



## Application Form for 2024 Local Cooperative Solution for Overlying or Adjudicated Groundwater Rights in Scott River and Shasta River Watersheds

Please complete this form if you plan to implement a groundwater local cooperative solution (LCS) for the 2024 irrigation season under the Scott River and Shasta River watersheds [emergency regulation](#). A separate application should be submitted for each type of groundwater LCS proposal. **The form and attachments are due by April 15, 2024.**

**How to Submit:** To submit your application and associated required materials (see Section 2) you can:

- Use the online form
- Email: [DWR-ScottShastaDrought@waterboards.ca.gov](mailto:DWR-ScottShastaDrought@waterboards.ca.gov)
- Mail:  
State Water Resources Control Board  
Division of Water Rights - Instream Flows Unit 1  
1001 I Street - 14th Floor  
Sacramento, CA 95814

### Section 1: Applicant Information

Name	John Kraus
Name of Farm, Ranch, or Business	Kraus & Sons Ranch.

By typing or signing your name below and submitting this form to the State Water Resources Control Board (State Water Board) you hereby certify that the submitted information is true and correct to the best of your knowledge.

Name:  Date:

## Section 4: Coordinating Entity

Select only one (1) box below. Please note that a Coordinating Entity is not required. If a Coordinating Entity is not selected, parties will work directly with the State Water Board to provide metering data and ensure performance of the groundwater local cooperative solution. For more information on Coordinating Entity provisions, refer to Section 875(f)(1)(G) in the [emergency regulation](#).

- |  |  |
|--|--|
| <input type="checkbox"/> California Department of Fish & Wildlife<br>Contact: Crystal Robinson<br>(530) 340-0767<br>crystal.robinson@wildlife.ca.gov | <input type="checkbox"/> Shasta Valley Resource Conservation District<br>Contact: Rod Dowse<br>(530) 598-1253<br>rdowse@svrccd.org |
| <input type="checkbox"/> Siskiyou Resource Conservation District<br>Contact: Evan Senf<br>(530) 643-1585<br>evan@siskiyouccd.com                     | <input checked="" type="checkbox"/> Scott River Water Trust<br>Contact: Chris Voigt<br>(916) 396-0131<br>chrisb.voigt@gmail.com    |
|  | <input type="checkbox"/> I select not to work with a coordinating entity.  |

## Section 5: Groundwater Well Information

Complete the table below or upload an attachment for groundwater wells that are part of the proposed groundwater LCS.

Well Name	Well Coordinates <sup>1</sup>
BIG Pump	on map
Bridge Pump	" "
Tank Pump	" "
WEST 27 Pump	" "
Church Pump.	" "
Variable Pump.	" "

For assistance in finding well coordinates, you can use Google Maps ([www.google.com/maps](http://www.google.com/maps)).

**Upload Well Information**



## Section 6: Metering Information

Please describe the metering for all groundwater wells covered by this groundwater LCS. Fill in the box below, upload an attachment, or email a document or spreadsheet with this information.

- a. Describe how you will record daily extractions and report monthly pumping volumes. Include a description of all water uses associated with each groundwater well that is part of this groundwater LCS.

For example, "the ranch manager will log meter readings at Well 1 and Well 2 and take a picture of the meters each week. They will note what the water is being used for - Well 1 will irrigate 50 acres of grain on fields A and B, 100 acres of pasture on fields E, G, and Z, and Well 2 will irrigate 75 acres of alfalfa on field Y. The manager will send the logs and photos to the Water Board around the first of each month."

No Meters will be recorded because we can NOT afford them, or the work it will cost to put them in.

- b. For groundwater wells that are NOT currently metered, please describe the time schedule and plan to install meters and efforts to obtain a meter before the initiation of groundwater diversions covered by this groundwater LCS. If you want to file for a waiver to the metering requirement please use the box below and include information on why metering of your well(s) should be waived. Be sure to include total irrigated acres, distance of the well(s) from surface water, description of why metering is infeasible, if applicable, and any additional information that supports your waiver request.

If we have a decent year, we will plan on getting some meters installed for next year. Its hard to pay for them when our father's care takers cost \$85,000 a year. They would bankrupt us.

Upload Attachment

Select the type of groundwater LCS you are applying for and complete the corresponding sections of the application.

