

Don Parry Ranch



April 2, 2022

State Water Resources
Control Board 1001 I St.
Sacramento, CA 95814

Re: 2022 Local Cooperative Solution on Parcel ASMT#014-281-390-000

The Don Parry Ranch is providing this letter to describe a proposed Local Cooperative Solution (LCS) for the 2022 irrigation season as authorized by 23 CCR 875 (f)(4)(d).

Current Practices

Irrigation of 16.78 acres of Alfalfa from one agriculture well is done by a pivot (10.9 acres) and handlines, four corner cannons, and New Zealand water pods on the remaining acreage (5.88 acres). The current amount of water is 1" per week.

The Don Parry Ranch property is not rectangular, square, or circular – the attached map shows the actual shape. Diverse types of irrigation have been implemented to supply coverage of the irregular shaped 16.78 acres. Historically, a pivot, hand lines, corner cannons, and K-lines have all been used on the operation. The field map gives the best coordinates for the ranch location.

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

The Don Parry Ranch has adjudicated surface water rights from the Scott Valley Irrigation District and overlying adjudicated groundwater rights within the basin. We will not use our surface water right to supplement or offset the reduction in use of groundwater.

The attached spreadsheet gives the reduction calculated to reduce usage by 46% over the 2020 usage and are described below.

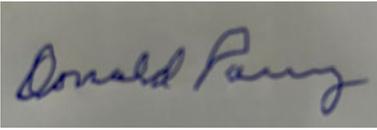
Specific Conservation Solutions for the 2022 Irrigation Season

- **Reduced Cuttings** – Historically, the operation harvested 3 cuttings of alfalfa. In 2022 we will only harvest two cuttings. There will be no watering after the second cutting—a 33% water usage reduction.
- **Corners** – We have all ceased corner cannon irrigation in 2022.
- **Irrigation Forbearance** – All irrigation will stop by the end of June. Typically, we would irrigate during July for an additional cutting.

Please note this plan is offered in good faith in connection with the 2022 irrigation season only. All rights, claims and defenses with regard to the matters described herein are hereby expressly reserved. Moreover, and as this plan is offered voluntarily (without any current legal obligation to undertake the matters described herein), should any governmental or NGO funds later become available for any forbearance or improvement efforts to which The Don Parry Ranch would otherwise be entitled, nothing herein shall be construed to limit the availability of such funds to The Don Parry Ranch provided that we materially perform the 2022 undertakings described herein. Water saved under this proposal will not be transferred to parcels not included under the LCS and we will not knowingly or intentionally otherwise take actions outside of the LCS that diminish, in any material way, the reduction established by this proposal.

These conservation efforts can be verified on inspections conducted by the coordinating entity, hopefully scheduled because we do use pesticides from time to time and those products have restricted entry protocols. Don Parry will be the contact person for this LCS. I can be reached by mail, the phone number listed above, and by email at [REDACTED].

Sincerely,

A rectangular box containing a handwritten signature in blue ink. The signature is written in a cursive style and reads "Donald Parry".

Donald A. Parry

Members of same LCS:

Frederick & Karen Kraus
Kraus and Sons Ranch



Bob Daws Ranch



Don Parry Ranch



Mark Kindle



Patricia Ellis



David Grassman



Common Interest/Confidential/Privileged/Work Product



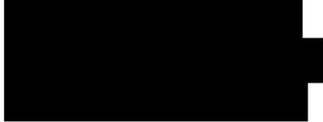
State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Northern Region
601 Locust Street
Redding, CA 96001
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



July 19, 2022

Don Parry, Landowner and Manager
Don Parry Ranch



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

Dear Don Parry,

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

Don Parry
July 19, 2022
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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 April 2, 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 cuttings, corner irrigation forbearance, and a summer irrigation forbearance plan. 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 Environmental Program Manager Joe Croteau at klamathwatershed@wildlife.ca.gov.

Sincerely,

Tina Bartlett,
Regional Manager
Northern Region

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July 19, 2022
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Don Parry Ranch

Don Parry, Landowner and Manager


State Water Resources Control Board

Erik Ekdahl, Deputy Director

Division of Water Rights

DWR-ScottShastaDrought@Waterboards.ca.gov

California Department of Water Resources

Craig Altare, Section Chief Sustainability Plan Review SGMO

craig.altare@water.ca.gov

National Marine Fisheries Service

Alecia Van Atta, Assistant Regional Administrator

alecia.vanatta@noaa.gov

California Department of Fish and Wildlife

Tina Bartlett, Regional Manager

Joe Croteau, Environmental Program Manager

klamathwatershed@wildlife.ca.gov

BINDING AGREEMENT



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Northern Region
601 Locust Street
Redding, CA 96001
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



GROUNDWATER USE REDUCTION AND BINDING AGREEMENT FOR LOCAL COOPERATIVE SOLUTION

BACKGROUND

Under the 2021 drought emergency regulation establishing drought emergency minimum flows in the Scott River and Shasta River watersheds,¹ 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 (such as cold-water refugia, localized fish passage, or redd protection), in lieu of curtailment.

