



## 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
- 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	Brandon Fawaz
Name of Farm, Ranch, or Business	Fawaz Farming

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: *Brandon Fawaz*      Date: 04/14/24

## Section 2: Application Checklist

Below is a list of items to include with your application form:

- Application Form (paper or email submittal accepted).
- If working with a Coordinating Entity (Section 4 of application), submit a signed Binding Agreement (paper or email submittal accepted).
- Supporting Information (electronic submittal only). Submit the applicable information based on selected groundwater LCS.
  - Best Management Practices Groundwater LCS (see Section 7 of application)
    - Description of how you will implement of all required components.
    - Map(s) with each well and field labeled.
  - Graduated Groundwater Cessation Schedule LCS (see Section 8 of application)
    - Description of how you will reduce irrigation compared to standard practices on the property (e.g., practice in a similar unregulated year).
    - Map(s) designating the area where diversions will cease by the required dates and well location(s).
  - Percent Reduction Groundwater LCS (see Section 9 of application)
    - Description of verifiable water reduction actions that will be implemented.
    - Spreadsheet with monthly pumping volumes for baseline year and current year. Use one row per irrigation method per field.
    - Map(s) with each well and field labeled.
- A description of metering (Section 6 of application) in place for groundwater well extractions and an agreement to record such extractions daily and report monthly to your Coordinating Entity and/or State Water Board.
- Groundwater Well Information (see Section 5 of application) (paper or email submittal accepted).
- List of Fields, Assessor's Parcel Numbers (APNs), and Water Rights (see Section 10 of application) (paper or email submittal).

### Section 3: Requirements for All Groundwater LCS Proposals

- **Deadline:** Proposals must be submitted to the State Water Board by April 15, 2024.
- **Implementation:** Proposals must be implemented during the entirety of the irrigation season (including prior to approval), unless the applicant withdraws the application.
- **Metering:** Proposals must include a description of metering that will be used to measure groundwater well extractions and information on how extractions will be recorded daily and reported monthly to the Deputy Director or Coordinating Entity, as applicable. Please note the Coordinating Entity is required to provide this data to the State Water Board.
  - **Funding for Meters:** The State Water Board has funding and technical support available for some amount of metering and those interested in such assistance should promptly contact State Water Board staff using the "Contact Information" at the end of this application.
  - **Time Schedule for Metering:** If a meter is not currently installed and may not be installed prior to the start of the irrigation season, the applicant must provide information that substantiates the applicant's efforts and actions taken to get a meter installed, and a timeline for meter installation.
  - **Waivers:** Proposals may include information requesting waiver of the metering provisions in the following instances:
    - Groundwater wells that irrigate less than 30 acres. Information supporting the request to waive metering provisions must be provided, including distance of the groundwater well to surface water. The State Water Board may require other information in lieu of monitoring.
    - Metering is not feasible. Substantiation for the infeasibility of installing a meter must be provided.

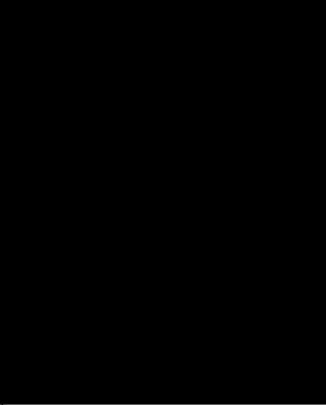
## Section 4: Coordinating Entity

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.

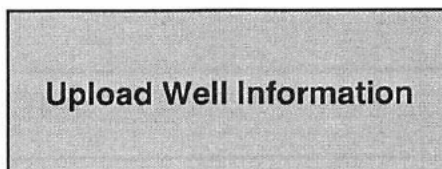
- |  |  |
|--|--|
| <input type="checkbox"/> California Department of Fish & Wildlife<br>Contact: Crystal Robinson<br>(530) 340-0767<br>crystal.robinson@wildlife.ca.gov | <input type="checkbox"/> Shasta Valley Resource Conservation District<br>Contact: Rod Dowse<br>(530) 598-1253<br>rdowse@svrccd.org |
| <input type="checkbox"/> Siskiyou Resource Conservation District<br>Contact: Evan Senf<br>(530) 643-1585<br>evan@siskiyourcd.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>
Moffett Field 2	
Moffett Field 3	
Moffett Field 1	
Mom's	

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



## 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."

These 4 fields that make up 97 acres have what I deem a cost effective way to meter at this point in time. Site 2-01 is owned by Debbie Faulkner and is only 14 acres, and exempted from metering due to hardship of being owned by a senior citizen on a fixed income. The remaining 3 fields do not have enough straight pipe at the wells to install a meter. The pivots all cover very small areas. The most feasible way to install would be a meter on every pivot, but is not a good use of funds for this one-year term.

