

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/ilcs.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: Nick Jenner

Property Owner Name (if other than self): 2004 Jenner family limited partnership

Phone Number: [REDACTED] Email (if available): [REDACTED]

Ranch Name (if applicable): Jenner Cattle Co Inc

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:

Only four changes on the plan.
1-08 is 40 acres of grain
1-10 is 43 acres of alfalfa
3-05 is 65 acres of alfalfa
3-05A is 15 acres of grain

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

Phone Call – 5/3/2023 at 3:15 pm

From: Adam Weinberg

To: Nick Jenner

Discussion: I spoke with Nick to discuss the Groundwater Local Cooperative Solution Resubmission form. I informed him of the requirement that any wells that are not being pumped need to be made accessible to either or both of the RCD and the State Water Board for measuring of static water level. He informed me that the RCD can monitor the “Sand Point” well.

Jenner Cattle Co. Inc. Water Savings Plan For 2023													
2020 season					Water used by month in acre/ft							Water Used	
Site Number	Acres	Crop	Method	Factors	April	May	June	July	August	Sept	Oct		
1-03	45	pasture	flood	1000gal/minX8days 9 days in Jul-sept	35.40	35.40	35.40	38.00	38.00	38.00	35.40	255.60	
1-07	57	Alfalfa	pivot	2.25"x57=10.68acreft/pass	10.68	21.37	21.37	32.04	32.04	32.04	21.37	170.91	
1-08	40	Alfalfa/grass	pivot	2.25"x40=7.5acreft/pass	7.5	15	22.5	22.5	22.5	22.5	22.5	135	
1-10	43	Alfalfa/grass	pivot	2.25"x43=8.06acreft/pass	8.06	16.12	24.18	24.18	24.18	24.18	24.18	145.08	
1-11	43	Alfalfa/grass	pivot	2.25"x43=8.06acreft/pass	8.06	16.12	24.18	24.18	24.18	24.18	24.18	145.08	
1-12	18	pasture	flood	1000gal/minX4days	17.7	17.7	17.7	17.7	17.7	17.7	17.7	123.9	
1-13	29	alfalfa	flood	1500gal/minX6days	33.16	33.16	33.16	33.16	33.16	33.16	33.16	232.12	
1-14B	19	alfalfa	flood & pivot	1000gal/min or 1.5" NOTE: surface water was also applied on the highlighted fields (1-14B, 1-15, 1-16A, 1-16B). However, only the applied groundwater amounts are listed in this plan.	10.2	10.2	10.2	12	12	12	7.12	73.72	
1-15	25	alfalfa	flood & pivot	1000gal/min or 1.5"	20.3	20.3	20.3	20.3	20.3	20.3	9.37	131.17	
1-16A	39	pasture	flood & pivot	1000gal/min or 1.5"	26.2	26.2	26.2	26.2	26.2	26.2	26.2	183.4	
1-16B	26	pasture	flood & pivot	1000gal/min or 1.5"	20.1	20.1	20.1	9.75	9.75	9.75	9.75	99.3	
1-20	40	pasture	flood	1000gal/min X 7days	30.97	30.97	33	33	33	33	30.97	224.91	
1-21	14	pasture	flood	1000gal/min X 2 days	8.85	8.85	8.85	8.85	8.85	8.85	8.85	61.95	
2-01	42	alfalfa	wheel line	.283 acre ft/acreX42acres=11.88/pass	23.7	23.77	23.77	35.4	35.4	35.4	11.88	189.32	
2-02	60	alfalfa	wheel line	.283 acre ft/ acre X60acres=16.98/pass	33.96	33.96	33.96	50.94	50.94	50.94	16.98	271.68	
2-03	55	alfalfa	flood	1200gal/minX7days	37.15	37.15	37.15	37.15	37.15	37.15	37.15	260.05	
2-04	35	alfalfa	flood	1200gal/min X 5days	26.54	26.54	26.54	26.54	26.54	26.54	26.54	185.78	
2-05	60	pasture	flood	1200gal/min X 10days	53.08	53.08	53.08	53.08	53.08	53.08	53.08	371.56	
2-06	77	alfalfa/grass	flood	1200gal/min X 12 days	63.7	63.7	63.7	127.4	127.4	127.4	63.7	637	
3-01A	27	alfalfa	flood	2000gal/min X 3 days	26.5	26.5	26.5	26.5	26.5	26.5	26.5	185.5	
3-01B	23	alfalfa	flood	2000gal/min X 2.5 days	22.08	22.08	22.08	22.08	22.08	22.08	22.08	154.56	
3-01C	22	alfalfa/grass	flood	2000gal/min X 2.5 days	22.08	22.08	22.08	22.08	22.08	22.08	22.08	154.56	
3-01D	27	alfalfa	flood	2000gal/min X 3 days	26.5	26.5	26.5	26.5	26.5	26.5	26.5	185.5	
3-02	30	alfalfa	flood	1500gal/min X 4 days	26.53	26.53	26.53	26.53	26.53	26.53	26.53	185.71	
3-03	65	alfalfa	flood	2000gal/min X 5 days	44.16	44.16	44.16	44.16	44.16	44.16	44.16	309.12	
3-04	22	pasture	flood	1500gal/min X 3 days	19.9	19.9	19.9	19.9	19.9	19.9	19.9	139.3	
3-04B	35	pasture	flood	1500gal/min X 4 days	26.53	26.53	26.53	26.53	26.53	26.53	26.53	185.71	
3-05A	15	alfalfa	flood	1500gal/min X 2 days	13.26	13.26	13.26	13.26	13.26	13.26	13.26	92.82	
3-05	65	alfalfa	flood	1500gal/min X 6 days	39.8	39.8	39.8	39.8	39.8	39.8	39.8	278.6	
3-06	32	alfalfa	flood	1500gal/min X 4 days	26.53	26.53	26.53	26.53	26.53	26.53	26.53	185.71	
3-06A	25	alfalfa	flood	1500gal/min X 3 days	19.9	19.9	19.9	19.9	19.9	19.9	19.9	139.3	
3-07	22	alfalfa	flood	1500gal/min X 3 days	19.9	19.9	19.9	19.9	19.9	19.9	19.9	139.3	
Taylor field	398	pasture	flood	1200gal/min X 20 days	NOTE: Surface water used when available, then groundwater used			149.08	149.08	149.08	149.08	149.08	745.4
Totals	1575				808.98	843.36	1018.09	1115.12	1115.12	1115.12	962.83	6978.62	
					30% goal for critical months to meet			780.584	780.584	780.584	673.981		
					30% water savings goal to meet for 2023 irrigation season							4885.034	

