

**Grassman Farming**  
**David and Janet Grassman**



**March 28, 2022**

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

**RE: Local Cooperative Solution Proposal; SG004012, SG004705**

Deputy Director,

Pursuant to 23 CCR Section 875, subdivision (f)(4)(d), this letter intends to provide a summary of 2020 land use/irrigation practices vs 2022 proposed for land use and irrigation practices that will provide over 50% in water savings. The total irrigated acreage operated by Grassman Farming is 36 acres. Because these irrigated acres do not meet the 400-acre minimum, this Proposal is being submitted in connection with proposals submitted by Fred Kraus (Kraus & Sons Ranch), Bobby Daws, and Kim Ritola.

Introduction/History Irrigation Practices

Grassman Farms have been cultivating seasonal alfalfa and grass in Scott Valley. Approximately 36 acres grow alfalfa hay, alfalfa-grass hay, grain hay in rotation and pasture/are used for seasonal rotational grazing of cattle.

Grassman Farming has adjudicated surface water rights from the overlying adjudicated basin. We will not use our surface water right to supplement or offset the reduction in use of groundwater.

Grassman Farming property is not rectangular, square, or circular – the attached map shows the actual shape. The field map gives the address for the field locations. Historically, wheelines have been used on the operation.

Historically, the operation harvested 4 cuttings of alfalfa/alfalfa-grass or one cutting of grain hay depending on the rotation year/ was seasonal pasture for grazing cattle and 36 acres in alfalfa hay which we harvest to feed our cattle and horses in the winter months. The property is irrigated with two 3 tower pivots, two wheelines consisting of 30 sprinkler heads, 2 wells, 2 pumps, and hand (pods) lines.

The Irrigation season for our operation, including in 2020 (base year), typically begins

about April 1<sup>st</sup> each year and continues into mid to late September. These time frames are subject to variances that depend on annual temperature and precipitation conditions.

The attached spread sheet gives the reduction calculated to reduce usage by 50.9% over the 2020 usage and are described below.

#### 2022 Conservation Efforts

1. **Reduction in Irrigated Acres** – In 2021 we reduced the total irrigated acres from 36 to 29; three acres from **Moffett Barns** field and four acres from the **McAdams** field.
2. **Irrigation Efficiencies** – In 2021 we bought K-lines and a pivot line to replace wheellines. In 2022 we purchased an additional pivot line to replace wheellines. In total, we updated 25 of our 29 irrigated acres. **Moffett-Barns, Moffett-Main, McAdams.**
3. **Crop Rotation** - Changed from haying to grazing in 2021. We rotated 10 acres from haying alfalfa to grazing pasture and will only irrigate as needed for grazing livestock. **On Moffett-Main.**
4. **Reduced Cuttings** – We will reduce cuttings from four to three in 2022. **On McAdams**
5. **Summer Forbearance** - Irrigation will end by August 15, 2022, typically our irrigation season ends in mid to late September. **On McAdams.**

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 Grassman Farming would otherwise be entitled, nothing herein shall be construed to limit the availability of such funds to the Grassman Framing 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 overall thirty percent reduction established by this proposal.

We plan on working with CDFW to provide monitoring verification of this plan as the coordinating entity. These conservation efforts can be verified on inspections conducted by the coordinating entity. As a partner in our family operation, I, David Grassman will be the contact person for this LCS. I can be reached by mail, the phone number listed above, and by email at [REDACTED]

Respectfully,

David L. Grassman

# **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](http://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,<sup>1</sup> 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

<sup>1</sup> 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

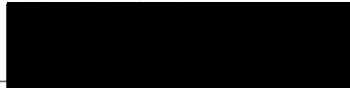
On March 28, 2022, David and Janet Grassman DBA Grassman Farming (Landowner) proposed an LCS to irrigate 36 acres of grass, alfalfa, grain, and pasture authorized by 23 CCR §§ 875(f)(4)(d) of the regulation for the 2022 irrigation season. It includes a final conservation plan, narrative, and field maps incorporated by reference. The proposal uses the year 2020 as the baseline; it includes detailed spreadsheets and a narrative that describes a reduction in irrigated acres, enhanced irrigation efficiencies, crop rotation, reduced cuttings, 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 50.9% 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](mailto: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.

