



March 27, 2022

State Water Resources Control Board  
1001 I Street  
Sacramento, Ca 95814

Re: 2022 Cooperative Solution

To the State Water Board:

We are a cow/calf, small family ranch operation of 300 head of Black Angus cattle, that produces hay, grain and pasture to feed our livestock. President Biden has said that there will be a significant food shortage and we are doing our best to produce high quality, hormone free, all natural beef for America and the world, while preserving the environment. We have 2 mortgages to pay each year and cutting back our operation will be a significant hardship, making it hard to pay our bills and feed our livestock.

Our ranch is operated by ourselves, Dan and Lyn Hayden. We are 5th generation ranchers who have been in business for over 40 years. Dan is 66 yrs, Lyn is 63. We try to do everything ourselves with some help from our family to keep our costs down. The Quartz Valley ranch was homesteaded by Dans Great Grandparents in the 1860's. Lys family bought their ranch in Fort Jones in 1972. We love our ranches and wish to keep them in our families for our kids and grandkids to carry on our family tradition of ranching. We feel that we take care of the environment because we love the land and its the only thing we know how to do!

Land is all owned and operated by Dan and Lyn Hayden, and the water sources are overlying wells and one open sump which irrigate 265 acres of hay and pasture on one ranch close to Fort Jones, and another ranch in Quartz Valley producing pasture. 250 acres of pivot irrigation plus approximately 100 acres of flood irrigation from diversions.

Proposed water plan for 2022 to get a 30% reduction in water usage:

1. Changing out sprinkler nozzles on wheel lines and hand lines from 7 gpm to 6 gpm, for a total of 175 nozzles.
2. Reducing set time from 10hr. sets to 8hr. sets. Time for sets are controlled by timers on pumps and irrigation schedules.

3. On pivot lines, foregoing the use of end guns 18.8 acres.
4. Mulloy pivot south, not irrigating in 2022 58.33 acres.
5. Estimated water usage was calculated into acre feet. Acreages were determined by design of pivots. Irrigation schedules are determined by crop needs that vary do to climate activity and haying, instead of the use of calendars, so the passes of irrigation will vary slightly over the season. Calculations on lines gal/min x number of nozzles x 60 minutes/hr x hrs/set x set/pass x passes/month divided by 325, 851/gal/ac. ft.= acre feet/month. Pivots: Depth of water applied in feet/month x number of acres= acre feet/month.
6. RCD will act as coordinating entity.
7. A log book will record wheel line and pivot times.
8. Will not use surface water to replace ground water that we've conserved with this plan.

Sincerely yours,

Rocking M Ranch

Dan and Lyn Hayden

# **BINDING AGREEMENT**



## SISKIYOU RESOURCE CONSERVATION DISTRICT

P.O. Box 268, Etna, CA 96027

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

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

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

### Binding Agreement

#### Contractor Contact Information:

|                 |   |
|-----------------|---|
| Business:       | Siskiyou RCD                                |
| Contact Person: | Chris Volat                                 |
| Address:        | P.O. Box 268 / 450 Main St., Etna, CA 96027 |
| Phone:          | 530-467-3975                                |
| Email:          | Chris@siskivourcd.com                       |

#### Landowner Contact Information:

|                 |  |
|-----------------|--|
| Business:       | [REDACTED] Rocking M Ranch<br>Dan & Lynn Hayden cattle |
| Contact Person: | Dan Hayden   |
| 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 Vant*