2023 season													Water Used
Site Number	Acres	Crop	Method	Factors	Water used by month in acre/ft							Water Used	
					April	May	June	July	August	Sept	Oct		
1-03	45	pasture	pivot	1.5"x45=5.62acreft/pass	5.62	11.25	16.87	16.87	16.87	16.87	11.25	95.6	
1-07	57	Alfalfa	pivot	2"x57=9.5acreft/pass	9.5	19	19	28.5	28.5	28.5	0	133	
1-08	40	grain	pivot	2"x40=6.66acreft/pass	6.66	6.66	13.33	20	20	20	6.66	93.31	
1-10	43	alfalfa	pivot	2"x43=7.16acreft/pass	0	14.33	14.33	7.16	0	0	0	35.82	
1-11	43	Alfalfa/grass	pivot	2"x43=7.16acreft/pass	0	14.33	14.33	21.5	21.5	21.5	0	93.16	
1-12	18	pasture	pivot	1.5"x18=2.25acreft/pass	2.25	4.5	4.5	6.75	6.75	6.75	4.5	36	
1-13	29	alfalfa	flood	1500gal/minX3days Leveled	0	19.9	19.9	19.9	19.9	19.9	0	99.5	
1-14B	19	alfalfa	pivot&flood	1.5"x19=2.37acreft/pass Or 1000gal/min NOTE: surface water will also be applied on the highlighted fields (1-14B, 1-15, 1-16A, 1-16B) in April-June. However, only the applied groundwater amounts are listed in this plan.	10.2	10.2	10.2	7.12	7.12	7.12	4.75	56.71	
1-15	25	alfalfa	pivot&flood	1.5"x25=3.12acreft/pass	20.3	20.3	20.3	9.37	9.37	9.37	6.25	95.26	
1-16A	39	pasture	pivot&flood	1.5"x39=4.87acreft/pass	26.2	26.2	26.2	14.62	14.62	14.62	9.75	132.21	
1-16B	26	pasture	pivot&flood	1.5"x26=3.25acreft/pass	20.1	20.1	20.1	9.75	9.75	9.75	6.5	96.05	
1-20	40	pasture	pivot	1.5"x40=5acreft/pass	5	10	15	15	15	15	5	80	
1-21	14	pasture	pivot	1.5"x14=1.75acreft/pass	1.75	3.5	5.25	5.25	5.25	5.25	1.75	28	
												0	
2-01	42	alfalfa	wheel line	.283 acre ft/ acre X42acres=11.88/pass	11.88	23.77	23.77	23.77	23.77	23.77	0	130.73	
2-02	60	grain	wheel line	.283 acre ft/ acre X60acres=16.98/pass	16.98	33.96	33.96	0	0	0	0	84.9	
2-03	55	alfalfa	flood	1200gal/minX7days	37.15	37.15	37.15	37.15	37.15	37.15	0	222.9	
2-04	35	alfalfa	flood	1200gal/min X 5days	26.54	26.54	26.54	26.54	26.54	26.54	0	159.24	
2-05	60	pasture	flood	1200gal/min X 10days	53.08	53.08	53.08	53.08	53.08	53.08	0	318.48	
2-06	77	alfalfa/grass	flood	1200gal/min X 8 days	0	42.47	42.47	42.47	42.47	42.47	42.47	254.82	
3-01A	27	alfalfa	flood	2000gal/min X 3 days	26.5	26.5	26.5	26.5	26.5	26.5	0	159	
3-01B	23	alfalfa	flood	2000gal/min X 2.5 days	22.08	22.08	22.08	22.08	22.08	22.08	0	132.48	
3-01C	22	alfalfa/grass	flood	2000gal/min X 2.5 days	22.08	22.08	22.08	22.08	22.08	22.08	0	132.48	
3-01D	27	alfalfa	flood	2000gal/min X 3 days	26.5	26.5	26.5	26.5	26.5	26.5	0	159	
3-02	30	alfalfa	flood	1500gal/min X 4 days	26.53	26.53	26.53	26.53	26.53	26.53	0	159.18	
3-03	65	alfalfa	flood	2000gal/min X 5 days	44.16	44.16	44.16	44.16	44.16	44.16	0	264.96	
3-04	22	pasture	flood	1500gal/min X 3 days	19.9	19.9	19.9	19.9	19.9	19.9	0	119.4	
3-04B	35	pasture	flood	1500gal/min X 4 days	26.53	26.53	26.53	26.53	26.53	26.53	0	159.18	
3-05A	15	grain	flood	1500gal/min X 2 days	13.26	13.26	13.26	0	0	0	0	39.78	
3-05	65	alfalfa	flood	1500gal/min X 5 days-reduce to 750gal/critical months	33.1	33.1	33.1	15	15	15	0	144.3	
3-06	32	alfalfa	flood	1500gal/min X 4 days	26.53	26.53	26.53	26.53	26.53	26.53	0	159.18	
3-06A	25	alfalfa	flood	1500gal/min X 3 days	19.9	19.9	19.9	19.9	19.9	19.9	0	119.4	
3-07	22	alfalfa	flood	1500gal/min X 3 days	19.9	19.9	19.9	19.9	19.9	19.9	0	119.4	
Taylor field	398	pasture	flood	1200gal/min X 20days			149.08	119.08	119.08	119.08	149.08	655.4	
Totals	1575				580.18	724.21	892.33	779.49	772.33	772.33	247.96	4768.83	
							30% for critical months	780.584	780.584	780.584	673.981		
							Water usage proposed for 2023 irrigation season reflecting a 30% savings				4768.83		



