

Groundwater Local Cooperative Solution
Documents Updated For 2023

STATE WATER RESOURCES CONTROL BOARD DIVISION OF WATER RIGHTS
Groundwater (GW) Local Cooperative Solution (LCS) Plan Resubmission Form

This form should only be used if you had an approved GW LCS in 2022, or the plan was listed as "Pending" on the State Water Resources Control Board (State Water Board) website:

https://www.waterboards.ca.gov/waterrights/water_issues/programs/drought/scott_shasta_rivers/lcs.html

Submit Form by Email, Post Mail, or Fax
 ScottShastaDrought@waterboards.ca.gov
 State Water Resources Control Board, DIVISION OF WATER RIGHTS
 P.O. Box 2000, Sacramento, CA 95812-2000
 Fax: (916) 341-5400
 Phone: (916) 327-3113

1. Contact Information

Name of Person Filling out Form: Cody Custer
 Property Owner Name (if other than self): Jafam Corp. / Louis Starr / Clint + Cody Custer
 Phone Number: [REDACTED] Email (if available): [REDACTED]
 Ranch Name (if applicable): Scott Valley Farms LLC

2. Agreement Information

Do you have a Binding Coordination Agreement for 2023? Yes No
 If Yes, identify your Coordinating Entity (check one below) and submit the Binding Coordination Agreement to the State Water Board.
 Department of Fish and Wildlife
 Siskiyou Resource Conservation District
 Shasta Valley Resource Conservation District

If No, you may still submit this form, but you will need to obtain a Binding Coordination Agreement before the State Water Board can consider re-approving your plan.

Are you proposing any changes to your 2022 plan for the 2023 irrigation season? Yes No

If Yes, summarize these changes in the space provided below. Depending on the number and type of changes, State Water Board staff may contact you with instructions for submitting an updated Plan:

Field Name	What was changed for 2023
S-04	New Alfalfa
1-12	New Alfalfa
1-13	New Alfalfa
1-21	Seed Grain
1-27 & 1-28	More water in months of June thru September
1-11	Less water in August & September
S-03	Less water in June thru August more in September

3. Groundwater Level Monitoring

The State Water Board has identified a need to monitor groundwater conditions in the Scott River and Shasta River watersheds to quantify beneficial impact on groundwater levels. The State Water Board seeks access to **non-pumping groundwater wells** for the purpose of monitoring the static water levels. By submitting a groundwater LCS, you authorize State Water Board staff or the Coordinating Entity to install and monitor groundwater level monitoring equipment.

Do you currently have any wells on your property that are monitored for depth to water? Yes No
 State Water Board or Binding Coordinating Entity may monitor static groundwater levels in one or more of your wells?
 Yes No