RECITALS

1. Section 875(f)(4)(d) of the drought emergency regulation provides a specific type of LCS that was determined to be sufficient for approval by the Deputy Director:
2. For overlying or adjudicated groundwater diversions for irrigated agriculture described in section 875.5(f)(4)(d)(i) – (ii) [Scott River], the 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 where:
 - (i) The proposal is based on a binding agreement. "Such binding agreement may be made with a Coordinating Entity with the expertise and the ability to evaluate and require performance of the agreement, for example with the California Department of Fish and Wildlife (CDFW), the National Marine Fisheries Service, the Scott Valley and Shasta Valley Watermaster District, a non-profit organization with expertise and experience in water-saving transactions, or similar qualified entity. "
 - (ii) For the Scott River: "The proposal provides at least: 1) a net reduction of water use of 30 percent throughout the irrigation

¹ California Code of Regulations, title 23, sections 875–875.9.

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 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."

PROPOSED LOCAL COOPERATIVE SOLUTION

On April 2, 2022, Don Parry DBA The Don Parry Ranch (Landowner) proposed an LCS for 16.78 acres of alfalfa authorized by 23 CCR §§ 875(f)(4)(d) of the regulation for the 2022 irrigation season. It includes a final 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 cuttings, corner irrigation forbearance, and a summer irrigation forbearance plan. The specific conservation practices within the narrative offer concise and appropriate monitoring elements enabling the California Department of Fish and Wildlife to assume the role of a Coordinating Entity to implement a binding agreement described in "i" above. The mathematically calculated conservation plan accounts for a net reduction of approximately 46% to meet the requirement described in item "ii" above.

TERMS OF BINDING AGREEMENT

The Landowner is required to adhere to the proposed conservation plan, as submitted to CDFW and approved by the State Water Board. The Landowner has requested that CDFW serve as the coordinating entity. The Landowner and CDFW agree to the following:

- For the duration of this binding agreement where CDFW is the coordinating entity, the Landowner shall give CDFW and CDFW agents the right to reasonably access the included parcels for the limited purpose of verifying execution of the conservation plan. Any individual not directly employed or contracted by CDFW shall provide pre-notification to, and shall obtain approval by, the Landowner.

- CDFW will strive to notify the Landowner a day in advance of visiting the parcels and shall provide the Landowner or a designee the ability to participate in the monitoring inspection.
- It is anticipated that CDFW representatives will visit the property approximately twice per month. A monitoring inspection may include verification of any or all the actions described in the conservation plan and may include inspection checklist/notes/report and photo verification.
- Any photos, logs, checklists, and other documentation for this conservation strategy incorporated by reference will be transmitted by the Landowner via email to the Klamath Watershed Program at KlamathWatershed@wildlife.ca.gov. This information for each month shall be transmitted within the first 7 calendar days of each calendar month.
- CDFW will submit the information regarding the verification materials and actions described in this agreement, and conservation plan incorporated by reference, to the State Water Board upon request, for the purposes of verifying compliance with the LCS.
- This binding agreement is not intended to preclude, harm, or otherwise interfere with the Landowner's ability to secure any funding to mitigate the financial impacts imposed by the emergency regulation or proposed conservation practices. CDFW supports use of funding programs to ameliorate the costs of implementing the conservation practices described in the proposed conservation plan; planning and cooperation under a voluntary LCS should not undermine the ability to receive such funding.
- This binding agreement may be terminated by either party with 30 days' notice. The Coordinating Entity will only terminate the agreement if the Landowner is not cooperating with the terms of this binding agreement (e.g., is not providing access, is not reporting, etc.). Both parties agree to take reasonable measures to resolve any concerns related to performance of the conservation plan, negative human interaction, or any other unforeseen circumstance prior to invoking termination.
- It is recognized that as the irrigation season unfolds, there may be reason to change the terms of the conservation plan or this agreement regarding its implementation and verification. Any such changes to the conservation plan or binding agreement will need to offer continued compliance with the drought emergency regulations and shall be agreed upon by both parties as well as the State Water Board.