SISKIYOU RESOURCE CONSERVATION DISTRICT

P.O. Box 268, Etna, CA 96027

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

Email: sisqrcd@sisqtel.net

Website: www.siskivourcd.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@siskivourcd.com

Landowner Contact Information:

<i>Business:</i>	Jenner Cattle Co. Inc.
<i>Contact Person:</i>	Nick Jenner
<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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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 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, 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 established by the actions described in the LCS



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Signatures

Chris Vort

SRCD Representative

5/2/2023

Date

Richard

Landowner

5/8/23

Date

Groundwater Local Cooperative Solution
Documents For 2022

State Water Resources Control Board

May 13, 2022

Mr. Nick Jenner



APPROVAL OF GROUNDWATER LOCAL COOPERATIVE SOLUTION FOR JENNER CATTLE CO. INC.

Dear Mr. Jenner:

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 Regulation 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 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 Jenner Cattle Co. Inc. (petitioner) for approval of a groundwater local cooperative solution that includes commitments to reduce water use by at least 30 percent as specified under Regulation Section 875.5, subdivision (f)(4)(D)(ii). This proposal provides for reduced water use from groundwater wells on approximately 1,575 acres associated with Assessor Parcel Numbers 024-250-170, 023-030-240, 023-071-360, 024-250-180, 023-071-380, 024-250-190, 023-071-370, 024-250-150, 024-500-310, 024-200-280, 023-030-250, 024-200-250, 024-220-300, 024-250-060, 023-030-260, 024-220-310, 023-090-020, 023-030-410,

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

and 024-260-030, based on information provided in the petition as part of the request for approval of a groundwater local cooperative solution. These parcels comprise land that is owned by the petitioner and are supplied by groundwater. The petitioner also has adjudicated surface water rights; surface water may be used on the parcels associated with the proposal. The proposal states that surface water will not be used in lieu of groundwater to meet the targeted reduction. The petitioner also works an additional 902 acres that are not amenable to groundwater irrigation and are therefore excluded from this proposal. The proposal includes detailed "conservation plan" spreadsheet, spray maps, a narrative description of conservation actions, and a tracking method. The proposed local cooperative solution sets forth verifiable conservation measures to reduce water use on the identified parcels by 30 percent, relative to a 2020 baseline. The proposed conservation actions are: substituting grain for 150 acres of land previously in alfalfa/grass production, installation of an irrigation pivot in 2021 to decrease the use of flood irrigation on pasture, and foregoing irrigation of a fourth cutting of hay and aftermath growth for cattle.

The proposal includes a 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 30 percent reduction in groundwater use approved as part of this local cooperative solution.