\_\_\_\_\_  
SRCD Representative

*4/21/22*

\_\_\_\_\_  
Date

*Dan Hayler*

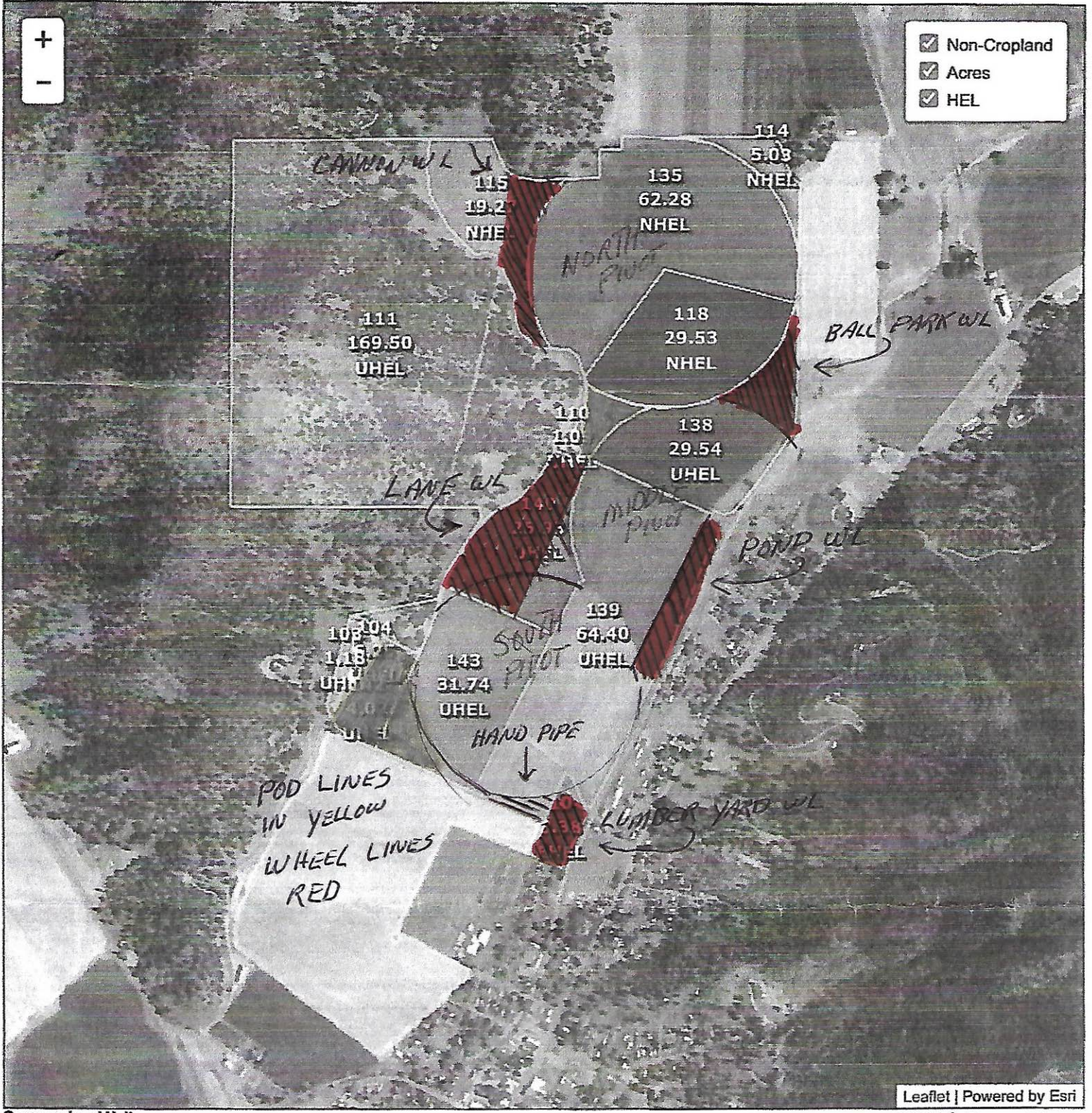
\_\_\_\_\_  
Landowner

*4-15-22*

\_\_\_\_\_  
Date



## **SUPPORTING INFORMATION**



Common Land Unit  
 Cropland    Non-cropland    CRP

Farm 1120  
 Tract 5731

Wetland Determination Identifiers

- Restricted Use
- Limited Restrictions
- Exempt from Conservation Compliance Provisions

