

LCS APPLICATION FOR RICHARD AND NANCY BARNES

Attached is our proposed plan for achieving a 30+ % reduction in pumped groundwater for the 2022 irrigation season. Key elements of the plan include the following:

1. Plowed up 66 acres of irrigated pasture in Fields 7 and 8 (see map) and planted grain for hay which will mature in June, be irrigated by early surface water and require no summer pumped groundwater.
2. Fallow about 120 acres of 181 acres of surface irrigated pasture on the eastside property on July 1 which will proportionately eliminate the need for supplemental pumped groundwater for July through October.
3. Cease pumping supplemental groundwater for the remaining 60 acres by October 1.
4. Cease pumping by Sept. 10 to 15 for Fields 6, 9, 10, 11, and 12 to reduce groundwater extraction. This will result in the costly elimination of late-season pasture growth and a later cutting of alfalfa hay.

It should be noted that all the subject land lies above and outside the interconnected groundwater basin as delineated in the 1980 Superior Court decree 30662, and that early-season surface water applications contribute a great deal to recharge and saturate the groundwater substratum of this land and downstream lands.

From: [REDACTED]
To: DeLano, Kevin@Waterboards
Subject: Addendum to LCS application
Date: Monday, July 11, 2022 4:42:49 PM

EXTERNAL:

Applicant Richard Barnes affirms that no surface water will be used to replace the proposed ground water savings plan. Typically, more expensive ground water is only used to supplant the cessation of surface water around July 1, so it would not be possible to substitute surface water for ground water even if one wished to do so.

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:

<i>Business:</i>	Siskiyou RCD
<i>Contact Person:</i>	Chris Voigt
<i>Address:</i>	450 Main Street/ P.O. Box 268
<i>Phone:</i>	(530) 467-3975
<i>Email:</i>	chris@siskiyourcd.com

Landowner Contact Information:

<i>Business:</i>	
<i>Contact Person:</i>	Rick Barnes
<i>Address:</i>	
<i>Phone:</i>	
<i>Email:</i>	

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 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, 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



SISKIYOU RESOURCE CONSERVATION DISTRICT

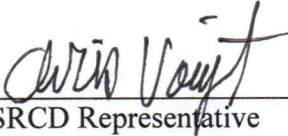
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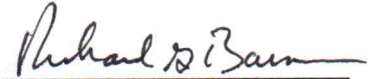
Signatures