As determined by the Regulation under 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 March 9, 2022, including the conservation plan, together with the terms of your executed Agreement dated April 15, 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. Additionally, violations of other provisions of the Regulation (e.g., prohibition on inefficient livestock watering, surface water curtailment) may result in termination of this approval. 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 SG003016, SG003017, and SG003018 are suspended as to the above-referenced properties that are owned by Jenner Cattle Co. Inc. and are part of this proposal. Please note that this approval does not affect the curtailment status of the surface water rights referenced in the proposal.

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', written over a horizontal line.

for
Erik Ekdahl
Deputy Director
Division of Water Rights

ec: Siskiyou RCD
Email: chris@siskiyoucd.com

Jenner Cattle Co. Inc.



March 9, 2022

State Water Resources Control Board

1001 I Street Sacramento, CA 95814

Re: 2022 Cooperative Solution – Jenner Cattle Co. Inc.

To the State Water Board:

As authorized by 23 CCR §§ 875-875.9, Jenner Cattle Co. Inc. provides this letter to further describe its proposed local cooperative solution (LCS) for the 2022 irrigation season.

Jenner Cattle Co. Is a 6th generation cattle and hay ranch. The operation currently irrigates 1177 acres of farm ground by use of ground water pumping and diverted water. It also manages roughly 1300 acres of irrigated pasture. The majority of the pasture ground has been irrigated by surface water when available. When surface water is not available, portions of the pasture ground can be irrigated by ground water pumping by means of flood irrigation conveyed by pipeline, or pivot irrigation. Jenner Cattle Co. has various methods of irrigation which include: Surface water diversions (adjudicated first priority), Flood irrigation conveyed by pipeline and risers, 4 wheel lines, and 3 pivots. Over The past 150 years, the family has always sought out efficiency when it comes to irrigation practices. We have been land leveling ground for the past 60 years and laser leveling the past 12 years. This has reduced the amount of flood watering time by more than 50%, therefore reducing amount of water by 50%. We hope that this savings is taken in account. The cost of laser leveling ground is very expensive and time consuming; however we have always sought out means of conserving water as well as being the most efficient as possible with water. The company has also installed 3 pivots, one as recent as last year with a moisture meter. Water savings is something that we have been pursuing throughout the years as a common practice, even before it was asked by us to consider.

Jenner Cattle Co. has decided to plant grain in 150 acres this year that has been previously in Alfalfa/grass production. This will decrease irrigation on this acreage. There is some acreage that utilizes both surface and ground water irrigation. The surface water will be the first method of irrigation then after that, it will be ground water. The surface water is not

replacing ground water savings irrigation; it has always been the primary irrigation method until the flows dry up. The addition of the new pivot equipped with (Low Energy Precision Application or LEPA) will help decrease the use of flood irrigation on pasture ground. Jenner Cattle Co. has also decided to not irrigate for a 4th cutting of hay and aftermath growth for cattle grazing this year as well. This will result in a reduction in irrigation as well. In the past, ground water pumping has helped cattle feed grow into Nov, this year by not pumping on these aces, it will significantly hurt our operation by having less fall feed, resulting in either having to sell off cattle, or supplement by feeding hay. This hardship will be detrimental to our operation if it continues past this year. The water board needs to understand how much they are asking the producer to take on. By curtailing surface water, then also a 30% reduction in ground water, we are faced with very difficult circumstances to keep the business alive. A water taking of this magnitude needs to be addressed with some sort of financial compensation. We feel that there needs to be more communication with the producers on long term solutions, rather than being forced into mandates and curtailments that will eventually bankrupt our business and our way of life. The producers and water right holders have not been appreciated or have been given credit for the years of water savings technologies and expense that they have already had to endure on their own. I hope that our voices, expertise, and solutions will be heard and part of future discussions moving forward.

We have put together to the best of our ability a spread sheet that consists of water use in 2020 in contrast to proposed water use for 2022. The knowledge is based on what pumps are capable of pumping, pivot water use, and wheel line nozzle use.

Jenner Cattle Co. would like to work with our local RCD (Preston Harris) for monitoring and third party verification. Using both field maps, and our water savings plan, we can keep track of irrigation and be able to verify compliance of the LCS with RCD.

Sincerely,

Jenner Cattle Co. Inc.

Nick Jenner

[REDACTED]

[REDACTED]

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
Website: www.siskiyourcd.com

Binding Agreement

Contractor Contact Information:

Business:	Jenner Cattle Co. Inc.
Contact Person:	Nick Jenner
Address:	[REDACTED]
Phone:	[REDACTED]
Email:	[REDACTED]

Landowner Contact Information:

Business:	2064 Jenner Family limited Partnership
Contact Person:	Nick Jenner
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.



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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.

