

Tom Hayden Ranch



March 29, 2022

To the State Water Resources Control Board:

The Tom Hayden Ranch is submitting this letter along with a spreadsheet to describe a proposed Local Cooperative Solution for the 2022 irrigation season. This request is being submitted pursuant to Section 875, subdivision (f)(D) of the regulation related to groundwater irrigation for the 2022 season, for the following parcel numbers, which are irrigated by groundwater only.<sup>1</sup>

21-303-060 (41 Acres)

21-030-330 (40 Acres)

21-030-370 (40 Acres)

This ranch is a cow calf operation raising roughly 200 pair of cattle. This operation depends on being able to raise enough feed to keep a consistent cow herd supported on pasture. The primary crop is pasture that is irrigated to keep feed growing from April-Oct. There are 2 wells that are used for pumping ground water. The fields that are irrigated by these pumps have all been leveled with border checks, and are conveyed by pipeline with risers. To reduce water usage for the 2022 season, the Ranch has proposed cutting irrigation back in the month of May, as well as the critical months of July-Oct. The method of reducing GPM at the pump discharge can be made by closing a butterfly valve down by 1/3. I request to work with the RCD as my Coordinating Entity, to verify that my proposed conservation measures are in place. My binding agreement with the RCD, for the year 2022, is to check that the butterfly valves are only 2/3 open, which is an agreed-upon, verifiable action. As my ranch is under 400 acres, the adjacent Jenner Ranch on Island Road will serve as my 400 acre partner, for the purposes needed.

The attached spreadsheet clearly establishes my estimated 30 percent reduction this year (2022) during the irrigation season (April 1 – October 31) based on the water reduction actions. This includes a 30 percent net reduction over the irrigation season, and at least a 30 percent reduction for each month from July 1 through October 31. The proposal includes use estimates for the prior year (2021) to compare to the 30 percent reduction.

Please call me for communication purposes. I do not know how to run a computer and need to talk on the phone. Please call with any concerns,

Sincerely,

A handwritten signature in blue ink, appearing to read "Tom Hayden", written over a horizontal line.

<sup>1</sup> Access to surface water is not available on these parcels, and therefore surface water will not replace the 30% conservation of groundwater agreement.

Tom Hayden

# **BINDING AGREEMENT**



## SISKIYOU RESOURCE CONSERVATION DISTRICT

P.O. Box 268, Etna, CA 96027

PHONE (530) 467-3975 FAX (530) 467-5617

Email: [sisqrcd@sisqtel.net](mailto:sisqrcd@sisqtel.net)

Website: [www.siskiyourcd.com](http://www.siskiyourcd.com)

### Binding Agreement

#### Contractor Contact Information:

<i>Business:</i>	Siskiyou RCD
<i>Contact Person:</i>	Chris Voigt
<i>Address:</i>	PO Box 268 Etna CA 96027
<i>Phone:</i>	916-396-0131
<i>Email:</i>	chris@siskiyourcd.com

#### Landowner Contact Information:

<i>Business:</i>	Tom Hayden Ranch
<i>Contact Person:</i>	Tom Hayden
<i>Address:</i>	
<i>Phone:</i>	
<i>Email:</i>	

### Background

Under the 2021 drought emergency regulation instated by the State Water Resources Control Board (SWRCB) that established drought emergency minimum flows in the Scott River, a Local Cooperative Solution (LCS) may be proposed by individuals or groups to submit by petition to the Deputy Director of the SWRCB as an alternative means of reducing water use to meet or preserve drought emergency minimum flows and provide fishery benefits, in lieu of curtailment. This binding agreement between the (Landowner) and Siskiyou Resource Conservation District (SRCD) will monitor the SRWCB approved LCS to achieve 1) a net reduction of water use of 30 percent throughout the irrigation season; and 2) a monthly reduction of at least 30 percent in the July through October 31 period, as compared to 2020.



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### 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 sections 875.5(f)(4)(D)(i)-(iii) [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 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 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 similarly qualified entity."
  - ii. For the Scott River: "The proposal provides at least: 1) a net reduction in 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% in the July 1 through October 31 period, as compared to the prior year or 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:** *(Specific action plan to be completed by landowner, see attached LCS application form)*



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### **Binding Agreement Terms**

The Landowner is required to adhere to the LCS, as approved by SWRCB. The Landowner has requested that SRCD serve as the coordinating entity. As such, both parties agree to the following:

