



United States Department of the Interior

BUREAU OF RECLAMATION
2800 Cottage Way
Sacramento, CA 95825-1898



IN REPLY REFER TO:

MP-440
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Electronic Mail and First-Class U.S. Mail

Sacramento River Settlement Contractors
Donald Bransford
Board President
P.O. Box 150
Willows, CA 95988
donald.bransford@gmail.com

Subject: 2021 Sacramento River Settlement Contractor Performance, Response to May 13 letter

Dear Mr. Bransford:

Thank you for your letter dated May 13, 2021, outlining the extraordinary steps your water users and member organizations are taking in this historically dry year. The Bureau of Reclamation appreciates your level of cooperation and your willingness to bring ideas and action to the table. Your letter outlines specific measures your users and member organizations are taking to engage with Reclamation in implementing options that comply with the Settlement Contracts and support our mutual efforts to combat the extreme hydrologic conditions this water year.

The Settlement Contractors have requested that the Settlement Contracts for WY 2021 be administered in the following way, 1) the Settlement Contractors may reschedule the amounts of Base Supply not diverted in a month into other months, including into the critical months defined in the Settlement Contracts, or otherwise as need to accommodate the demand shift pattern; 2) the accounting order for diversion schedules for each month will be regular monthly Base Supply, then unused Base Supply rescheduled from another month, and then Project Water; 3) Reclamation will waive any charges for rescheduling of Base Supply; 4) Reclamation will waive the requirement of Article 8(a)(1) of the Settlement Contracts, and each Settlement Contractor will only be charged for the quantity of Project Water each Settlement Contractor delivers this water year; and 5) Reclamation will exclude groundwater pumping associated with the above actions in 2021 in the determination of baseline groundwater pumping for purposes of future groundwater substitution and transfers.

In light of the measures your members have taken and continue to take to help meet temperature and end of year storage targets in Shasta and to support our collective effort to support threatened and endangered fisheries and other aquatic species as well as protect water supplies for Public Health and Safety, Reclamation agrees to the terms with the following clarifications:

- A. For requests 1 through 4, Reclamation shall provide each Settlement Contractor a letter of agreement identifying their participation in the program identifying specific methodology to account for each item (example letter provided in Enclosure A); and
- B. As to request 3, Reclamation will agree to waive rescheduling fees for Base Supply for Settlement Contractors who divert and/or transfer 65% or less of their Base Supply identified in Exhibit A. Any diversions and/or transfers over 65% of Base Supply will be subject to rescheduling fees on all rescheduled Base Supply; and
- C. As to request 4, Reclamation will waive the requirement of Article 8(a)(1) for Settlement Contractors; and
- D. As to request 5, Reclamation will exclude ground water pumping associated with the actions outlined in your May 13 letter in the determination of baseline groundwater pumping for the purposes of future groundwater substitutions and transfers. Note that non-Transfer Program Settlement Contractors may wish to establish historic lows on their wells and use this opportunity to establish baseline conditions of their wells for use in future transfers; and
- E. Reclamation can prepare an environmental review and reach a Finding of No Significant Impact for the actions described in your letter.

Your letter notes that some well operators may be seeking outside assistance in operating their wells. While no program currently exists within Reclamation to financially assist with this effort, Reclamation is working to identify and secure drought relief funding with the hope that some of this funding could be used to offset these costs.

Thank you for your continued cooperation in this drier drought year. We look forward to working with the participant districts to meet our collective goals. If you have any questions or comments please contact Adam Nickels at 916-978-5201 or anickels@usbr.gov.

Sincerely,

Ernest A
Conant

Digitally signed by Ernest A
Conant
Date: 2021.06.30 17:32:08
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Ernest A. Conant
Regional Director

Enclosure – 1

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