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 LSC



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Signatures

Chris Vandy
SRCD Representative
4/15/2022
Date

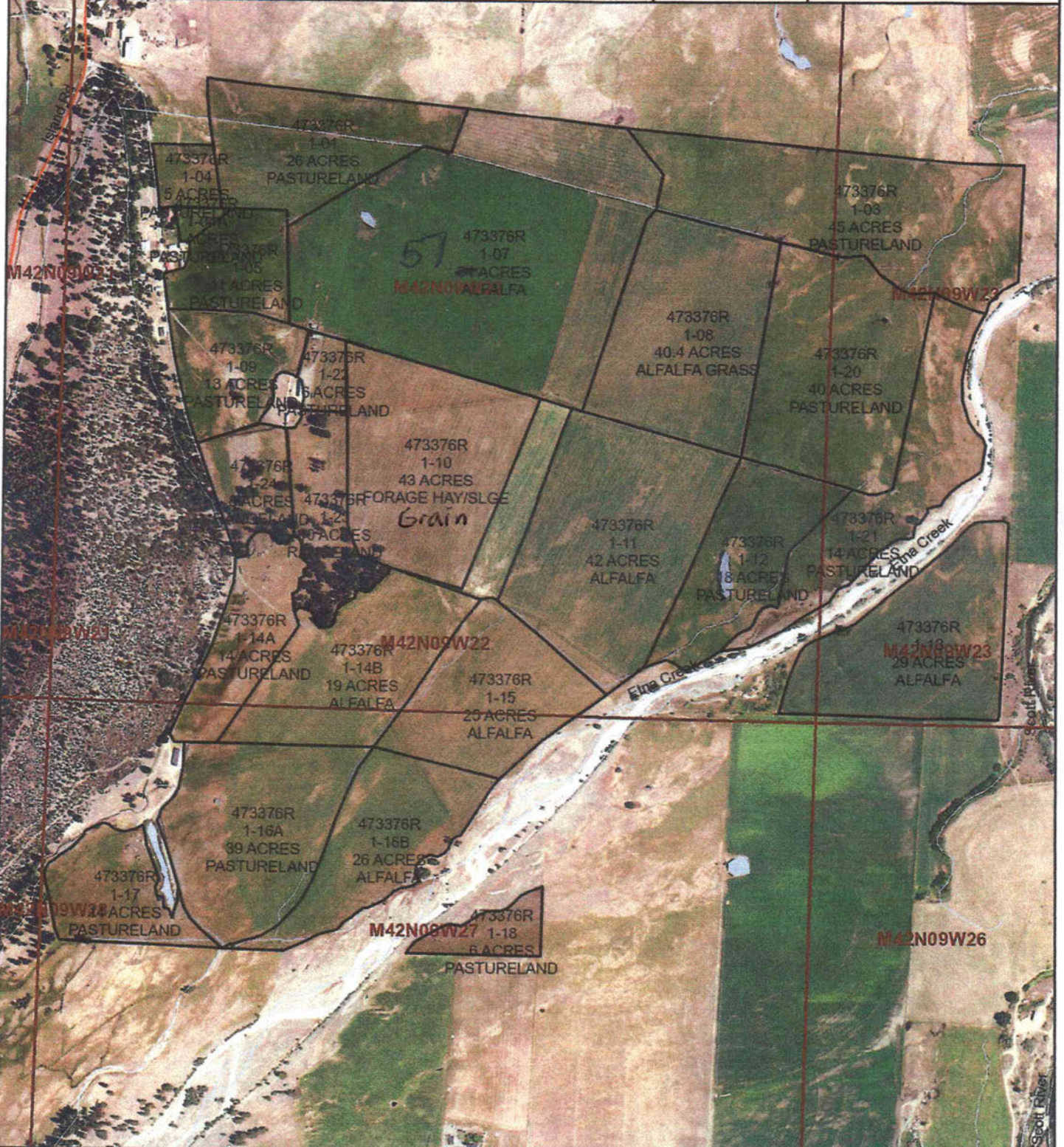
Robert [unclear]
Landowner
4/15/2022
Date

SUPPORTING INFORMATION



Siskiyou County
MAP 1 WAGONER RANCH
ISLAND RD

Permit Number: 473376R
Created On: 2/17/2022
Operator: JENNER CATTLE CO



Included Sites: 1-01, 1-03, 1-04, 1-04A, 1-05, 1-07, 1-08, 1-09, 1-11, 1-12, 1-13, 1-14A, 1-14B, 1-15, 1-16A, 1-16B, 1-17, 1-18, 1-20, 1-21, 1-22, 1-23, 1-24





Siskiyou County	Permit Number: 473376R
MAP 2 KIDDER CRK RANCH	Created On: 3/6/2019
N HWY 3	Operator: JENNER CATTLE CO

