

ROBERT K ELLIS & PATRICIA L ELLIS TRUST



March 28, 2020

State Water Resources Control Board  
1001 I Street  
Sacramento, CA 95814

RE: 2022 Local Cooperative Solution for  
APN014-121-250 – Agricultural Well

The ELLIS TRUST is providing this letter to describe its proposed Local Cooperative Solution (LCS) actions for the 2022 irrigation season as authorized by 23 CCR 875(f)(4)(D).

**CURRENT PRACTICES**

The above referenced parcel is 40 acres which, in the past, has been irrigated for grass alfalfa hay. Irrigation infrastructure for hay ground includes one agriculture well that supplies the following areas and irrigation equipment:

**Pivot (approximately 40 acres)**

Pivot was installed in 2003, replacing one 1300 foot wheel line. The pivot services approximately 40 acres.

Irrigation season for our hay operation, (including the 2020 base year), typically begins about April 1 each year and continues into September. These time frames are subject to variances that depend on annual temperature and precipitation conditions.

## **SPECIFIC LOCAL CONSERVATION SOLUTIONS (LCS) FOR THE 2022 IRRIGATION SEASON**

The 40 acres irrigated by the pivot is being replanted in straight alfalfa. This new crop will result in only one and one-half cuttings in 2022, versus an established crop which would normally be three cuttings. The new crop is being planted in the spring and irrigating will commence later than usual, around May 1, the growth is slower than an established crop and the irrigating will stop in early September. In the past the 40 acres were planted in grass alfalfa which required irrigation even after the last cutting, until the temperatures cool, around October 1<sup>st</sup>.

### **ELLIS TRUST WATER USAGE 2020 VS 2022 (LCS)**

In 2020 we had three cuttings and irrigated for seventy-five (75) 24 hour days resulting in water usage of 99.4 acre feet.

In 2022 we anticipate having one and one-half cuttings and irrigating for fifty-two (52) 24 hour days resulting in water usage of 69.12 acre feet.

This comparison indicates a water use reduction of 30.28% from Year 2020 going into 2022.

### **LOCAL COOPERATIVE SOLUTION (LCS) COMMENTS**

We appreciate the opportunity to share what we think is a workable plan for 2022 to reduce and manage our irrigation. We have figures in our files that will substantiate all of the figures provided herein and have tried to be as accurate as possible. We also are currently working with Valley Pivot to make some changes to our pivot system that should be able to help us next year in furthering our water conservation efforts.

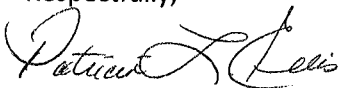
The plan outlined herein is only for the 2022 irrigation season. Ellis Trust is voluntarily participating in this LCS of a minimum 30% water usage reduction.

Ellis Trust agrees not to transfer any water to another parcel not included in this LCS.

Ellis Trust also requests that anyone from the State Water Board or other affiliated agency must be accompanied by a representative of said referenced Parcel to check on LCS practices on the property.

Should you have any questions or require further information do not hesitate to contact me.

Respectfully,



Patricia L. Ellis  
Legal Landowner

# **BINDING AGREEMENT**

**Common Interest/Confidential/Privileged/Work Product**



State of California – Natural Resources Agency  
DEPARTMENT OF FISH AND WILDLIFE  
Northern Region  
601 Locust Street  
Redding, CA 96001  
[www.wildlife.ca.gov](http://www.wildlife.ca.gov)

**GAVIN NEWSOM, Governor**  
**CHARLTON H. BONHAM, Director**



August 26, 2022

Patricia Ellis, Landowner and Manager  
Robert K Ellis & Patricia L Ellis Trust

[REDACTED]  
[REDACTED]  
[REDACTED]

**SUBJECT: Groundwater Use Reduction and Binding Agreement for Local Cooperative Solution**

Dear Patricia Ellis,

On August 17, 2021, the State Water Board adopted an emergency regulation establishing drought emergency minimum flows in the Scott River and Shasta River watersheds. (Cal. Code Regs., tit. 23, §§ 875–875.9.). Under the regulation, local cooperative solutions (LCS) by individuals or groups may be proposed by petition to the Deputy Director as an alternative means of reducing water use to meet or preserve drought emergency minimum flows, or to provide other fishery benefits in lieu of curtailment. For individual cooperative solutions, the Deputy Director may approve a petition where a water user agrees to voluntarily cease diversions or where the California Department of Fish and Wildlife (CDFW) makes a recommendation for an exemption to curtailment based on an assessment that the benefits of the actions to anadromous fish in a specific time are equal to or greater than the protections provided by their contribution to flow under curtailment.