Leaflet | Powered by Esri

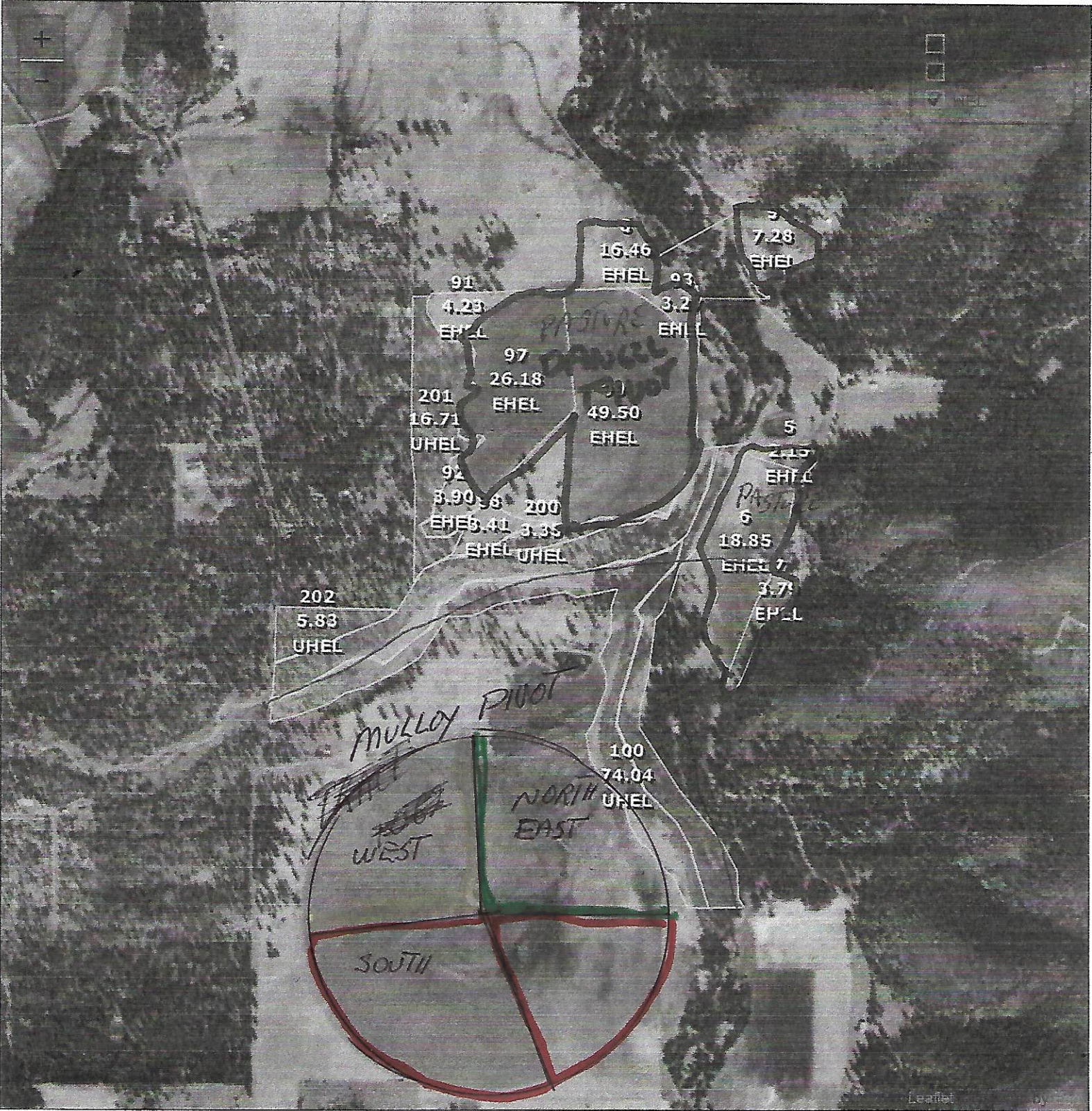
2020 Crop Year



Tract 1 of 1

United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and determinations or contact USDA Natural Resources Conservation Service (NRCS).

