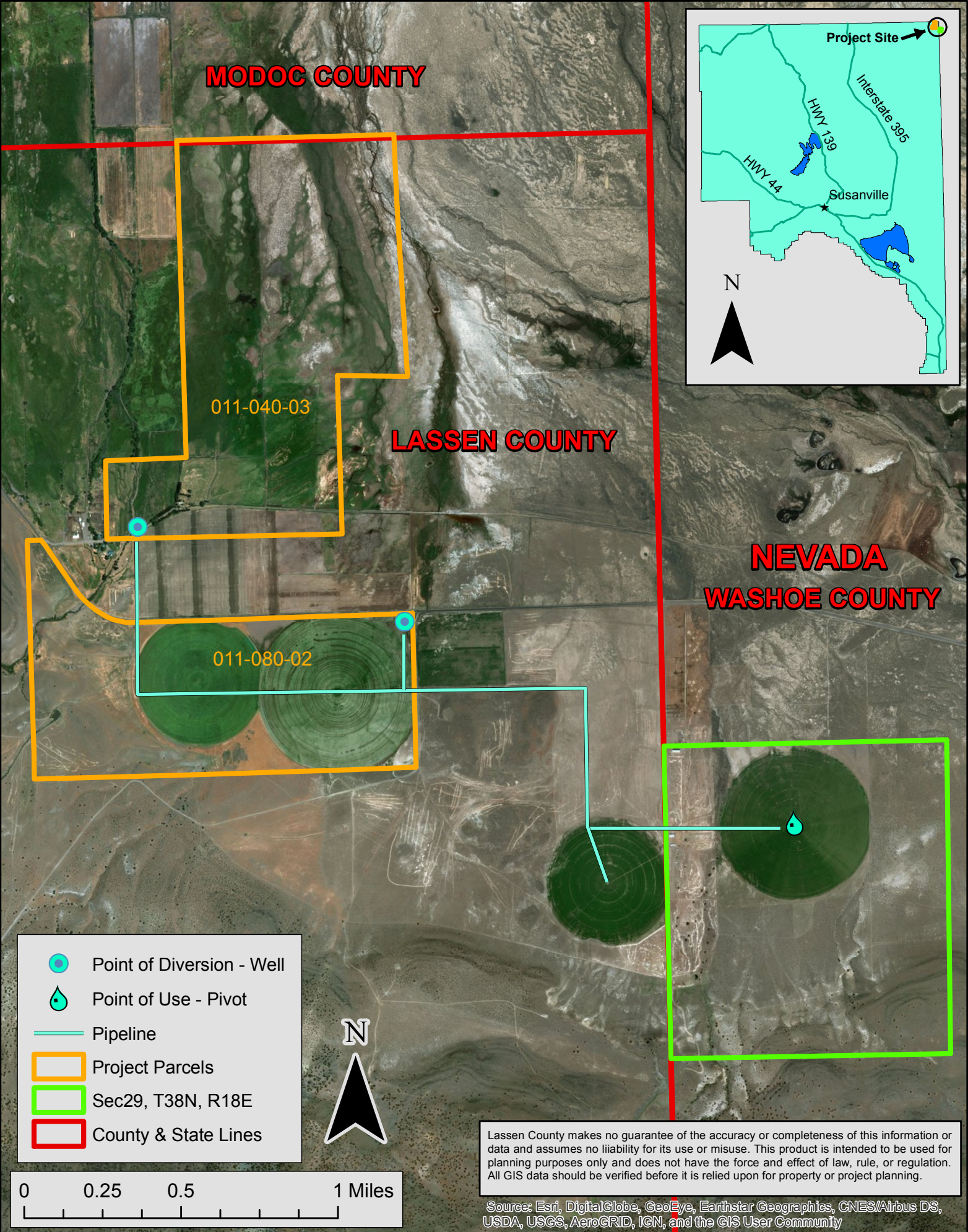
Enclosure



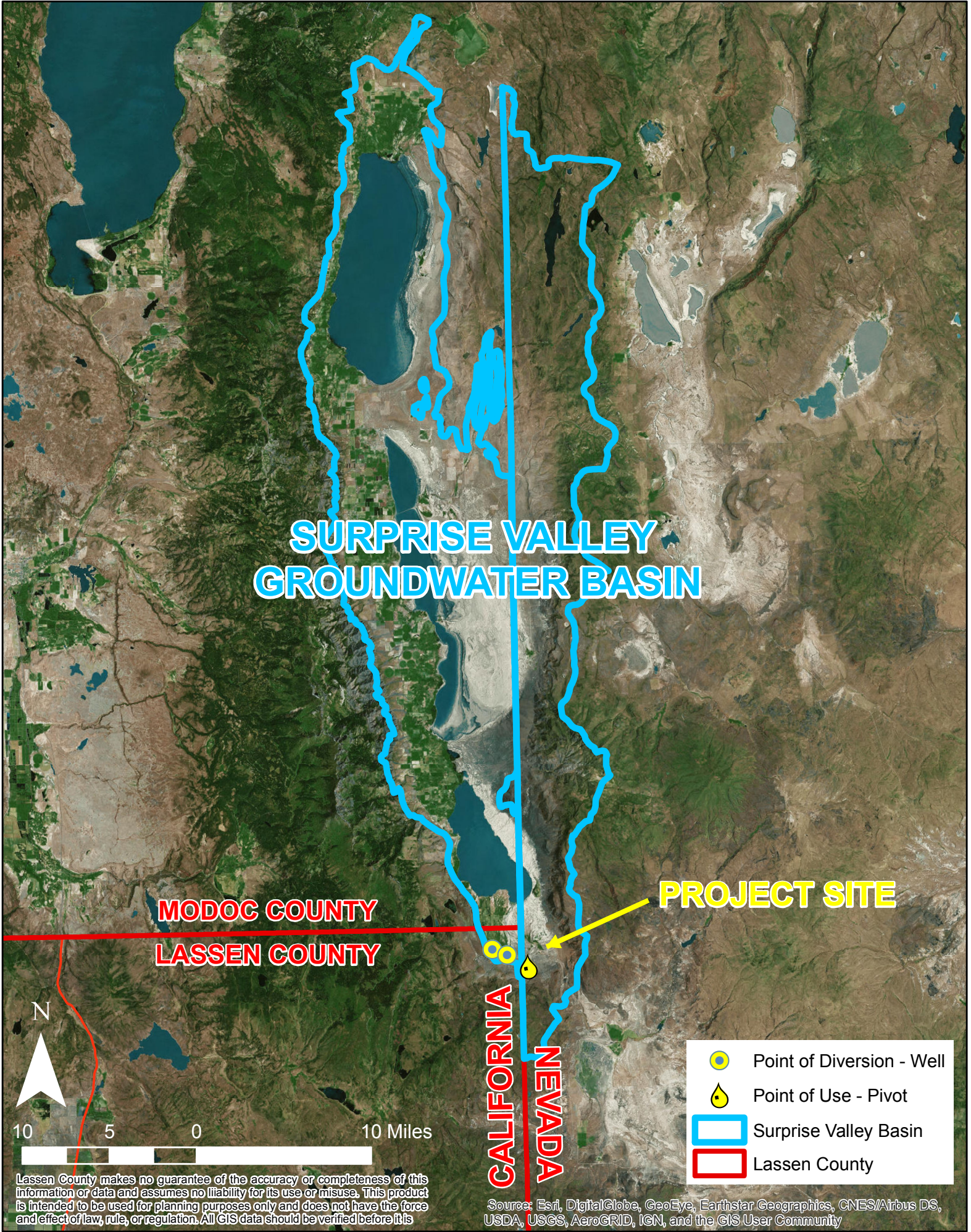
cc: Lassen County Board of Supervisors  
Richard Egan, Lassen County CAO

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RESOLUTION NO. 18-023

RESOLUTION OF THE LASSEN COUNTY BOARD OF SUPERVISORS APPROVING  
GROUNDWATER EXPORTATION APPLICATION #2017-001 FOR THREE WATER  
YEARS.