2023 Crop Season

Field	Acres	Crop	Irrigation Sets	April	Irrigation Sets	May	Irrigation Sets	Jun	Irrigation Sets	Jul	Irrigation Sets	Aug	Irrigation Sets	Sep	Totals		
1-13	42	New Alfalfa	1.00	8.44	2.00	16.88	2.50	21.11	2.50	21.11	2.50	21.11	1.50	12.66	101.30	59.09	
1-19	55	Alfalfa	2.00	22.11	2.00	22.11	2.50	27.64	2.50	27.64	2.50	27.64	1.50	16.58	143.72		
1-20	36	Alfalfa	2.00	14.47	2.00	14.47	2.50	18.09	2.50	18.09	2.50	18.09	1.50	10.85	94.07		
1-21	77	Seed Grain	2.00	30.95	2.00	30.95	2.00	30.95	1.00	15.48	0.00	0.00	0.00	0.00	108.34	-92.86	
1-23	67	Seed Grain	2.00	26.93	2.00	26.93	2.00	26.93	1.00	13.47	0.00	0.00	0.00	0.00	94.27		
1-25	65	Alfalfa	2.00	26.13	2.00	26.13	2.50	32.66	2.50	32.66	2.50	32.66	1.50	19.60	169.85		
1-24E	52	Alfalfa	2.00	20.90	2.00	20.90	2.50	26.13	2.50	26.13	2.50	26.13	1.50	15.68	135.88		
1-24W	52	Alfalfa	2.00	20.90	2.00	20.90	2.50	26.13	2.50	26.13	2.50	26.13	1.50	15.68	135.88		
1-12	52	New Alfalfa	1.00	10.45	2.00	20.90	2.50	26.13	2.50	26.13	2.50	26.13	1.50	15.68	125.42	52.26	
1-29	55	Alfalfa Pivot	2.00	15.51	2.00	15.51	3.00	23.27	3.00	23.27	3.00	23.27	2.00	15.51	116.33		
1-29	7	Alfalfa Pivot **	0.00	0.00	0.00	0.00	1.00	1.72	2.00	3.44	2.00	3.44	1.00	1.72	10.33	-1.72	
1-29	3	Gun	2.00	1.67	2.00	1.67	2.00	1.67	2.00	1.67	2.00	1.67	1.00	0.84	9.21	-0.83	
1-28	23	Grass/alfalfa	2.00	11.32	2.00	11.32	3.00	16.97	3.00	16.97	3.00	16.97	2.00	11.32	84.87	11.32	
1-27	18	Grass/alfalfa	2.00	8.86	2.00	8.86	3.00	13.28	3.00	13.28	3.00	13.28	2.00	8.86	66.42	8.86	
1-26	34	Grass/alf Pivot	2.00	11.29	3.00	16.93	3.00	16.93	3.00	16.93	3.00	16.93	2.00	11.29	90.30		
S-01	29	Alfalfa	2.00	11.66	2.00	11.66	2.50	14.57	2.50	14.57	2.50	14.57	1.50	8.74	75.78		
S-02	28	Alfalfa	2.00	11.26	2.00	11.26	2.50	14.07	2.50	14.07	2.50	14.07	1.50	8.44	73.16		
S-03	25	Alfalfa	2.00	10.05	2.00	10.05	2.00	10.05	2.00	10.05	2.00	10.05	2.00	10.05	60.30	-5.03	
S-04	38	New Alfalfa	1.00	7.64	2.00	15.28	2.50	19.10	2.50	19.10	2.50	19.10	1.50	11.46	91.66	53.47	
S-06	12	Alfalfa	2.00	4.82	2.00	4.82	2.50	6.03	2.50	6.03	2.50	6.03	1.50	3.62	31.36		
1-11	13	Alfalfa	2.00	5.23	2.00	5.23	2.50	6.53	2.50	6.53	2.00	5.23		0.00	28.74	-5.23	
1-11	13	Alfalfa	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		
K-Line	22	Pasture	3.00	8.38	3.00	8.38	3.00	8.38	3.00	8.38	3.00	8.38	3.00	8.38	50.29		
Gun	8	Pasture	2.00	4.46	2.00	4.46	3.00	6.70	3.00	6.70	3.00	6.70	2.00	4.46	33.48	-2.23	
Total AC	826			293.44		325.62		395.05		367.83		337.58		211.42	1930.94	1930.94	77.1
				0.34		0.26		0.27		0.30		0.31		0.30	1930.94	1930.94	77.09
		**Field 1-29 is 65 acres total. 55ac is irrigated by pivot and the remaining 10 acres is irrigated by wheel line and squirt gun.															

Total (AF) 2020 All acres (NON BINDING BASELINE ESTIMATE FOR DISCUSSION PURPOSES ONLY)	2740
Total monthly AF (avg) 2020	456.7

	Total 2020 Estimated Monthly (AF)	Total 2023 Estimated Monthly (AF)	Total Difference in Estimated monthly reduction (AF)	Estimated reduction difference
April	443	293	150	34%
May	443	326	117	26%
June	544	395	149	27%
July	522	368	154	30%
August	488	338	150	31%
September	300	211	89	30%
	Total Estimated 2020 Seasonal (AF)	Total Estimated 2023 seasonal (AF)	Total Estimated 2023 season reduction	Estimated seasonal reduction %
Total Estimated	2740	1931	809	30%

Conversions

2020

Wheel Line

3/16 nozzle puts out 8gpm (.325in per hr) at 60psi
.325x hours run per set (10.5hr) .325 x 10.5=3.41in
3.41 x .083=.283ac ft per 10.5 hr set
1 acre inch to acre foot = 0.08333 acre foot.