Tract 5731 - Dan Hayden / Lyn Hayden  
 Field 139 - Determinations are needed for fields that either have been or will be planted to agricultural commodities.



Farm 2537  
Tract 1053



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Table 1 - 2020

| Title                         | 2020 specifications   | acre/ft | April  | acre/ft | May    | acre/ft | June   | acre/ft | July   | acre/ft | August | acre/ft | September | acre/ft Full Season |  |
|-------------------------------|---|---------|--------|---------|--------|---------|--------|---------|--------|---------|--------|---------|-----------|---------------------|--|
| <b>Canyon wheel line</b>      | Grass 7 GPM 35 noz. 4-10hr. Sets 2.5 passes/month                 |         | 4.5    |         | 4.5    |         | 4.5    |         | 4.5    |         | 4.5    |         | 4.5       | 27                  |  |
| <b>Ball park wheel line</b>   | Alfalfa 7GPM 12 noz 8-10 hr. Sets 2.5 passes/month                |         | 3.09   |         | 3.09   |         | 3.09   |         | 3.09   |         | 3.09   |         | 3.09      | 18.56               |  |
| <b>Pond wheel line</b>        | Alf/grass 7GPM 32 noz 4-10hr. Sets 2.5 passes/month               |         | 4.12   |         | 4.12   |         | 4.12   |         | 4.12   |         | 4.12   |         | 4.12      | 24.72               |  |
| <b>Lumber yard wheel line</b> | Alf/grass 7GPM 11 noz 6-10hr. Sets 2.5 pass/month                 |         | 2.13   |         | 2.13   |         | 2.13   |         | 2.13   |         | 2.13   |         | 2.13      | 12.78               |  |
| <b>Hand Pipes</b>             | Grain 7GPM 27 noz ( 1 set ) 10 hr. Set 2.5 pass/month             |         | 0.87   |         | 0.87   |         | 0.87   |         |        |         |        |         |           | 2.61                |  |
| <b>Lane Wheel lines</b>       | Grass 7 GPM 58 noz 5-10 hr sets 2.5 pass/month                    |         | 9.34   |         | 9.34   |         | 9.34   |         | 9.34   |         | 9.34   |         | 9.34      | 56.04               |  |
| <b>Pod lines</b>              | Pasture 4GPM 41 nozzles 8-10 hr sets 2.5 pass/month               |         | 6.04   |         | 6.04   |         | 6.04   |         | 6.04   |         | 6.04   |         | 6.04      | 36.24               |  |
| <b>North Pivot 1/3</b>        | Alfalfa 1.5 inches/pass .37ft/month 33 acres 3 pass/month         |         | 12.21  |         | 12.21  |         | 12.21  |         | 12.21  |         | 12.21  |         | 12.21     | 73.26               |  |
| <b>North Pivot 2/3</b>        | Grass 1 inch/pass .33ft/month 66 acres 4 pass/month               |         | 21.78  |         | 21.78  |         | 21.78  |         | 21.78  |         | 21.78  |         | 21.78     | 130.68              |  |
| <b>Middle pivot</b>           | Alf/grass 1 inch/pass .25ft/month 23.25 acres 3 pass/month        |         | 5.81   |         | 5.81   |         | 5.81   |         | 5.81   |         | 5.81   |         | 5.81      | 34.86               |  |
| <b>Middle pivot north</b>     | Alfalfa 1.5 inch/pass .37ft/month 28.38 acres 3pass/month         |         | 10.5   |         | 10.5   |         | 10.5   |         | 10.5   |         | 10.5   |         | 10.5      | 63                  |  |
| <b>South pivot west</b>       | Grass 1 inch/pass .33ft/month 35.4 acres 4 pass/month             |         | 11.68  |         | 11.68  |         | 11.68  |         | 11.68  |         | 11.68  |         | 11.68     | 70.08               |  |
| <b>South pivot east</b>       | Double crop grain 1 inch/pass .33ft/month 35.4 acres 4 pass/month |         | 11.68  |         | 11.68  |         | 11.68  |         | 11.68  |         | 11.68  |         | 11.68     | 70.08               |  |
| <b>Dangel pivot</b>           | Grass 1inch/pass .33ft/month 75 acres 4pass/month                 |         | 24.75  |         | 24.75  |         | 24.75  |         | 24.75  |         | 24.75  |         |           | 123.75              |  |
| <b>Dangel pivot</b>           | Grass 1 inch/pass .16ft/month 75 acres 2 pass/month               |         |        |         |        |         |        |         |        |         |        |         | 12        | 12                  |  |
| <b>Mulloy pivot south</b>     | Grass 1 inch/pass .25ft/month 58.33 acres 3 pass/month            |         | 14.58  |         | 14.58  |         | 14.58  |         | 14.58  |         | 14.58  |         | 14.58     | 87.48               |  |
| <b>Mulloy pivot west</b>      | Grass 1inch/pass .25ft/month 43 acres 3pass/month                 |         |        |         |        |         |        |         | 5.37   |         | 10.75  |         | 10.75     | 26.87               |  |
| <b>Mulloy pivot northeast</b> | Grass 1inch/pass .08ft/month 40 acres 1pass/month                 |         |        |         |        |         |        |         |        |         |        |         | 3.2       | 3.2                 |  |
|                               |   |         |        |         |        |         |        |         |        |         |        |         |           |                     |  |
| <b>Total for 2020</b>         |   |         | 143.08 |         | 143.08 |         | 143.08 |         | 147.58 |         | 152.96 |         | 143.41    | 873.21              |  |
| <b>70% of 2020</b>            |   |         | 100.16 |         | 100.16 |         | 100.16 |         | 103.31 |         | 107.07 |         | 100.39    | 611.25              |  |