WHEREAS, the Board of Supervisors of Lassen County, after due notice and a public hearing conducted March 27, 2018, has considered groundwater exportation application #2017-001, filed by Estill Ranches LLC, proposing to export 504.4 Acre Feet Annually (AFA) of groundwater at 3.0 Cubic Feet Per Second (CFS) from Lassen County to Washoe County Nevada, for irrigation of 129 acres of land in Nevada; and

WHEREAS, the two proposed points of diversion are a portion of Sections 10 and 14, Township 38 North, Range 17 East, Mount Diablo Baseline and Meridian, which is located in the Surprise Valley groundwater basin (DWR Bulletin 118 basin #6-001). Both are approximately 1.5 miles southwest of the northeastern most corner of Lassen County (junction of the Lassen County, Modoc County, and Nevada borders) at 748-925 Bare Ranch Road, California; and

WHEREAS, the proposed point of use is a portion of Section 29, Township 38 North, Range 18 East, Mount Diablo Baseline and Meridian, which is located in Washoe County Nevada and the Surprise Valley groundwater basin; and

WHEREAS, the applicant owns land at the points of diversion and the point of use; and

WHEREAS, Lassen County Code Section 17.01.037 (Duration of Permit) limits approval of an exportation permit to no more than three water years, as defined by Lassen County Code Section 17.01.020; and

WHEREAS, the Environmental Review Officer of the County of Lassen has determined that this proposal is exempt from the California Environmental Quality Act pursuant to Section 15061(b)(3) of the Guidelines.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The foregoing is true and correct.
2. The Board of Supervisors hereby incorporates and adopts the Planning Commission's recommendations (Planning Commission Resolution 3-03-18).
3. The Board of Supervisors finds as follows:
  - a. The project is consistent with the *Lassen County General Plan, 2000* and the "Extensive Agriculture" land use designation pursuant to the *Lassen County General Plan, 2000*, and is also consistent with the site's U-C-2-A-P zoning (Upland Conservation/Resource Management District, Agricultural Preserve Combining District).

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- b. The project is consistent with the Land Conservation Act (Williamson Act) as the use of the exported groundwater is limited to agricultural use.
  - c. The site is physically suitable for the proposed use, and that the proposed use is compatible with surrounding land uses.
  - d. The proposed project will not adversely affect the health, welfare or safety of the public.
  - e. The Board of Supervisors finds that it is not necessary to charge an "economic severance fee" as authorized in Lassen County Code Section 17.01.034, as Estill Ranches LLC employs an average of 18 people year round, and over half of these jobs are located in Lassen County (with more during the haying season), which serves as mitigation to any economic impacts induced through approval of the permit.
- 4. The Board of Supervisors hereby incorporates and adopts the evidence and findings introduced in Planning Commission Staff report for Groundwater Exportation Application #2017-001, dated March 7, 2018.
  - 5. The Board of Supervisors hereby concurs with the Environmental Review Officer that the project qualifies for exemption, pursuant to § 15061(b)(3) of the California Environmental Quality Act Guidelines.
  - 6. The Board of Supervisors concurs with staff analysis of the potential impacts of the project as they relate to known groundwater data from Bulletin 118.
  - 7. The Board of Supervisors concurs with staff that the 504.4 AFA proposed for transfer is a small percentage of the amount of groundwater storage in the basin (approximately 0.01261% [504.40 / 4,000,000]).
  - 8. The Board of Supervisors concurs with staff that the proposed flow rate (3cfs) is consistent with the proposed volume (504.4AFA).
  - 9. The Board of Supervisors hereby makes the following finding, as required by Lassen County Code Section 17.01.034:

"The permit may only be granted if the board finds and determines that the extraction will not cause or increase an overdraft of the groundwater underlying the county, will not adversely affect the long term ability for storage or transmission of groundwaters within the aquifer, will not (together with other extractions) exceed the safe yield of the groundwater underlying the county and will not otherwise operate to the injury of the reasonable and beneficial uses of overlying groundwater users, or will not result in an injury to a water replenishment, storage, or restoration project operating in accordance with statutory authorization..."
  - 10. The Board of Supervisors hereby approves groundwater exportation application #2017-001, Estill Ranches LLC, subject to the conditions attached hereto as Exhibit A.

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The foregoing resolution was adopted at a regular meeting of the Board of Supervisors of the County of Lassen, State of California, held on the 27<sup>th</sup> day of March, 2018, by the following vote:

AYES: Supervisors Gallagher, Teeter, Hemphill and Albaugh.

NOES: None.

ABSTAIN: None.

ABSENT: Supervisor Hammond.

  
Chairman  
Lassen County Board of Supervisors

ATTEST:  
JULIE BUSTAMANTE, Clerk of the Board

BY   
MICHELE J. YDERRAGA, Deputy Clerk of the Board

I, MICHELE J. YDERRAGA, Deputy Clerk of the Board of the Board of Supervisors, County of Lassen, do hereby certify that the foregoing resolution was adopted by the said Board of Supervisors at a regular meeting thereof held on the 27<sup>th</sup> day of March, 2018.