Pivot Grain

1.5in X .083=.124
**Field 1-29 is 65 acres total. 55ac is irrigated by pivot
and the remaining is irrigated by wheel line.

K-Line

7/64 nozzle puts out .170in per hr at 60psi
.170 X 10.5hr =1.78 1.78 X .083=.147 ac ft

Gun

1.2 inch nozzle is 340gpm at 60psi
.75 inches per hour
.75 x 10.5hr =7.87 7.87 x .083=.653 ac ft

2023

Wheel Line

11/64- nozzle puts out 6.75gpm (.270in per hr) at 60psi
.270 x hours run per set (9hr) .270 x 9=2.43in
2.43 x .083= .201ac ft
1 acre inch to acre foot = 0.08333 acre foot.

Pivot Alfalfa

1.7in X .083=.141
**Field 1-29 is 65 acres total. 55ac is irrigated by pivot
and the remaining is irrigated by wheel line and squirt gun.

K-Line

7/64 nozzle puts out .170in per hr at 60psi
.170 X 9 hr= 1.53 1.53 X .083= .127 ac ft

Gun

1.2 inch nozzle is 340gpm at 60psi
.75 inches per hour
.75 X 4.5hr = 3.37 3.37 X .083= .279 ac ft

Grass Alfalfa Wheel lines

11/64- nozzle puts out 6.75gpm (.270in per hr) at 60psi
.270 x hours run per set (11hr) .270 x 9=2.97in
2.97 x .083= .246 ac ft
1 acre inch to acre foot = 0.08333 acre foot.

Grass Alfalfa Pivot

2.0 in X .083= .166



SISKIYOU RESOURCE CONSERVATION DISTRICT

P.O. Box 268, Etna, CA 96027

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

Email: sisqrtd@sisqtel.net

Website: www.siskiyoured.com

Binding Agreement

Contractor Contact Information:

<i>Business:</i>	Siskiyou RCD
<i>Contact Person:</i>	Chris Voigt
<i>Address:</i>	PO Box 268/ 450 Main St., Etna, CA, 96027
<i>Phone:</i>	(530) 467-3975
<i>Email:</i>	chris@siskiyoured.com

Landowner Contact Information:

<i>Business:</i>	Scott Valley Farms LLC
<i>Contact Person:</i>	Cody Cester
<i>Address:</i>	[REDACTED]
<i>Phone:</i>	[REDACTED]
<i>Email:</i>	[REDACTED]

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 or 2021.



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Email: sisqrccd@sisqtel.net

Website: www.siskiyourcd.com

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 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 or 2021. 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 SRCDC serve as the coordinating entity. As such, both parties agree to the following:

- For the duration of this binding agreement where SRCDC is the coordinating entity, the Landowner shall give SRCDC 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 SRCDC shall provide pre-notification to, and shall obtain approval by the Landowner before accessing the property,
- SRCDC 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 SRCDC 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,
- SRCDC 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. SRCDC 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, 2023, 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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Email: sisqred@sisqtel.net

Website: www.siskiyourcd.com

Signatures

Chris Vest

SRCD Representative

4/18/2023

Date

Andy Aust

Landowner

4/28/2023

Date

Groundwater Local Cooperative Solution
Documents For 2022

State Water Resources Control Board

April 22, 2022

Mr. Cody and Mr. Clint Custer



APPROVAL OF GROUNDWATER LOCAL COOPERATIVE SOLUTION FOR SCOTT VALLEY FARMS, LLC

Dear Messrs. Custer:

On August 17, 2021, the State Water Resources Control Board (State Water Board) adopted a regulation establishing drought emergency minimum flows in the Scott River and Shasta River watersheds (Cal. Code Regs., tit. 23, §§ 875-875.9) (Regulation). Under the Regulation, local cooperative solutions may be submitted by individuals or groups as alternative means of reducing water use. The Division of Water Rights has reviewed the proposed local cooperative solution and finds that it meets the requirements of Regulation section 875, subdivision (f)(4)(D), with conditions. Additional details regarding the contents of the proposal and conditions are described below.