Table 2 - 2022

| Title                            | 2022 specifications  | acre/ft | April      | acre/ft | May        | acre/ft | June       | acre/ft | July          | acre/ft | August        | acre/ft | September     | acre/ft Full Season |
|----------------------------------|--|---------|------------|---------|------------|---------|------------|---------|---------------|---------|---------------|---------|---------------|---------------------|
| Canyon wheel line                | Grass 6 GPM 35 noz. 4-8hr. Sets 2.5 passes/month             |         | 3.09       |         | 3.09       |         | 3.09       |         | 3.09          |         | 3.09          |         | 3.09          | 18.54               |
| Ball park wheel line             | Alfalfa 6 GPM 12 noz 8-8 hr. Sets 2.5 passes/month           |         | 2.12       |         | 2.12       |         | 2.12       |         | 2.12          |         | 2.12          |         | 2.12          | 12.72               |
| Pond wheel line                  | Grain 6 GPM 32 noz 4-8hr. Sets 2.5 passes/month              |         | 2.83       |         | 2.83       |         | 2.83       |         |               |         |               |         |               | 8.49                |
| Lumber yard wheel line           | Grain 6GPM 11 noz 6-8hr. Sets 2.5 pass/month                 |         | 1.46       |         | 1.46       |         | 1.46       |         |               |         |               |         |               | 4.38                |
| Hand Pipes                       | Grain 6GPM 27 noz ( 1 set ) 8 hr. Set 2.5 pass/month         |         | 0.6        |         | 0.6        |         | 0.6        |         |               |         |               |         |               | 1.8                 |
| Lane Wheel lines                 | Grass 6 GPM 58 noz 5-8 hr sets 2.5 pass/month                |         | 6.4        |         | 6.4        |         | 6.4        |         | 6.4           |         | 6.4           |         | 6.4           | 38.4                |
| Pod lines                        | Pasture 4GPM 41 nozzles 8-8 hr sets 2.5 pass/month           |         | 4.83       |         | 4.83       |         | 4.83       |         | 4.83          |         | 4.83          |         | 4.83          | 28.98               |
| North Pivot 1/3, no end gun      | Alfalfa 1.5 inches/pass .37ft/month 29.44 acres 3 pass/month |         | 10.89      |         | 10.89      |         | 10.89      |         | 10.89         |         | 10.89         |         | 10.89         | 65.34               |
| North Pivot 2/3, no end gun      | Grass 1 inch/pass .33ft/month 58.34 acres 4 pass/month       |         | 14.58      |         | 14.58      |         | 14.58      |         | 14.58         |         | 14.58         |         | 14.58         | 87.48               |
| Middle pivot, no end gun         | GRAIN 1 inch/pass .25ft/month 20.9 acres 3 pass/month        |         | 5.22       |         | 5.22       |         | 5.22       |         |               |         |               |         |               | 15.66               |
| Middle pivot north, no end gun   | Alfalfa 1.5 inch/pass .37ft/month 25.57 acres 3pass/month    |         | 9.46       |         | 9.46       |         | 9.46       |         | 9.46          |         | 9.46          |         | 9.46          | 56.76               |