SRCD Representative

6/8/2022

Date

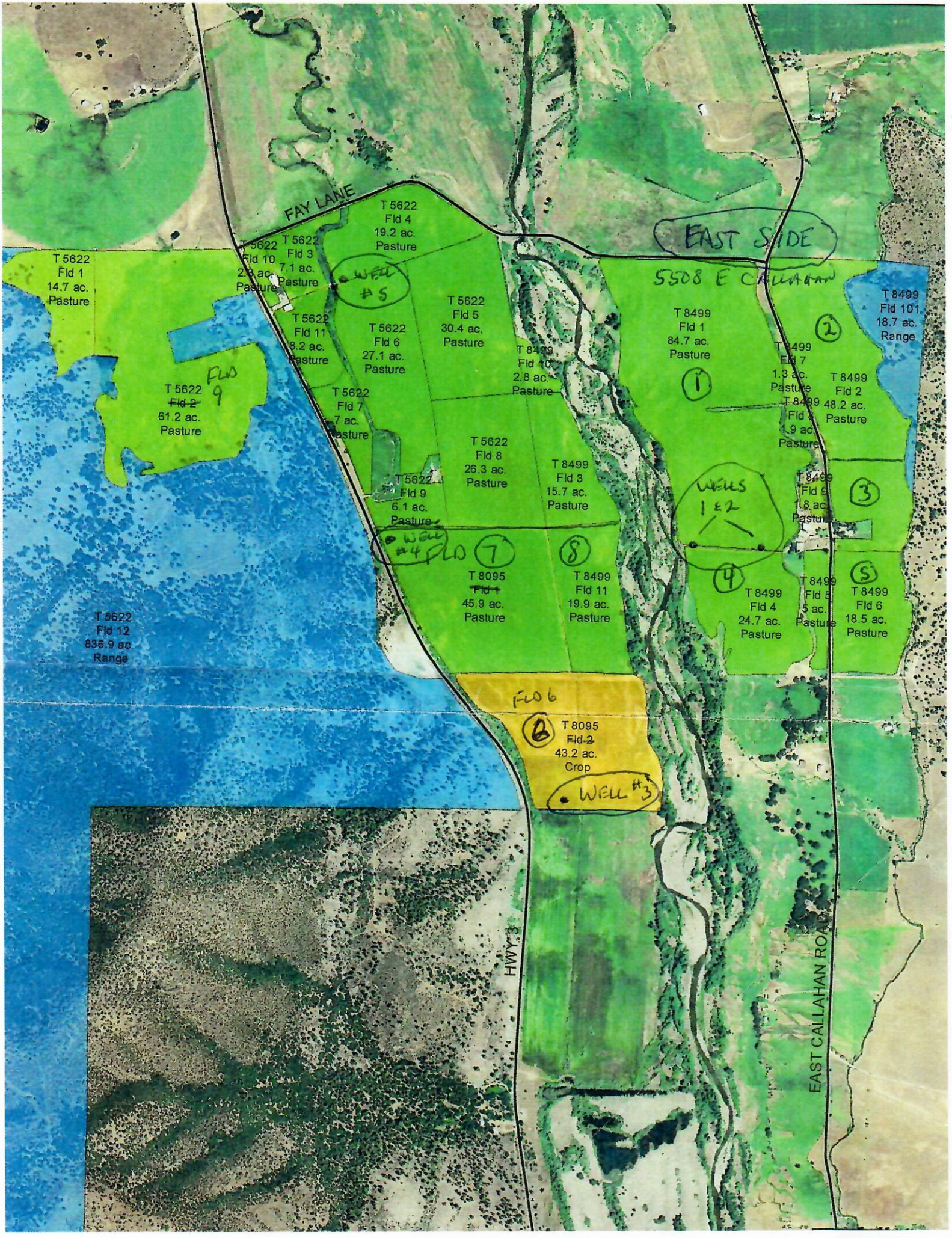


Landowner

6/8/2022

Date

SUPPORTING INFORMATION



FAY LANE

EAST SIDE

5508 E CALLAHAN

HWY 3

EAST CALLAHAN ROAD

T 5622
Fld 1
14.7 ac.
Pasture

T 5622
Fld 10
2.8 ac.
Pasture

T 5622
Fld 4
19.2 ac.
Pasture

T 5622
Fld 3
7.1 ac.
Pasture

T 5622
Fld 11
8.2 ac.
Pasture

T 5622
Fld 6
27.1 ac.
Pasture

T 5622
Fld 5
30.4 ac.
Pasture

T 8499
Fld 10
2.8 ac.
Pasture

T 8499
Fld 1
84.7 ac.
Pasture

T 8499
Fld 7
1.8 ac.
Pasture

T 8499
Fld 101
18.7 ac.
Range

T 5622
Fld 2
81.2 ac.
Pasture

T 5622
Fld 7
7 ac.
Pasture

T 5622
Fld 8
26.3 ac.
Pasture

T 8499
Fld 3
15.7 ac.
Pasture

T 8499
Fld 9
1.8 ac.
Pasture