- Best Management Practices Groundwater LCS - Complete sections 7 and 10
- Graduated Groundwater Cessation Schedule LCS - Complete sections 8 and 10
- Percent Reduction Groundwater LCS - Complete sections 9 and 10

## Section 8: Graduated Groundwater Cessation Schedule LCS

A Graduated Groundwater Cessation Schedule LCS may be approved if the applicant provides evidence that irrigated acreage is reduced compared to standard practice on the property (e.g., practice in a similar unregulated year). If applicable, please take crop rotation and number of alfalfa cuttings into account. Under this groundwater LCS type, the applicant must select one of two potential irrigation schedules, listed below. See section 875(f)(4)(D)(vi) of the [emergency regulation](#).

1. Provide the total amount of irrigated acreage (with units) under your proposal for a Graduated Groundwater Cessation Schedule LCS: 329.5 ac.
2. Select the irrigation schedule you certify to implement.

**Option 1:** By the dates below, pumping to irrigate the following percentages of irrigated acres shall cease:

- 15% by July 15,
- 50% by August 15, and
- 90% by August 31, with a maximum of 8 inches of water to be applied to the remaining 10% of irrigated acres during the remainder of the irrigation season. This 10% can be on land previously fallowed.

**Option 2:** By the dates below, pumping to irrigate the following percentages of irrigated acres shall cease:

- 20% by July 20,
- 50% by August 20, and
- 95% by September 5, with a maximum of 6 inches of water to be applied to the remaining 5% of irrigated acres during the remainder of the irrigation season. This 5% can be on land previously fallowed.

4. Please upload an attachment, write in the box, or email a description that demonstrates that the proposal reduces irrigation as compared to standard practices on the property (e.g., practice in a similar unregulated year). If applicable, please take crop rotation and number of alfalfa cuttings into account.

By planting wheat and drought tolerant alfalfa varieties, we can follow the dates to decrease water usage. Also using one pivot on LOPA and another pivot on timer to be specific on watering. Also, by not making a 3rd cutting on older stands to decrease water use.

Upload Attachment

5. Please upload or email a map(s) that identifies which well(s) and field(s) are associated with each cessation date covered by this groundwater LCS.

Upload Map(s)

## Graduate Ground Water Cessation Table

Crops/Sites	Acres	July 20th- 20%	Aug 20th- 50%	Sept 5 95%
<b>Irrigated Alfalfa</b>		60ac	150ac	All Off
.1-02	27		27ac Off	Off
.1-02a	8		8ac Off	Off
.1-03	60	5ac Off	20ac off	Off
.1-04	85	15ac Off	15ac Off	Off
.1-05	15		15ac Off	Off
.1-08	1			Off
.1-09	6			Off
.5-02	25			Off
.5-05	16	16ac off	16ac Off	Off
.5-06	3.5			Off
<b>New Alfalfa</b>				Off
.5-03	35		35ac Off	Off
.1-01	18			Off
<b>Dry Land Alfalfa</b>				
.5-07	11			
<b>Irrigated Wheat</b>				
.5-01	30	30ac Off	30ac Off	
<b>Dry Land Wheat</b>				
.1-06	3			
.2-01	15			
.2-02	20			
.2-03	10			
.2-04	5			
	<b>Total Acres Off</b>	<b>66ac</b>	<b>166ac</b>	<b>All Off</b>





# Scott River Water Trust

P.O. Box 591 ~ Etna, CA 96027  
530-643-2395 [scottwatertrust@gmail.com](mailto:scottwatertrust@gmail.com)

Month, Day, Year

## Binding Agreement

### Contractor Contact Information:

<i>Business:</i>	Scott River Water Trust
<i>Contact Person:</i>	Chris Voigt
<i>Address:</i>	9933 South State Highway 3, Callahan CA
<i>Phone:</i>	(916) 396-0131
<i>Email:</i>	chrisb.voigt@gmail.com

### Landowner Contact Information:

<i>Business:</i>	Kraus & Sons Ranch
<i>Contact Person:</i>	John Kraus
[Redacted]	

### Background

On December 19, 2023, the State Water Board adopted a new emergency regulation for the Scott and Shasta River Watersheds. The Office of Administrative Law approved the emergency regulation on February 1, 2024 and is in effect for one year, unless re-adopted or rescinded. 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) Scott River Water Trust (SRWT) 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, 2021, 2022 or 2023.