| South pivot west, no end gun     | Grass 1 inch/pass .33ft/month 31.25 acres 3 pass/month       |         | 7.81       |         | 7.81       |         | 7.81       |         | 7.81          |         | 7.81          |         | 7.81          | 46.86               |
| South pivot east, no end gun     | grain 1 inch/pass .33ft/month 31.25 acres 3 pass/month       |         | 7.81       |         | 7.81       |         | 7.81       |         |               |         |               |         |               | 23.43               |
| Dangel pivot                     | Grass 1inch/pass .33ft/month 75 acres 4pass/month            |         | 24.75      |         | 24.75      |         | 24.75      |         | 24.75         |         | 24.75         |         |               | 123.75              |
| Dangel pivot                     | Grass 1 inch/pass .16ft/month 75 acres 2 pass/month          |         |            |         |            |         |            |         |               |         |               |         | 12            | 12                  |
| Mulloy pivot south               | Grass 1 inch/pass .25ft/month 58.33 acres 3 pass/month       |         |            |         |            |         |            |         |               |         |               |         |               |                     |
| Mulloy pivot west                | Grass 1inch/pass .25ft/month 43 acres 3pass/month            |         |            |         |            |         |            | 5.37    |               | 10.75   |               | 10.75   |               | 26.87               |
| Mulloy pivot northeast           | Grass 1inch/pass .08ft/month 40 acres 1pass/month            |         |            |         |            |         |            |         |               |         |               | 3.2     |               | 3.2                 |
|                                  |  |         |            |         |            |         |            |         |               |         |               |         |               |                     |
| <b>Total for 2020</b>            |  |         | 143.08     |         | 143.08     |         | 143.08     |         | <b>147.58</b> |         | <b>152.96</b> |         | <b>143.41</b> | <b>873.21</b>       |
| 70% of 2020                      |  |         | 100.16     |         | 100.16     |         | 100.16     |         | 103.31        |         | 107.07        |         | 100.39        | 611.25              |
| <b>Total for 2022</b>            |  |         | 101.85     |         | 101.85     |         | 101.85     |         | <b>89.3</b>   |         | <b>94.68</b>  |         | <b>85.13</b>  | <b>574.66</b>       |
| Percent of 2020                  |  |         | 71%        |         | 71%        |         | 71%        |         | 61%           |         | 62%           |         | 59%           | 66%                 |
| <b>Percent Reduction in 2022</b> |  |         | <b>29%</b> |         | <b>29%</b> |         | <b>29%</b> |         | <b>39%</b>    |         | <b>38%</b>    |         | <b>41%</b>    | <b>34%</b>          |
|                                  |  |         |            |         |            |         |            |         |               |         |               |         |               |                     |