For overlying or adjudicated groundwater diversions for irrigated agriculture described in section 875.5, subdivision (f)(4)(D), the Deputy Director for the Division of Water Rights (Deputy Director) may approve a local cooperative solution totaling at least 400 irrigated acres where the proposal is based on a binding agreement, and it reduces water use in the Scott River watershed by at least 30 percent compared to 2020 or 2021 during the total irrigation season (April 1 – October 31), and specifically includes a 30 percent monthly reduction in water use for July through October. (See section 875.5, subdivision (f)(4)(D) of the Regulation.) Such reductions may be demonstrated by a number of mechanisms, including pumping reports, conservation measures, electric bills, or planting decisions.

The State Water Board received a proposal from Scott Valley Farms, LLC (petitioner) for approval of a groundwater local cooperative solution that includes commitments to reduce water use by at least 30 percent as specified under Section 875.5, subdivision (f)(4)(D)(ii). This proposal provides for reduced water use from groundwater wells on approximately 830 acres associated with Assessor Parcel Numbers 023-080-350, 023-080-240, 023-080-320, 023-130-140, 023-130-130, 023-130-120, 023-080-310, and 023-080-190, as determined from documents provided by the petitioner as part of the request for approval of a groundwater local cooperative solution. The proposal

E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

indicates that the lands are also served by an adjudicated surface water right owned by the property owner, JAFAM Corporation, but that such surface water will not be used to substitute for groundwater reductions. The proposal includes detailed “conservation plan” spreadsheets, spray maps, and a narrative description of conservation actions and a tracking method. The proposed local cooperative solution sets forth verifiable conservation measures to reduce water use by approximately 32 percent, relative to a 2020 baseline. The proposed conservation actions are: enhanced irrigation pivot efficiencies, wheel line nozzle improvements, reduced irrigation wheel line set timing (i.e., reducing the duration of irrigation), and squirt gun run-time reductions.

The proposal includes a Groundwater Use Reduction and Binding Agreement (Agreement) with the Siskiyou Resource Conservation District (Siskiyou RCD) granting the Siskiyou RCD sufficient access to verify compliance with the proposal.

The Division of Water Rights has reviewed the local cooperative solution proposal and finds that it meets the requirements of Regulation section 875, subdivision (f)(4)(D), with the following condition:

- To the extent surface water is available to the petitioner, surface water used in the 2022 irrigation season shall not exceed the amount of water used during the 2020 irrigation season, nor decrease the estimated overall 32 percent reduction in groundwater use approved as part of this local cooperative solution.

As determined by the Regulation under this section 875, subdivision (f)(4)(D), continued diversions under this local cooperative solution are reasonable and will not result in injury to other legal users of water. Your local cooperative solution proposal, dated April 11, 2022, including the conservation plan, together with the terms of your executed Agreement dated April 4, 2022, are hereby approved, as conditioned. As described in Regulation section 875, subdivision (f)(2), any violations of this approval are subject to enforcement as a violation of the Regulation. Any changes to the approved local cooperative solution or Agreement shall be submitted to the Deputy Director for review and approval prior to implementation.

So long as this approval and the terms of the proposal and the Agreement remain in effect, the curtailments associated with water rights SG003008, SG003009, SG003449, SG003779, and SG003780 are rescinded. Please note that this approval does not affect the curtailment status of the surface water rights referenced in the proposal, which remain subject to applicable previously issued curtailment orders.

Thank you for your efforts to help support both farming and fisheries in the Scott River watershed during this drought emergency.

If you have questions regarding this letter, please reach out to staff by email at: ScottShastaDrought@waterboards.ca.gov or leave a message on our phone line at: (916) 327-3113.

Sincerely,

A handwritten signature in black ink, appearing to read "Erik Ekdahl", with a long, sweeping horizontal stroke extending to the right.