- For the duration of this binding agreement where SRCD is the coordinating entity, the Landowner shall give SRCD the right to reasonably access the included parcels for the limited purpose of verifying execution of the LCS. Any individual not directly employed or contracted by SRCD shall provide pre-notification to, and shall obtain approval by the Landowner before accessing the property,
- SRCD will strive to notify the Landowner a day in advance of visiting the parcels and shall provide the Landowner or designee the ability to participate in monitoring activities,
- It is anticipated that SRCD representatives will visit the property approximately twice per month to monitor the approved LCS, unless inadequacies are discovered, in which case additional field visits will occur until inadequacies are rectified. A monitoring inspection may include verification of any or all of the actions described in the conservation plan and may include inspection checklist/notes/reports and photo verification,
- SRCD 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. SRCD supports the 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 at any time. Both parties agree to take reasonable measures to resolve any concerns related to the performance of the LCS, negative interpersonal interaction, or any unforeseen circumstance prior to invoking termination,
- As the irrigation season unfolds, there may be reason to change the terms of the LCS or this binding agreement with respect to its implementation and verification. Any such changes to the LCS or service agreement will need to be agreed upon by the Landowner



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and SRWCB. If a Landowner requests SRCD assistance with an updated LCS, the SRCD and Landowner will enter into a new Binding Agreement and,

### **Payment**

In consideration for the services to be performed by SRCD, the Landowner agrees to pay SRCD at the rate of \$75.00 per hour for initial consultation and \$75.00 per hour for all services rendered after signing of the binding agreement.

### **Expenses**

The Landowner will reimburse SRCD for expenses that are attributable directly to work performed under this Agreement. Any expenses incurred will be approved by the Landowner beforehand. SRCD will submit an itemized statement of Contractor's expenses attached with invoicing.

### **Terms of Payment**

Upon completion of SRCD services under this binding agreement, the SRCD will submit an invoice. The Landowner will pay SRCD the compensation described within 30 days of receiving SRCD's invoice.

### **Term of Agreement**

This agreement will become effective when signed by both parties and will terminate on:

- November 1, 2022, or
- The date a party terminates the binding agreement.
- Monitoring information will be collected by the SRCD and shared with State Water Board as a field report in accordance with their reporting schedule or upon request
- SRCD is not authorized to and will not distribute data or other information regarding work done under this contract to any third party without previous written approval by the Landowner
- Landowner agrees that water saved under the LCS will not be transferred to parcels not included under the LCS, and Landowner will not knowingly or intentionally otherwise take actions outside of the LCS that diminish, in any material way, the overall thirty percent reduction establish by the actions described ion the LSC



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**Signatures**

*Chris Vojt*

SRCD Representative

*5/26/2022*

Date

*T. J. Laon*

Landowner

*5/23/2022*

Date

## **SUPPORTING INFORMATION**

# Tom Hayden

## 2020 Irrigation Season in Acre/ft

Field No.	Crop	Acres	Type	Duration	April	May	June	July	Aug	Sept	Oct	Totals
21-303-060	Pasture	41	Flood	10 days at 600gal/min	0	27	27	27	27	27	27	159
21-030-330	Pasture	40	Flood	10 days at 600gal/min	0	27	27	27	27	27	27	159
21-030-370	Pasture	40	Flood	10 days at 600gal/min	0	27	27	27	27	27	27	159
AF Totals					0	80	80	80	80	80	80	477

2022 Goal	April	May	June	July	Aug	Sept	Oct	Total
30% reduction goal for critical months for 2022	0	56	56	56	56	56	56	334

Field 1 is irrigated on days 1-10. Field 2 is irrigated days 11-20. Field three is irrigated days 21-30

Flood irrigation volume = 600 GPM\*60 minutes\*24 hours\*10 days/325,851 gallons per AF

600 gal*60 min	36000
*24 hours	864000
*10 days	8640000
/325,851	27

Standard water usage is two pumps running at 300 gal/min each.

# Tom Hayden

## 2022 Irrigation Season in Acre/ft

Field No.	Crop	Acres	Type	July-Oct Duration	April	May	June	July	Aug	Sept	Oct	Totals
21-303-060	Pasture	41	Flood	10days at 420gal/min	0	19	19	19	19	19	19	111
21-030-330	Pasture	40	Flood	10days at 420gal/min	0	19	19	19	19	19	19	111
21-030-370	Pasture	40	Flood	10days at 420gal/min	0	19	19	19	19	19	19	111
Totals					0	56	56	56	56	56	56	334

Percent of 2020

70% 70% 70% 70% 70%

210

30% reduction of 477=334

Field 1 is irrigated on days 1-10. Field 2 is irrigated days 11-20. Field three is irrigated days 21-30

Flood irrigation monthly volume = 420 GPM\*60 minutes\*24 hours\*10 days/325,851 gallons per AF

420 gal*60 min	25200
*24 hours	604800
*10 days	6048000
/325,851	19

Decreased water usage is two pumps running at 210 gal/min each.