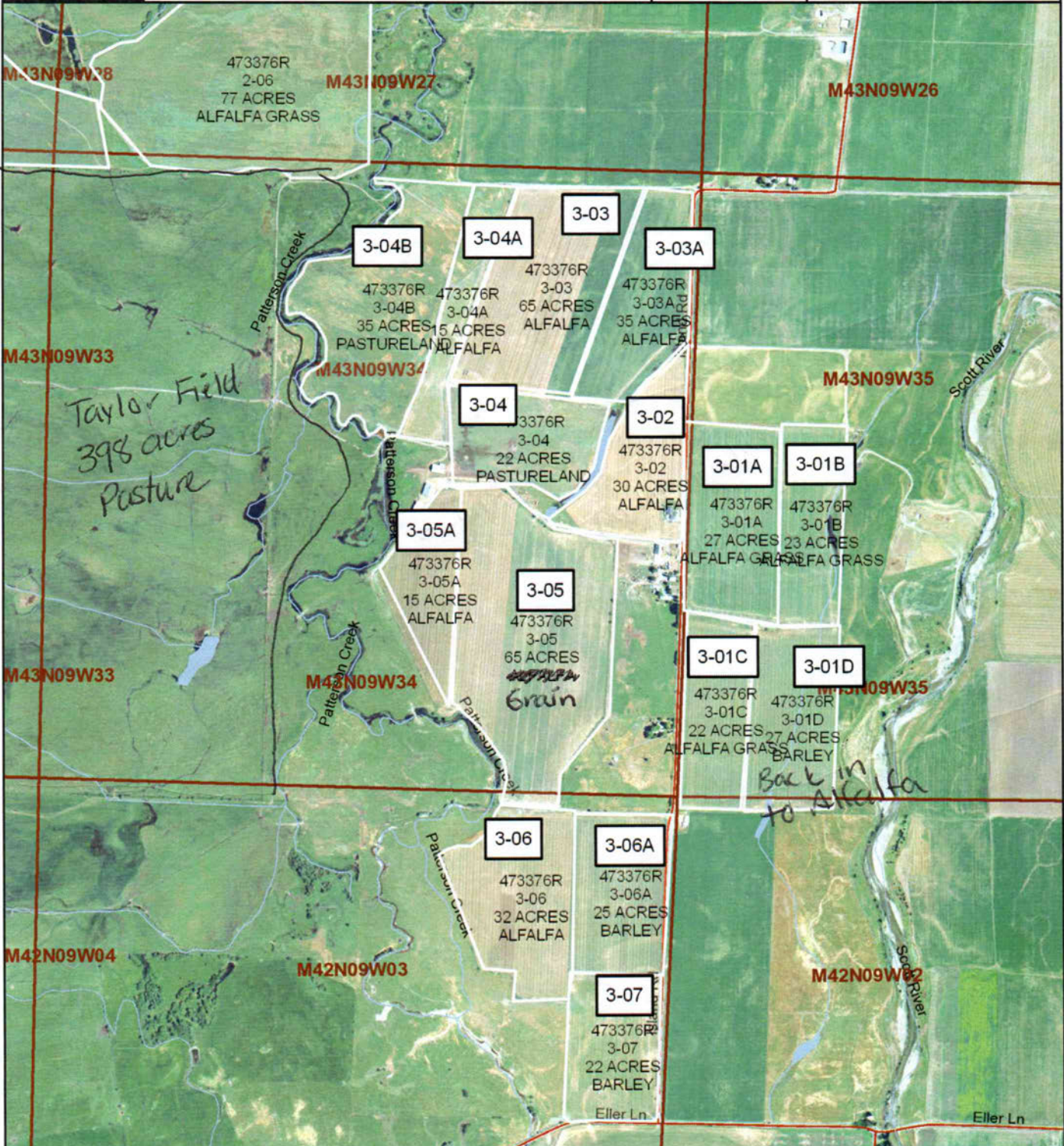


Included Sites:	2-01, 2-02, 2-03, 2-04, 2-05, 2-06	
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Siskiyou County
MAP 3 ISLAND RANCH
ISLAND RD

Permit Number: 473376R
 Created On: 3/6/2019
 Operator: JENNER CATTLE CO



Included Sites: 3-01A, 3-01B, 3-01C, 3-01D, 3-02, 3-03, 3-03A, 3-04, 3-04A, 3-04B, 3-05, 3-05A, 3-06, 3-06A, 3-07