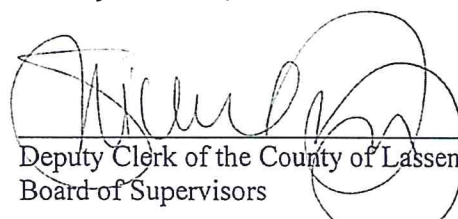
  
Deputy Clerk of the County of Lassen  
Board of Supervisors



EXHIBIT A

CONDITIONS OF APPROVAL

Groundwater Exportation Application 2017-001, Estill Ranches LLC

1. This permit is valid for three water years (defined by Lassen County Code Section 17.01.020 as beginning March 1 and ending the last day of the following February) and will therefore expire on February 28, 2021. An additional permit is required prior to the export of any groundwater beyond this date, pursuant to Lassen County Code Chapter 17.01.
2. The applicant acknowledges and agrees with Section 17.01.038 of Lassen County Code, which stipulates the following:

“The permit process of this chapter is not to be construed as a grant of any right or entitlement but rather the permit evidences that the health, welfare, and safety of the residents of the county will not be harmed by the extraction and exportation of groundwater outside the county boundaries. The permit in no way exempts, supersedes, or replaces any other provisions of federal, state, and district or local laws and regulations including but not limited to Water Code Section 1220, the Groundwater Management Act, the Honey Lake Valley Groundwater Basin Act, the Long Valley Groundwater Basin Act, the Willow Creek Valley Groundwater Basin Act and any actions provided for in California groundwater law, well drilling and maintenance or building permit requirements.”
3. This permit authorizes the export of no more than 3.0 CFS and 504.4 AFA of groundwater from either, or both, points of diversion identified herein. Prior to the exportation, a test shall be performed to the satisfaction of the Lassen County Department of Planning and Building Services, showing that the system is configured to restrict water export to a maximum of 3.0 CFS. Once tested, no changes may be made to the system without prior approval of the Lassen County Department of Planning and Building Services.
4. Prior to exportation, the applicant shall demonstrate that the pivot meter at the point of use will exclusively measure water exported from the points of diversion identified in application #2017-001, thus serving as an accurate tool for measuring said exported groundwater.
5. Prior to extraction and export of groundwater from the identified points of diversion, the Lassen County Department of Planning and Building Services will obtain static groundwater levels at each well. During the export period authorized by this permit, the wells (points of diversion) will be monitored by Lassen County staff twice annually, once before seasonal extraction has begun and again no less than 72 hours after pumping has concluded for the season. Results of the data collected during the bi-annual monitoring shall be forwarded to the Board annually for their review.
6. The exported groundwater may only be used at the point of use identified herein.
7. The exported groundwater may only be used for agricultural purposes as identified in application #2017-001.



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8. The permit shall immediately become invalid if the applicant sells or otherwise relinquishes control of land at either the point of diversion or point of use. The permit is not transferable in any way to any party, individual or entity.
9. If additional infrastructure is required, the applicant shall obtain and comply with all building permit requirements for all structures (e.g. well, pipeline) associated with the exportation or shall obtain a letter from the Lassen County Planning and Building Services indicating that a building permit is not required.
10. The applicant shall submit suitable evidence to the Lassen County Department of Planning and Building Services to demonstrate that the pipeline is located on land owned by the applicant or on land for which suitable authority (e.g. an easement) has been obtained.
11. Prior to issuance of a building permit and/or operation of this permit (#2017-001), the applicant shall submit suitable evidence to the Lassen County Planning and Building Services Department that an encroachment permit has been secured from the appropriate agency(ies) for any portion of the pipeline described in the application that crosses a public road.
12. The applicant shall obtain all permits (if any) required by other agencies prior to the commencement of any exportation.
13. Prior to operation of this permit, the applicant must obtain an "Authorization to Operate" documenting that all of the conditions of approval have been met.
14. If it is determined that one or more of the findings required by Lassen County Code Section 17.01.034 can no longer be made or if the conditions of approval are not being complied with, the Board may hold a hearing to consider termination of the permit pursuant to Lassen County Section 17.01.036.