<u>Contact Information</u>	
California Department of Fish and Wildlife Carmen Tull <u>klamathwatershed@wildlife.ca.gov</u> 916.203.1947	Grassman Farming David and Janet Grassman 

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: David Grassman Date Signed: 9-9-22

**Authorized Coordinating Entity Signature:**

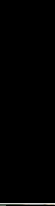
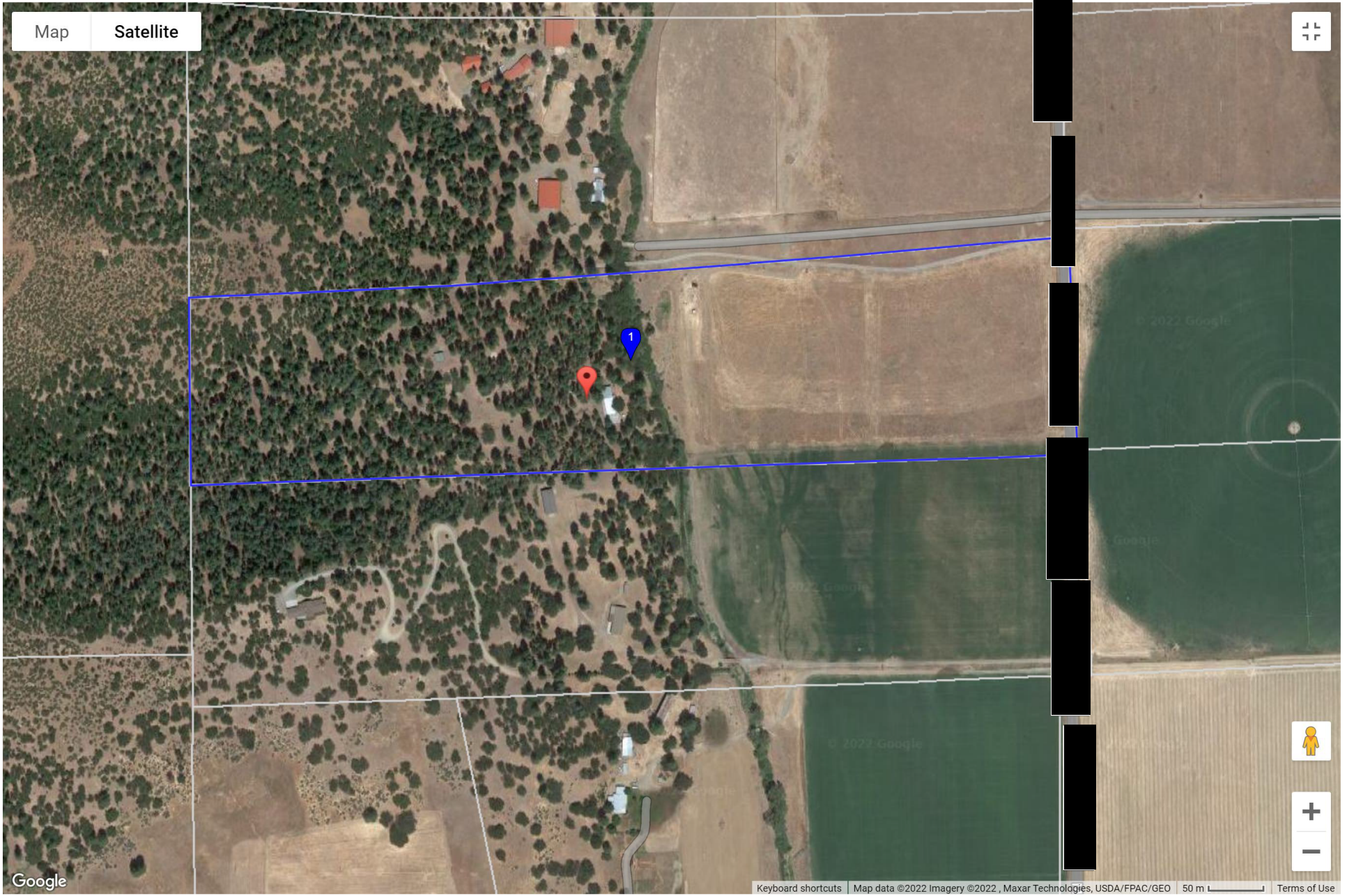
Sign Here: DocuSigned by:  
*Tina Bartlett*  
ID62ADE7303A474... Date Signed: 8/25/2022