Erik Ekdahl
Deputy Director
Division of Water Rights

ec: Siskiyou RCD
Email: chris@siskiyourcd.com

SVF

Scott Valley Farms, LLC

Mailing:

[REDACTED]

Physical:

[REDACTED]

State Water Resources Control Board

1001 I Street

Sacramento, CA 95814

FINAL

Dear Deputy Director:

Introduction

Scott Valley Farms, LLC (SVF) was established in 1978. Our operation consists of approximately 830 irrigated acres. Our operation consists of haying, seed grain and cattle. We (Clint Custer & Cody Custer) are providing this letter to explain the Groundwater Reduction Local Cooperative Solution for the Scott Valley Watershed.

Irrigation Practices

Two Center Pivots (89 acres) These are two half circle pivots installed in the fall of 2018 and in the fall of 2020. These two pivots were originally installed with the MESA sprinkler package.

24 Wheel lines (695 acres) These lines are moved twice a day at approximately 6AM and at 6PM Monday through Sunday. This result in approximately 10.5-hour sets.

Handline and Squirt Guns (15 acres) These are used in the corner and odd shaped fields where the wheel-lines and pivots cannot reach.

Pasture (30 acres) 22 acres are irrigated with K-Line towable sprinklers. 8 acres are irrigated with Squirt Guns

Ground Water Pumps (6 ground water pumps and 1 booster pump) All pumps have timers installed on them. This allows you to set the number of pumping hours per irrigation set. See provided map for pump locations.

Surface Water We currently have a surface water right. We will not be substituting our surface water for the ground water reduction described in this plan.

Water conservation efforts and improvements.

We installed the two pivots at approximately \$170,000.00. They have the high-pressure MESA sprinkler package. The pivot installed in 2018 (55 acres) is getting the LEPA low pressure sprinkler package. This will give us at least 18% water savings. This is a \$10,500.00 up grade. The pivot that was installed in 2020 replaced two less efficient wheel lines and one gun which is about a 20% savings in water. In addition of the two pivots, we also installed two variable speed drives (VFD), one in 2008 and one in 2015. A VFD goes on the pump to set the pressure to a certain PSI. The pump will never go above or below the PSI setting. These improvements cost \$27,500.00. All these expenses were paid for by SVF LLC.

Wheel-line improvements:

The wheel lines have a 3/16 nozzle which is about 8 gpm. We are going to install 11/64 nozzles which currently puts out about 6.75 gpm. These calculations are based on 60psi. This is a 15% reduction. These calculations came from the Rain Bird chart (Sprinkler). In addition to that we are changing set times (time that lines are running) from 10.5 hours to 9 hours. This should give an additional 15% reduction. In the spring of every year, we go through the wheel lines and replace the leaky gaskets, drain plugs and sprinklers which helps conserve water loss.

Squirt Gun improvements:

The guns have been running 10.5 hr. sets. We are changing run time to 4.5 hrs., which will be moved in the morning and around 1PM to make approximately two 4.5 hr. sets. The guns will be turned off at night. By changing run times this will reduce about 50% water use.

Farming Practices:

We have a 26-acre field that is irrigated by wheel line and handline. Roughly 13 acres in handline and 13 in wheel line. The 13 acres in handline we are going to stop irrigation in 2022 season, which is a 50% reduction in that field. In past years we have normally have about 130 acres of grain, due to curtailments we are now planting another 67 acres of grain. By having grain, it cuts down our water consumption. In 2020 these 67 acres were in alfalfa, by having it in grain this 2022 season it should give us approximately 45% savings in water usage.

Stock Water

In 2017 we installed a stock water system in one pasture to water livestock. By doing this we don't have to pump water into the ditch or holding pond.

Parcel Numbers

Clint and Patricia Custer 023-080-350, 023-080-240

JAFAM Corporation 023-080-320, 023-130-140, 023-130-130, 023-130-120

Louis Starr 023-080-310, 023-080-190

All of the above parcel numbers are leased by Scott Valley Farms, LLC.