Contact Information	
California Department of Fish and Wildlife Carmen Tull KlamathWatershed@wildlife.ca.gov 916.203.1947	The Don Parry Ranch Don Parry [REDACTED]

This Binding Agreement is valid while the current drought emergency regulation is in place. By signature, both parties agree and memorialize CDFW as the Coordinating Entity for this binding agreement. The Landowner shall include one signed copy with its petition to the SWB, return one signed copy to CDFW, and retain a signed copy of this binding agreement and have the conservation plan readily available at its residence in the event any questions arise from either party during implementation or monitoring.

Authorized Landowner Signature:

Sign Here: *Donal C Parry* Date Signed: 8/6/2022

Authorized Coordinating Entity Signature:

Sign Here: DocuSigned by:
Jane Beillett Date Signed: 8/4/2022

SUPPORTING INFORMATION



Siskiyou County
MAP 1 HOME PLACE

Permit Number: 474796R
Created On: 2/11/2014
Operator: PARRY, DONALD



Included Sites: 1-01, 1-06, 1-07



Don Parry Ranch Amount of Water from All Watering Methods per Week

	Full Pivot W/End Gun	End Gun Only	Cannons	Hand Line	K-Line pods	Tot GA per Week	
GPM	180	72	72	6.07	1.90		
Minutes	60	60	60	60	60		
GPH	10,800	4,320	4,320	364.2	114		
Hours per week	50	13.89	6	6	6		
GPW	540,000	60,000.00	25,920	2,185.2	684		
No. Used	1	1	4	21	20		
Ga Per Week	540,000	60,000	103,680	45,889.2	13,680	703,249	
Pivot Degrees	180	50					
	100%	28%					

Don Parry Ranch 2020 Water Usage and 2022 Water Usage Proposal

2020	Week	Pivot	Cannon	Hand	K-Line	Total	2022	Pivot	W/O End Gun	Cannons	Hand Line	K-Line	Total
April	1	540,000	103,680	45,889	13,680	703,249		540,000	-60,000	0	0	13,680	493,680
	2	540,000	103,680	45,889	13,680	703,249		540,000	-60,000	0	0	13,680	493,680
	3	540,000	103,680	45,889	13,680	703,249		540,000	-60,000	0	0	13,680	493,680
	4	540,000	103,680	45,889	13,680	703,249		540,000	-60,000	0	0	13,680	493,680
		2,160,000	414,720	183,557	54,720	2,812,997		2,160,000	-240,000	0	0	54,720	1,974,720
Percentage	Reduction for April												30%
May	1	540,000	103,680	45,889	13,680	703,249		540,000	-60,000	0	0	13,680	493,680
	2	540,000	103,680	45,889	13,680	703,249		540,000	-60,000	0	0	13,680	493,680
	3	540,000	103,680	45,889	13,680	703,249		540,000	-60,000	0	0	13,680	493,680
	4	Drying Field						Drying Field					
		1,620,000	311,040	137,668	41,040	2,109,748		1,620,000	-180,000	0	0	41,040	1,481,040
Percentage	Water Usage Reduction for May												30%
June	1	Cutting and Bailing						Cutting and Bailing					
	2	540,000	103,680	45,889	13,680	703,249		540,000	-60,000	0	0	13,680	493,680
	3	540,000	103,680	45,889	13,680	703,249		540,000	-60,000	0	0	13,680	493,680
	4	540,000	103,680	45,889	13,680	703,249		540,000	-60,000	0	0	13,680	493,680
		1,620,000	311,040	137,668	41,040	2,109,748		1,620,000	-180,000	0	0	41,040	1,481,040
Percentage	Water Usage Reduction For June												30%
July	1	Drying Field						Drying Field					
	2	Cutting and Bailing						Cutting and Bailing					
	3	540,000	103,680	45,889	13,680	703,249		0	0	0	0	0	0
	4	540,000	103,680	45,889	13,680	703,249		0	0	0	0	0	0
	5	540,000	103,680	45,889	13,680	703,249		0	0	0	0	0	0
		1,620,000	311,040	137,668	41,040	2,109,748		0	0	0	0	0	0
Percentage	Water Usage Reduction for July												100%
August	1	Drying Filed						0					
	2	Cutting and Bailing						0					
	3	0	0	0	0	0		0	0	0	0	0	0
	4	0	0	0	0	0		0	0	0	0	0	0
		0	0	0	0	0		0	0	0	0	0	0
Sept	1	0	0	0	0	0		0	0	0	0	0	0
	2	0	0	0	0	0		0	0	0	0	0	0
	3	0	0	0	0	0		0	0	0	0	0	0
	4	0	0	0	0	0		0	0	0	0	0	0
	5	0	0	0	0	0		0	0	0	0	0	0
		0	0	0	0	0		0	0	0	0	0	0
Total	Water Usage					9,142,240							4,936,800
Percentage	Water Usage Reduction from 2020 to 2022												46%