## **SUPPORTING INFORMATION**



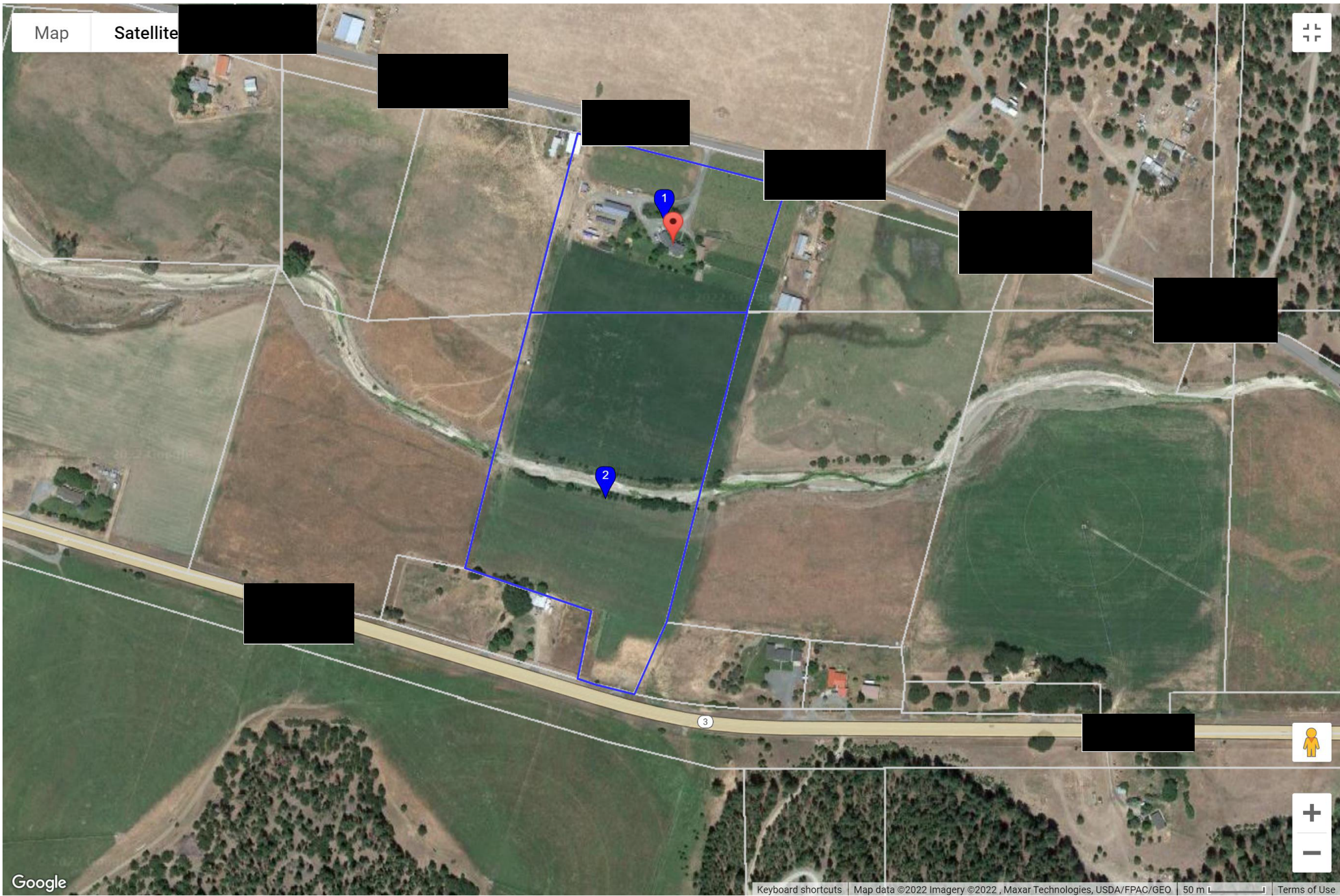


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Google

								2022 %	April - October Applied Water			
Field	Irrigated Acres		Crop Type		Irrigation Method		Reduction per Acre	Inches per Acre		Acre-Feet		
	2020	2022	2020	2022	2020	2022		2020	2022	2020	2022	
Moffett-Barns 1/	5	2	pasture	Pasture	Wheelline	K-line	30	36.0	22.1	15.0	3.7	
Moffett-Hwy 2/	4	4	pasture	pasture	Wheelline	Wheelline	30	36.0	22.1	12.0	7.4	
Moffett-Main 3/	10	10	alfalfa	pasture	Wheelline	Pivot	30	36.0	22.1	30.0	18.4	
McAdams 4/	17	13	alfalfa	alfalfa	Wheelline	Pivot	24	36.0	21.7	51.0	23.5	
Total	36	29						144.0	87.9	108.0	52.9	
										<b>2022 % Reduction =</b>	<b>50.9</b>	
<b>Monthly Inches of Applied Water by Field</b>												
Month	Moffett-Barns 1/		Moffett-Hwy 2/		Moffett-Main 3/		McAdams 4/		Total Acre-Feet		2022 %	
	2020	2022	2020	2022	2020	2022	2020	2022	2020	2022	Reduction	
April	4.2	1.0	4.2	1.0	4.2	1.0	4.2	1.0	12.6	2.4	<b>80.8</b>	
May	6.0	3.0	6.0	3.0	6.0	3.0	6.0	3.0	18.0	7.3	<b>59.7</b>	
Jun	7.4	5.2	7.4	5.2	7.4	5.2	7.4	7.0	22.2	14.5	<b>34.6</b>	