T 5622
Fld 9
6.1 ac.
Pasture

T 8095
Fld 1
45.9 ac.
Pasture

T 8499
Fld 11
19.9 ac.
Pasture

T 8499
Fld 4
24.7 ac.
Pasture

T 8499
Fld 5
5 ac.
Pasture

T 8499
Fld 6
18.5 ac.
Pasture

T 5622
Fld 12
836.9 ac.
Range

FLO 6

T 8095
Fld 2
43.2 ac.
Crop

WELL #5

WELL #4

WELLS 1 & 2

WELL #3

FLO 9

FLO 7

FLO 8

FLO 4

FLO 6

1

2

3

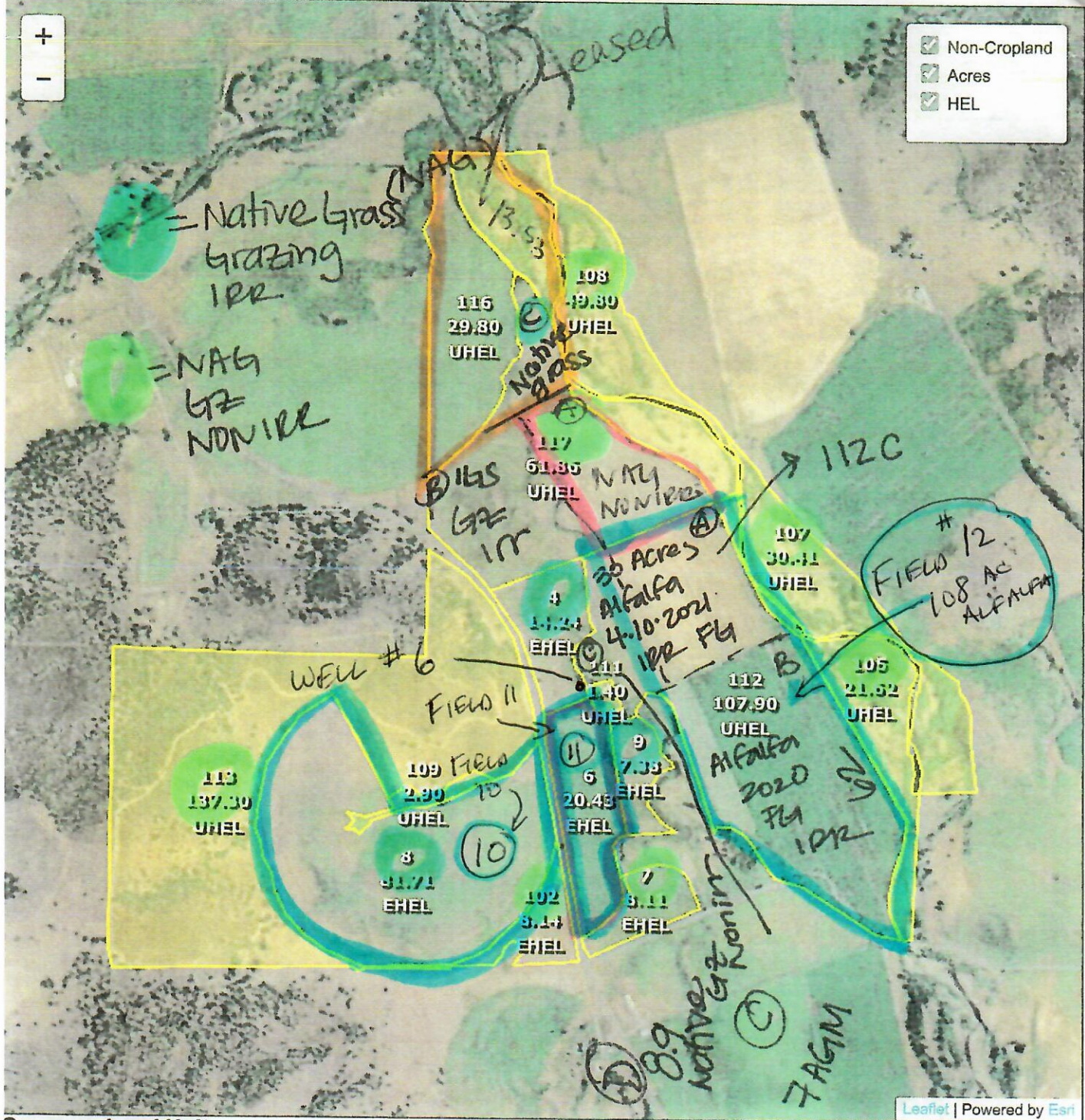
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7

8

4

6



Common Land Unit

- Cropland
- Non-cropland
- CRP

2022 Crop Year

Farm 3215
Tract 9170

Wetland Determination Identifiers

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



Tract 1 of 2

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).