For overlying or adjudicated groundwater diversions for irrigated agriculture described in section 875.5(f)(4)(d)(i) – (ii) [Scott River], the State Water Resources Control Board (SWB) Deputy Director may approve a groundwater-basin-wide, groundwater sub-basin-wide, or any number of individual local cooperative solutions totaling at least 400 irrigated acres. For the Scott River the proposal needs to provide at least: 1) a net reduction of water use of 30 percent throughout the irrigation season (April 1 – October 31), as compared to the prior irrigation season; and 2) a monthly reduction of at least 30 percent in the July 1 through October 31 period, as compared to the prior year or to 2020. Such reduction may be demonstrated by evidence that provides a reasonable

Patricia Ellis  
August 26, 2022  
Page 2 of 3

assurance that the change in farming practice or other action results in at least the relevant proportionate reduction. Such evidence may include but is not limited to, pumping reports, actions that will be taken to reduce water use, estimation of water saved from conservation measures or changes in irrigation or planting decisions, and electric bills.

On March 28, 2022, you proposed an LCS authorized by 23 CCR §§ 875(f)(4)(D) of the regulation for the 2022 irrigation season. It includes a conservation plan, narrative, and field maps incorporated by reference. The proposal uses the year 2020 as the baseline; it includes detailed spreadsheets and a narrative that describes reduced irrigated acreage, and reduced crop cuttings. The specific conservation practices within the narrative offer concise and proper monitoring elements enabling CDFW to assume the role of a coordinating entity to implement a binding agreement.

Attached to this cover letter is a groundwater use reduction and binding agreement for your LCS. You have worked closely with CDFW and SWB staff to develop this binding agreement that will enable us to be your coordinating entity. I have already signed it. If you agree with its content and terms, please sign and retain one copy, include one copy with your petition to the SWB, and return one copy to the email included in the contact information above.

CDFW is grateful for your commitment to enter a groundwater use reduction and binding agreement for a local cooperative solution. We think this will be one of several tools we can use to tackle the challenges of this ongoing drought to protect native salmon, protect tribal cultural resources, and support local and commercial economies. If you have any questions regarding this letter, please contact Senior Environmental Scientist Carmen Tull at [klamathwatershed@wildlife.ca.gov](mailto:klamathwatershed@wildlife.ca.gov).

Sincerely,

DocuSigned by:  
  
1D82ADE7303A474...

Tina Bartlett, Regional Manager  
Northern Region

Ec's on Page 3

Patricia Ellis  
August 26, 2022  
Page 3 of 3

ec: **Robert K Ellis & Patricia L Ellis Trust**  
Patricia Ellis, Landowner and Manager  


**State Water Resources Control Board**

Erik Ekdahl, Deputy Director  
Division of Water Rights  
[DWR-scottshastadrought@waterboards.ca.gov](mailto:DWR-scottshastadrought@waterboards.ca.gov)

**California Department of Water Resources**

Craig Altare, Section Chief Sustainability Plan Review SGM  
[craig.altare@water.ca.gov](mailto:craig.altare@water.ca.gov)

**National Marine Fisheries Service**

Alecia Van Atta, Assistant Regional Administrator  
[alecia.vanatta@noaa.gov](mailto:alecia.vanatta@noaa.gov)

**California Department of Fish and Wildlife**

Tina Bartlett, Regional Manager  
Joe Croteau, Environmental Program Manager  
[klamathwatershed@wildlife.ca.gov](mailto:klamathwatershed@wildlife.ca.gov)