Jul	8.1	5.7	8.1	5.7	8.1	5.7	8.1	7.7	24.3	15.9	<b>34.6</b>	
Aug	7.3	5.1	7.3	5.1	7.3	5.1	7.3	3.0	21.9	10.1	<b>54.0</b>	
Sept	3.0	2.1	3.0	2.1	3.0	2.1	3.0	0.0	9.0	2.8	<b>68.9</b>	
Oct	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	<b>0.0</b>	
Total	36.0	22.1	36.0	22.1	36.0	22.1	36.0	21.7	108.0	52.9	<b>51.0</b>	
Notes: 1/ Reduced irrigated field by 3 acres, changed from haying to grazing only and purchased K-line to replace wheelline in 2021. Only irrigate as needed for grazing livestock. Assume 30% net reduction in water use per acre.												
2/ Changed from haying to grazing in 2021. Only irrigate as needed. Assume 30% reduction in water use per acre.												
3/ Changed from haying alfalfa to grazing pasture and purchased pivot line to replace wheelline in 2021. Only irrigate as needed. Assume 30% net reduction in water use per acre.												
4/ Reduced irrigated field by 4 acres in 2021. Purchased pivot line to replace wheelline in 2022. Also propose to reduce cuttings from 4 to 3 in 2022. Irrigation will end by August 15, 2022.												