Jenner Cattle Co. Inc. Water Savings Plan For 2022																											
2020 season		Water used by month in acre/ft										Water Used		2022 season		Water used by month in acre/ft										Water Used	
Site Number	Acres	Crop	Method	Factors	April	May	June	July	August	Sept	Oct	Water Used	Site Number	Acres	Crop	Method	Factors	April	May	June	July	August	Sept	Oct	Water Used		
1-03	45	pasture	flood	1000gal/minX8days 9 days in Jul-sept	35.40	35.40	35.40	38.00	38.00	38.00	35.40	255.60	1-03	45	pasture	pivot	1.5"x45=5.62acreft/pass	5.62	11.25	16.87	16.87	16.87	16.87	11.25	95.6		
1-07	57	Alfalfa	pivot	2.25"x57=10.68acreft/pass	10.68	21.37	21.37	32.04	32.04	32.04	21.37	170.91	1-07	57	Alfalfa	pivot	2"x57=9.5acreft/pass	9.5	19	19	28.5	28.5	28.5	0	133		
1-08	40	Alfalfa/grass	pivot	2.25"x40=7.5acreft/pass	7.5	15	22.5	22.5	22.5	22.5	22.5	135	1-08	40	Alfalfa/grass	pivot	2"x40=6.66acreft/pass	6.66	6.66	13.33	20	20	20	6.66	93.31		
1-10	43	Alfalfa/grass	pivot	2.25"x43=8.06acreft/pass	8.06	16.12	24.18	24.18	24.18	24.18	24.18	145.08	1-10	43	grain	pivot	2"x43=7.16acreft/pass	0	14.33	14.33	7.16	0	0	0	35.82		
1-11	43	Alfalfa/grass	pivot	2.25"x43=8.06acreft/pass	8.06	16.12	24.18	24.18	24.18	24.18	24.18	145.08	1-11	43	Alfalfa/grass	pivot	2"x43=7.16acreft/pass	0	14.33	14.33	21.5	21.5	21.5	0	93.16		
1-12	18	pasture	flood	1000gal/minX4days	17.7	17.7	17.7	17.7	17.7	17.7	17.7	123.9	1-12	18	pasture	pivot	1.5"x18=2.25acreft/pass	2.25	4.5	4.5	6.75	6.75	6.75	4.5	36		
1-13	29	alfalfa	flood	1500gal/minX6days	33.16	33.16	33.16	33.16	33.16	33.16	33.16	232.12	1-13	29	alfalfa	flood	1500gal/minX3days Leveled	0	19.9	19.9	19.9	19.9	19.9	0	99.5		
1-14B	19	alfalfa	flood & pivot	1000gal/min or 1.5" as primary	10.2	10.2	10.2	12	12	12	7.12	73.72	1-14B	19	alfalfa	pivot&flood	1.5"x19=2.37acreft/pass Or 1000gal/min	10.2	10.2	10.2	7.12	7.12	7.12	4.75	56.71		
1-15	25	alfalfa	flood & pivot	1000gal/min or 1.5" as primary	20.3	20.3	20.3	20.3	20.3	20.3	9.37	131.17	1-15	25	alfalfa	pivot&flood	1.5"x25=3.12acreft/pass Surface flood	20.3	20.3	20.3	9.37	9.37	9.37	6.25	95.26		
1-16A	39	pasture	flood & pivot	1000gal/min or 1.5" irrigation	26.2	26.2	26.2	26.2	26.2	26.2	26.2	183.4	1-16A	39	pasture	pivot&flood	1.5"x39=4.87acreft/pass water also used in	26.2	26.2	26.2	14.62	14.62	14.62	9.75	132.21		
1-16B	26	pasture	flood & pivot	1000gal/min or 1.5"	20.1	20.1	20.1	9.75	9.75	9.75	9.75	99.3	1-16B	26	pasture	pivot&flood	1.5"x26=3.25acreft/pass April-June	20.1	20.1	20.1	9.75	9.75	9.75	6.5	96.05		
1-20	40	pasture	flood	1000gal/min X 7 days	30.97	30.97	33	33	33	33	30.97	224.91	1-20	40	pasture	pivot	1.5"x40=5acreft/pass	5	10	15	15	15	15	5	80		
1-21	14	pasture	flood	1000gal/min X 2 days	8.85	8.85	8.85	8.85	8.85	8.85	8.85	61.95	1-21	14	pasture	pivot	1.5"x14=1.75acreft/pass	1.75	3.5	5.25	5.25	5.25	5.25	1.75	28		
												0													0		
2-01	42	alfalfa	wheel line	.283 acre ft/acreX42acres=11.88/pass	23.7	23.77	23.77	35.4	35.4	35.4	11.88	189.32	2-01	42	alfalfa	wheel line	.283 acre ft/ acre X42acres=11.88/pass	11.88	23.77	23.77	23.77	23.77	23.77	0	130.73		
2-02	60	alfalfa	wheel line	.283 acre ft/ acre X60acres=16.98/pass	33.96	33.96	33.96	50.94	50.94	50.94	16.98	271.68	2-02	60	grain	wheel line	.283 acre ft/ acre X60acres=16.98/pass	16.98	33.96	33.96	0	0	0	0	84.9		
2-03	55	alfalfa	flood	1200gal/minX7days	37.15	37.15	37.15	37.15	37.15	37.15	37.15	260.05	2-03	55	alfalfa	flood	1200gal/minX7days	37.15	37.15	37.15	37.15	37.15	37.15	0	222.9		