## **SUPPORTING INFORMATION**

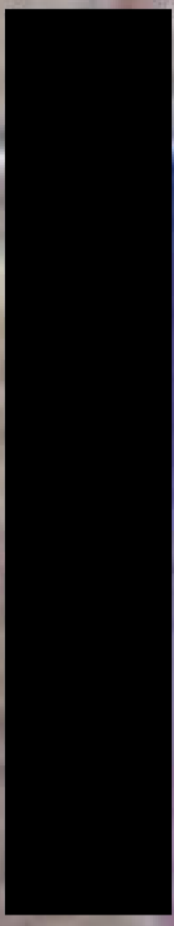


M44N09W25

474737R  
2-01  
5 ACRES

UNCULTIVATED

474737R  
1-01  
40 ACRES





| Field ID   | 2020 Irrigated Acres | 2020 Irrigation Method | 2020 Crop Type | Calculation Factors  | April 2020<br>Acres Applied | May 2020<br>Acres Applied | June 2020<br>Acres Applied | July 2020<br>Acres Applied | August<br>2020 Acres<br>Feet Applied | September<br>2020 Acres<br>Feet Applied | October<br>2020 Acres<br>Feet Applied | 2020 Total<br>Acres Feet | 2022<br>Irrigated<br>Acres | 2022 Irrigation Method | 2022 Crop Type | Calculation Factors                                     | April 2022<br>Acres Feet<br>Applied | May 2022<br>Acres Feet<br>Applied | June 2022<br>Acres Feet<br>Applied | July 2022<br>Acres Feet<br>Applied | August<br>2022 Acres<br>Feet Applied | September<br>2022 Acres<br>Feet Applied | October<br>2022 Acres<br>Feet Applied | 2022 Acres<br>Feet | Soil<br>Moisture<br>Sensor<br>Installed |
|------------|----------------------|------------------------|----------------|--|-----------------------------|---------------------------|----------------------------|----------------------------|--------------------------------------|---|---------------------------------------|--------------------------|----------------------------|------------------------|----------------|---|-------------------------------------|-----------------------------------|------------------------------------|------------------------------------|--------------------------------------|---|---------------------------------------|--------------------|---|
| Field 1-01 | 40                   | Pivot                  | Alfalfa        | Seventyfive 24-hour water use days, 1800 hours<br>300 hours/month Apr-Sept. 12.5 24-hour<br>sets/month, 99.4 total acre feet/6 months of use<br>= 16.57 acre feet/month, 16.57/12.5 sets = 1.33<br>acre feet/set | 5.52                        | 5.52                      | 24.86                      | 33.15                      | 24.86                                | 5.52                                    | 0                                     | 99.43                    | 40                         | Pivot                  | Alfalfa        |   | 3.87                                | 3.87                              | 17.4                               | 23.2                               | 17.4                                 | 2.54                                    | 0                                     | 68.28              |   |
|            | 40                   |                        |                | TOTALS:  | 5.52                        | 5.52                      | 24.86                      | 33.15                      | 24.86                                | 5.52                                    | 0                                     | 99.43                    | 40                         |                        |                |   | 3.87                                | 3.87                              | 17.4                               | 23.2                               | 17.4                                 | 2.54                                    | 0                                     | 68.28              |   |
|            |                      |                        |                |  |                             |                           |                            |                            |                                      |   |                                       |                          |                            |                        |                | 30% Reduction Target Monthly = 70% of<br>2020 use       | 3.864                               | 3.864                             | 17.402                             | 23.205                             | 17.402                               | 3.864                                   | 0                                     | 69.601             |   |
|            |                      |                        |                |  |                             |                           |                            |                            |                                      |   |                                       |                          |                            |                        |                | 30% Target Needed for annual reduction                  |                                     |                                   |                                    |                                    |                                      |   |                                       | 69.601             |   |
|            |                      |                        |                |  |                             |                           |                            |                            |                                      |   |                                       |                          |                            |                        |                | Water reduced in excess of need expressed<br>in AC Feet |                                     |                                   |                                    |                                    |                                      |   |                                       | 1.331              |   |
|            |                      |                        |                |  |                             |                           |                            |                            |                                      |   |                                       |                          |                            |                        |                | Percentage Saved  | 29.8913043                          | 29.8913043                        | 0.0080451                          | 30.015088                          | 30.0080451                           | 33.9855072                              | #DIV/0!                               | 31.3285728         |   |