Coordinating Entity

The Coordinating Entity that will be following our 2022 farming practices, will be Scott Valley Conservation District (RCD) Chris Voigt. We have contacted Mr. Voigt and he is monitoring our 2022 plan. Mr. Voigt will be checking the following: crop rotation, nozzle size, run time on pumping, and checking the pivot settings.

Agreement

As part of our farming practices, we use products that have time restrictions once we sprayed our fields. Due to liability and safety precautions, we would like to have notice before you come onto our premises. We will be happy to escort you around the property and answer any questions you may have.

Please advise as timely as permissible as to your decision on the acceptability of this plan in lieu of regulatory curtailment as contemplated by Title 23, Article 23.5, Section 875.

Please feel free to contact us with any questions.

Warm regards,

Cody Custer, [REDACTED]
Owner/ Operator
Clint Custer, [REDACTED]
Owner/ Operator

BINDING AGREEMENT



SISKIYOU RESOURCE CONSERVATION DISTRICT

P.O. Box 268, Etna, CA 96027
PHONE (530) 467-3975 FAX (530) 467-5617
Email: sisqred@sisqtel.net
Website: www.siskiyoured.com

Binding Agreement

Contractor Contact Information:

Business:	Siskiyou RCD
Contact Person:	Chris Voigt
Address:	P.O. Box 268 / 450 Main Street
Phone:	530-467-3975
Email:	chris@siskiyoured.com

Landowner Contact Information:

Business:	Scott Valley Farms LLC
Contact Person:	Cody Custer / Clint Custer
Address:	[REDACTED]
Phone:	[REDACTED]
Email:	[REDACTED]

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.



SISKIYOU RESOURCE CONSERVATION DISTRICT

P.O. Box 268, Etna, CA 96027

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

Email: sisqred@sisqtel.net

Website: www.siskiyoured.com

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.

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 established by the actions described in the LCS



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Signatures

Chris Vought

SRCD Representative

4/4/2022

Date

[Handwritten Signature]

Landowner

4/4/2022

Date

SUPPORTING INFORMATION



Siskiyou County	Permit Number: 473023R
	Created On: 2/25/2021 <i>2021</i>
	Operator: CUSTER, CLINT

MAP 1 JAFAM RANCH

S HWY 3/House, river, pond, slough



Included Sites: 1-11, 1-12, 1-13, 1-18, 1-19, 1-20, 1-21, 1-23, 1-24E, 1-24W, 1-25, 1-26, 1-27, 1-28, 1-29





Siskiyou County

Permit Number: 473023R

MAP 2 STARR RANCH

Created On: 2/25/2021

S HWY 3 House, river, ponds, slough

Operator: CUSTER, CLINT



Included Sites: 1-11, 1-12, 1-26, 1-27, 1-28, 1-29, S-01, S-02, S-03, S-04, S-06, S-07