2-04	35	alfalfa	flood	1200gal/min X 5days	26.54	26.54	26.54	26.54	26.54	26.54	26.54	185.78	2-04	35	alfalfa	flood	1200gal/min X 5days	26.54	26.54	26.54	26.54	26.54	26.54	0	159.24		
2-05	60	pasture	flood	1200gal/min X 10days	53.08	53.08	53.08	53.08	53.08	53.08	53.08	371.56	2-05	60	pasture	flood	1200gal/min X 10days	53.08	53.08	53.08	53.08	53.08	53.08	0	318.48		
2-06	77	alfalfa/grass	flood	1200gal/min X 12 days	63.7	63.7	63.7	127.4	127.4	127.4	63.7	637	2-06	77	alfalfa/grass	flood	1200gal/min X 8 days	0	42.47	42.47	42.47	42.47	42.47	42.47	0	254.82	
3-01A	27	alfalfa	flood	2000gal/min X 3 days	26.5	26.5	26.5	26.5	26.5	26.5	26.5	185.5	3-01A	27	alfalfa	flood	2000gal/min X 3 days	26.5	26.5	26.5	26.5	26.5	26.5	0	159		
3-01B	23	alfalfa	flood	2000gal/min X 2.5 days	22.08	22.08	22.08	22.08	22.08	22.08	22.08	154.56	3-01B	23	alfalfa	flood	2000gal/min X 2.5 days	22.08	22.08	22.08	22.08	22.08	22.08	0	132.48		
3-01C	22	alfalfa/grass	flood	2000gal/min X 2.5 days	22.08	22.08	22.08	22.08	22.08	22.08	22.08	154.56	3-01C	22	alfalfa/grass	flood	2000gal/min X 2.5 days	22.08	22.08	22.08	22.08	22.08	22.08	0	132.48		
3-01D	27	alfalfa	flood	2000gal/min X 3 days	26.5	26.5	26.5	26.5	26.5	26.5	26.5	185.5	3-01D	27	alfalfa	flood	2000gal/min X 3 days	26.5	26.5	26.5	26.5	26.5	26.5	0	159		
3-02	30	alfalfa	flood	1500gal/min X 4 days	26.53	26.53	26.53	26.53	26.53	26.53	26.53	185.71	3-02	30	alfalfa	flood	1500gal/min X 4 days	26.53	26.53	26.53	26.53	26.53	26.53	0	159.18		
3-03	65	alfalfa	flood	2000gal/min X 5 days	44.16	44.16	44.16	44.16	44.16	44.16	44.16	309.12	3-03	65	alfalfa	flood	2000gal/min X 5 days	44.16	44.16	44.16	44.16	44.16	44.16	0	264.96		
3-04	22	pasture	flood	1500gal/min X 3 days	19.9	19.9	19.9	19.9	19.9	19.9	19.9	139.3	3-04	22	pasture	flood	1500gal/min X 3 days	19.9	19.9	19.9	19.9	19.9	19.9	0	119.4		
3-04B	35	pasture	flood	1500gal/min X 4 days	26.53	26.53	26.53	26.53	26.53	26.53	26.53	185.71	3-04B	35	pasture	flood	1500gal/min X 4 days	26.53	26.53	26.53	26.53	26.53	26.53	0	159.18		
3-05A	15	alfalfa	flood	1500gal/min X 2 days	13.26	13.26	13.26	13.26	13.26	13.26	13.26	92.82	3-05A	15	alfalfa	flood	1500gal/min X 2 days	13.26	13.26	13.26	13.26	13.26	13.26	0	79.56		
3-05	65	alfalfa	flood	1500gal/min X 6 days	39.8	39.8	39.8	39.8	39.8	39.8	39.8	278.6	3-05	65	grain	flood	1500gal/min X 6 days	39.8	39.8	39.8	0	0	0	0	119.4		
3-06	32	alfalfa	flood	1500gal/min X 4 days	26.53	26.53	26.53	26.53	26.53	26.53	26.53	185.71	3-06	32	alfalfa	flood	1500gal/min X 4 days	26.53	26.53	26.53	26.53	26.53	26.53	0	159.18		
3-06A	25	alfalfa	flood	1500gal/min X 3 days	19.9	19.9	19.9	19.9	19.9	19.9	19.9	139.3	3-06A	25	alfalfa	flood	1500gal/min X 3 days	19.9	19.9	19.9	19.9	19.9	19.9	0	119.4		
3-07	22	alfalfa	flood	1500gal/min X 3 days	19.9	19.9	19.9	19.9	19.9	19.9	19.9	139.3	3-07	22	alfalfa	flood	1500gal/min X 3 days	19.9	19.9	19.9	19.9	19.9	19.9	0	119.4		
Taylor field	398	pasture	flood	1200gal/min X 20 days	surface water April-May		149.08	149.08	149.08	149.08	149.08	745.4	Taylor field	398	pasture	flood	1200gal/min X 20days	surface water		149.08	119.08	119.08	119.08	119.08	149.08	655.4	
Totals	1575				808.98	843.36	1018.09	1115.12	1115.12	1115.12	962.83	6978.62	Totals	1575				586.88	730.91	899.03	777.75	770.59	770.59	247.96	4783.71		
					30% goal for critical months to meet				780.584	780.584	780.584	673.981						30% for critical months				780.584	780.584	780.584	673.981		
					30% water savings goal to meet for 2022 irrigation season								4885.034					Water usage proposed for 2022 irrigation season reflecting a 30% savings								4783.71	