Perimeters of Fields 10, 11 & 12

Richard G. & Nancy J. Barnes
Schedule of Usage from Wells 2021 & 2022

Eastside Wells 1 & 2 (Intertied)

Usage in acre-feet

Field	Acre-age	Action	Apr 21	Apr 22	May 21	May 22	Jun 21	Jun 22	Jul 21	Jul 22	Aug 21	Aug 22	Sept 21	Sept 22	Oct 21	Oct 22
1	85	Fallow Jul 1	0	0	0	0	0	0	37	0	29	0	29	0	0	0
2	35	Fallow Jul 1	0	0	0	0	0	0	16	0	13	0	13	0	0	0
3	13	Stop Oct 1	0	0	0	0	0	0	9	9	7	9	7	9	2	0
4	30	Stop Oct 1	0	0	0	0	0	0	20	20	15	20	14	20	5	0
5	18	Stop Oct 1	0	0	0	0	0	0	12	12	8	12	8	12	3	0
Totals	181		0	0	0	0	0	0	94	41	71	41	71	41	10	0

Note: All fields surface irrigated through July 1.
 Pasture to be fallowed July 1 = 120 acres
 Fields 1 & 2 – 1/3 sub irrigated – 1/3 reduced allocation

APN 023-171-270 & 023-171-280

0.66 AF per acre per month

Fields 3, 4, and 5 will be irrigated more in 2022 than in 2021 because Fields 1 and 2 were not irrigated with groundwater

Westside Wells

Usage in acre-feet

Field	Well	Acre-age	Action	Apr 21	Apr 22	May 21	May 22	Jun 21	Jun 22	Jul 21	Jul 22	Aug 21	Aug 22	Sept 21	Sept 22	Oct 21	Oct 22
6	3	43	Stop Sept 10	0	0	0	10	10	15	20	20	20	20	5	5	0	0
7,8	4	66	Pasture plowed, grain planted	0	0	0	0	0	0	33	0	33	0	0	0	0	0
9	5	50	Pivot down Apr, May 22 Stop Sept 15	20	10	30	10	20	30	30	30	30	20	20	10	0	0
10	6	92	Pivot down, stop Sept 15	20	15	40	30	50	40	40	40	20	20	10	10	0	0
11	6	20	Stop Sept 15	10	5	10	5	10	20	10	10	10	10	5	5	0	0
12	6	108	Stop Sept 15	0	0	0	0	0	0	10	10	20	20	20	10	0	0
Totals		379		50	30	80	55	90	105	143	110	133	90	60	40	0	0

Note: Field 6 surface irrigated through May 31. Field 7 & 8 surface irrigated through June 30. Field 12 surface irrigated through June 30.

0.5 AF per acre per month

Fields 9 and 10 had pivots offline for portions of Spring months in 2022

Field 6: APN 023-171-460,

Field 7: APN 023-171-430,

Field 8: APN 023-171-270, (Partial)

Field 9: APN 023-171-220

Field 10: APN 023-171-100, & 023-171-110

Field 11: APN 023-171-110 & 023-171-120

Field 12: APN 023-171-130, 0023-550-170, 23-560-070 & 023-540-070

Westside & Eastside totals

Usage in acre-feet

Field	Acre -age	Apr 21	Apr 22	May 21	May 22	Jun 21	Jun 22	Jul 21	Jul 22	Aug 21	Aug 22	Sept 21	Sept 22	Oct 21	Oct 22
Total Eastside	181	0	0	0	0	0	0	94	41	71	41	71	41	10	0
Total Westside	379	50	30	80	55	90	105	143	110	133	90	60	40	0	0
Grand total	560	50	30	80	55	90	105	237	151	204	131	131	81	10	0
Change - 2021- 2022			-40%		-31%		+17%		-36%		-36%		-38%		-100%

Total pump usage in 2021 was 802 acre-feet.
 Projected pump usage in 2022 is 553 acre-feet.
 Reduction in usage year to year is 31%.