2020 Crop Season

Field	Acres	Crop	Irrigation Sets	April	Irrigation Sets	May	Irrigation Sets	Jun	Irrigation Sets	Jul	Irrigation Sets	Aug	Irrigation Sets	Sep	Totals
1-13	42	Alfalfa	2.0	24	2.0	24	2.5	30	2.5	30	2.5	30	1.5	18	155
1-19	55	Alfalfa	2.0	31	2.0	31	2.5	39	2.5	39	2.5	39	1.5	23	202
1-20	36	Alfalfa	2.0	20	2.0	20	2.5	25	2.5	25	2.5	25	1.5	15	132
1-21	77	Alfalfa	2.0	44	2.0	44	2.5	54	2.5	54	2.5	54	1.5	33	283
1-23	67	Alfalfa	2.0	38	2.0	38	2.5	47	2.5	47	2.5	47	1.5	28	246
1-25	65	Grain	2.0	37	2.0	37	2.0	37	1.0	18	0.0	0	0.0	0	129
1-24E	52	Alfalfa	2.0	29	2.0	29	2.5	37	2.5	37	2.5	37	1.5	22	191
1-24W	52	Alfalfa	2.0	29	2.0	29	2.5	37	2.5	37	2.5	37	1.5	22	191
1-12	52	Alfalfa	2.0	29	2.0	29	2.5	37	2.5	37	2.5	37	1.5	22	191
1-29	55	Grain Pivot	2.0	14	2.0	14	3.0	20	2.0	14	0.0	0	0.0	0	61
1-29	7	Wheel Line**	2.0	4	2.0	4	2.0	4	1.0	2	0.0	0	0.0	0	14
1-29	3	Dry Corner	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0
1-28	23	Grass/alfalfa	2.0	13	2.0	13	2.5	16	2.5	16	2.5	16	1.5	10	85
1-26/1-27	52	Grass/alfalfa	2.0	29	2.0	29	2.5	37	2.5	37	2.5	37	1.5	22	191
S-01	29	Alfalfa	2.0	16	2.0	16	2.5	21	2.5	21	2.5	21	1.5	12	107
S-02	28	Alfalfa	2.0	16	2.0	16	2.5	20	2.5	20	2.5	20	1.5	12	103
S-03	25	Alfalfa	2.0	14	2.0	14	2.5	18	2.5	18	2.5	18	1.5	11	92
S-04	38	Alfalfa	2.0	22	2.0	22	2.5	27	2.5	27	2.5	27	1.5	16	140
S-06	12	Alfalfa	2.0	7	2.0	7	2.5	8	2.5	8	2.5	8	1.5	5	44
1-11	26	Alfalfa	2.0	15	2.0	15	2.5	18	2.5	18	2.5	18	1.5	11	96
K-Line	22	Pasture	2.0	6	2.0	6	2.0	6	2.0	6	2.0	6	2.0	6	39
Gun	8	Pasture	1.0	5	1.0	5	1.0	5	2.0	10	2.0	10	2.0	10	47
Total AC	826			443		443		544		522		488		300	2740
**Field 1-29 is 65 acres total. 55ac is irrigated by pivot and the remaining 7 acres is irrigated by wheel line															

2022 Crop Season

Field	Acres	Crop	Irrigation Sets	April	Irrigation Sets	May	Irrigation Sets	Jun	Irrigation Sets	Jul	Irrigation Sets	Aug	Irrigation Sets	Sep	Totals
1-13	42	Grain	2.0	17	2.0	17	1.0	8	0.0	0	0.0	0	0.0	0	42
1-19	55	Alfalfa	2.0	22	2.0	22	2.5	28	2.5	28	2.5	28	1.5	17	144
1-20	36	Alfalfa	2.0	14	2.0	14	2.5	18	2.5	18	2.5	18	1.5	11	94
1-21	77	Alfalfa	2.0	31	2.0	31	2.5	39	2.5	39	2.5	39	1.5	23	201
1-23	67	Seed Grain	2.0	27	2.0	27	2.0	27	1.0	13	0.0	0	0.0	0	94
1-25	65	Alfalfa	2.0	26	2.0	26	2.5	33	2.5	33	2.5	33	1.5	20	170
1-24E	52	Alfalfa	2.0	21	2.0	21	2.5	26	2.5	26	2.5	26	1.5	16	136
1-24W	52	Alfalfa	2.0	21	2.0	21	2.5	26	2.5	26	2.5	26	1.5	16	136
1-12	52	Seed Grain	2.0	21	2.0	21	2.0	21	1.0	10	0.0	0	0.0	0	73
1-29	55	Alfalfa Pivot	2.0	16	2.0	16	3.0	23	3.0	23	3.0	23	2.0	16	116
1-29	7	Alfalfa Pivot **	0.0	0	0.0	0	2.0	3	2.0	3	2.0	3	1.0	2	12
1-29	3	Gun	2.0	2	2.0	2	2.0	2	2.0	2	2.0	2	2.0	2	10
1-28	23	Grass/alfalfa	2.0	11	2.0	11	2.5	14	2.5	14	2.5	14	1.5	8	74
1-27	18	Grass/alfalfa	2.0	9	2.0	9	2.5	11	2.5	11	2.5	11	1.5	7	58
1-26	34	Grass/alf Pivot	2.0	11	3.0	17	3.0	17	3.0	17	3.0	17	2.0	11	90
S-01	29	Alfalfa	2.0	12	2.0	12	2.5	15	2.5	15	2.5	15	1.5	9	76
S-02	28	Alfalfa	2.0	11	2.0	11	2.5	14	2.5	14	2.5	14	1.5	8	73
S-03	25	Alfalfa	2.0	10	2.0	10	2.5	13	2.5	13	2.5	13	1.5	8	65
S-04	38	Grain	2.0	15	2.0	15	1.0	8	0.0	0	0.0	0	0.0	0	38
S-06	12	Alfalfa	2.0	5	2.0	5	2.5	6	2.5	6	2.5	6	1.5	4	31
1-11	13	Alfalfa	2.0	5	2.0	5	2.5	7	2.5	7	2.5	7	1.5	4	34
1-11	13	Alfalfa	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0
K-Line	22	Pasture	3.0	8	3.0	8	3.0	8	3.0	8	3.0	8	3.0	8	50
Gun	8	Pasture	2.0	4	2.0	4	3.0	7	3.0	7	3.0	7	3.0	7	36
Total AC	826			320		326		373		333		309		194	1854
**Field 1-29 is 65 acres total. 55ac is irrigated by pivot															
and the remaining 10 acres is irrigated by wheel line and squirt gun.															