## Recitals

1. *Local cooperative solutions 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 as described in this section.*

*(A) Petitions to implement local cooperative solutions that coordinate diversions, share water, strategically manage groundwater and/or surface water for fisheries benefits, reduce annual water use, or engage in similar activities may be submitted to the Deputy Director at any time, except as noted in subsection (f)(4)(D)(ii).*

*(G) A coordinating entity for the purposes of this section shall refer to an entity which possesses the expertise and ability to evaluate and require performance of the commitments made in a local cooperative solution, and which commits that:*

*(i) Evaluation of local cooperative solution proposals and inspections shall be conducted by representatives who lack a financial or close personal interest in the outcome, and*

*(ii) Information collected on compliance with local cooperative solutions is provided to the State Water Board monthly and upon request. The entity shall undertake data collection (including metering data) and inspections, either by itself or in coordination with State Water Board staff, sufficient to ensure implementation of local cooperative solutions, including inspection or data collection targeted within two weeks of completion of commitments to cease pumping as of a date certain.*

2. *For overlying or adjudicated groundwater diversions for irrigated agriculture described under in section 875.5, subdivision (a)(1)(A)(ix) [Scott River] or section 875.5, subdivision (b)(1)(C) [Shasta 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 may be based on a binding agreement made with a coordinating entity with primary responsibility to verify implementation of the local cooperative solution.*

*(ii) For individual proposals, the proposal must be submitted no later than April 15 and must be implemented during the entirety of the irrigation season (including during pendency of approval), unless the proponent withdraws.*

*(iii) The proposal includes a description of metering in place for groundwater well extractions, and a proposal to meter and record such extractions daily and report monthly to the Deputy Director or the coordinating entity, as applicable, except as described below. The State Water Board has funding and technical support available to*



*support some amount of metering, and those interested in such assistance are encouraged to promptly contact the State Water Board.*

**3. For percent-based reduction in pumping local cooperative solutions:**

*a. For the Scott River: The proposal provides at least:*

- (i) A net reduction of water use of 30 percent throughout the irrigation season (April 1 – October 31); and*
- (ii) A monthly reduction of 30 percent in the July through October time period.*

*b. The relevant water use reduction shall generally be based on a comparison to the 2020, 2021, 2022, or 2023 irrigation season, and 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 in water use. 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. However, if evidence for the amount of water applied for the 2020, 2021, 2022, or 2023 irrigation seasons indicates a base rate of applied water that is higher than 33 inches per year for alfalfa, 14 inches per year for grain, or 30 inches per year for pasture, then the base rate of applied water shall be the aforementioned values unless the proponent makes an additional showing that a higher base rate number is an appropriate comparison in light of relevant information that can include but is not limited to multi-year practices, soil type, and irrigation methods.*

**Proposed Local Cooperative Solution:** *(Specific action plan to be completed by landowner, see attached LCS application form and/or specific landowner curtailment plan)*

## **Binding Agreement Terms**

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

- For the duration of this binding agreement where SRWT is the coordinating entity, the Landowner shall give SRWT 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 SRWT shall provide pre-notification to, and shall obtain approval by the Landowner before accessing the property,
- SRWT 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 SRWT 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,
- In the (unexpected) event that staffing levels at SRWT are insufficient, SRWT may coordinate with the Landowner and State Water Board staff to allow State Water Board staff to conduct some of the inspections,
- SRWT 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. SRWT 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 and SRWCB requests SRWT assistance with an updated LCS, the SRWT and Landowner will enter into a new Binding Agreement and,

## **Payment**

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

## Terms of Payment

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

## Term of Agreement

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

- November 1, 2024, or
- The date a party terminates the binding agreement.
- Monitoring information will be collected by the SRWT and shared with State Water Board as a field report in accordance with their reporting schedule or upon request
- SRWT 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 LCS

## Signatures

Christopher Voigt

SRWT Representative

John Kraus  
John Kraus (Jun 26, 2024 17:09 PDT)

Landowner

Signature: John Kraus  
John Kraus (Jun 26, 2024 17:09 PDT)

Email: [jkraus@wilburellis.com](mailto:jkraus@wilburellis.com)