Total (AF) 2020 All acres (NON BINDING BASELINE ESTIMATE FOR DISCUSSION PURPOSES ONLY)	2740
Total monthly AF (avg) 2020	456.7

	Total 2020 Estimated Monthly (AF)	Total 2022 Estimated Monthly (AF)	Total Difference in Estimated monthly reduction (AF)	Estimated reduction difference
April	443	320	123	28%
May	443	326	117	26%
June	544	373	171	31%
July	522	333	189	36%
August	488	309	179	37%
September	300	194	106	35%
	Total Estimated 2020 Seasonal (AF)	Total Estimated 2022 seasonal (AF)	Total Estimated 2022 season reduction	Estimated seasonal reduction %
Total Estimated	2740	1855	885	32%

2020

Wheel Line

3/16 nozzle puts out 8gpm (.325in per hr) at 60psi
.325x hours run per set (10.5hr) .325 x 10.5=3.41in
3.41 x .083=.283ac ft per 10.5 hr set
1 acre inch to acre foot = 0.08333 acre foot.

Pivot Grain

1.5in X .083=.124
**Field 1-29 is 65 acres total. 55ac is irrigated by pivot
and the remaining is irrigated by wheel line.

K-Line

7/64 nozzle puts out .170in per hr at 60psi
.170 X 10.5hr =1.78 1.78 X.083=.147 ac ft

Gun

1.2 inch nozzle is 340gpm at 60psi
.75 inches per hour
.75 x 10.5hr =7.87 7.87 x .083=.653 ac ft

2022

Wheel Line

11/64- nozzle puts out 6.75gpm (.270in per hr) at 60psi
.270 x hours run per set (9hr) .270 x 9=2.43in
2.43 x .083= .201ac ft
1 acre inch to acre foot = 0.08333 acre foot.

Pivot Alfalfa

1.7in X.083=.141
**Field 1-29 is 65 acres total. 55ac is irrigated by pivot
and the remaining is irrigated by wheel line and squirt gun.

K-Line

7/64 nozzle puts out .170in per hr at 60psi
.170 X 9 hr= 1.53 1.53 X .083= .127 ac ft

Gun

1.2 inch nozzle is 340gpm at 60psi
.75 inches per hour
.75 X 4.5hr = 3.37 3.37 X .083= .279 ac ft

Grass Alfalfa Wheel lines

11/64- nozzle puts out 6.75gpm (.270in per hr) at 60psi
.270 x hours run per set (11hr) .270 x 9=2.97in
2.97 x .083= .246 ac ft
1 acre inch to acre foot = 0.08333 acre foot.

Grass Alfalfa Pivot

2.0 in X .083= .166