- 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 future requirements dictate changes, we will reassess at that point in time.



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 7: Best Management Practices Groundwater LCS

1. Provide the total amount of all irrigated acreage (with units) covered under your proposal for a Best Management Practices Groundwater LCS:
2. Upload an attachment, write in the box, and/or email a description of the irrigation system that will be used under this proposal, specifying details of your low-energy precision application system, soil moisture sensors, and any corners that will be irrigated. (Refer to Section 875(f)(4)(D)(vii) of the emergency regulation.)

3. Provide a map(s) of each field with labels for well(s), type of best management practice, and field crop type. Upload as an attachment or email.

**Upload Map(s)**

4. Certify the following by initialing or checking each box:

- a. I certify the use of a low-energy precision application (LEPA) system on all irrigated acreage covered under this groundwater LCS.
- b. I certify to not use end guns for irrigation for the duration of the season.
- c. I certify to cease irrigation of corners after June 15, 2024.
- d. I certify to use soil moisture sensors to inform irrigation timing, and maintenance of such records, which I will make available for inspection by the Coordinating Entity, if applicable, and/or the State Water Board.
- e. I certify that I will further limit irrigation based on water year, in the event of the hydrologic condition noted in i or ii below. If this requirement is triggered, the State Water Board will inform all Best Management Practices Groundwater LCS applicants for the applicable watershed(s). Please note, a yes certification is required for a Groundwater Best Management Practices LCS to be accepted.
  - i. Scott River Watershed: Snow pack of 80% or less of the Department of Water Resources California Data Exchange Center's first May snow water equivalent station average (or the average of the first April measurement if May snow pack measurements are not gathered) in Scott River watershed.
  - ii. Shasta River watershed: A water year determination of dry or very dry in the Shasta River watershed, as determined under Table 2 of the March 2021 Montague Water Conservation District water operation plan.

## 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:
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.

In previous years, more 4th crop alfalfa was harvested which resulted in more irrigation and more later season irrigation. Additionally, to my knowledge all of these pivot fields were previously flood or high pressure sprinkler irrigation. Now, these fields are irrigated primarily with center pivots and LEPA technology. Also, late season irrigation is limited in this method. Only 3 cuttings will be taken in 2024.

**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)**



## Section 9: Percent Reduction Groundwater LCS

The applicable percent reduction in groundwater pumping noted below must be demonstrated for the Percent Reduction Groundwater LCS consistent with section 875(f)(4)(D)(v) of the emergency regulation, and summarized below.

- **Scott River Watershed:** A net groundwater pumping reduction of 30% throughout the irrigation season (April 1 – October 31) and a monthly reduction of 30% between July 1 through October 31.
- **Shasta River Watershed:** A net groundwater pumping reduction of 15% throughout the irrigation season (March 1 – November 1) and a monthly reduction of 15% between June 1 through September 30.
- The relevant water use reduction shall be based on a comparison to a baseline irrigation season (i.e., 2020, 2021, 2022, or 2023).
  - BUT, if the previous year baseline is higher than the following applied water rates:
    - 33 inches per year for alfalfa,
    - 14 inches per year for grain, or
    - 30 inches per year for pasture
  - ❖ Then the above values shall be used as the baseline UNLESS the applicant provides sufficient additional information supporting an alternative baseline.
- Please provide the total amount of irrigated acreage (with units) under your proposal for a Percent Reduction Groundwater LCS.
- If you are proposing a Percent Reduction Groundwater LCS, attach or email the following files to the State Water Board and your Coordinating Entity.
  - a. A description of practices that reduces groundwater pumping and how the State Water Board (or Coordinating Entity, if applicable) can verify those actions.

**Upload Attachment**

- b. A spreadsheet with monthly pumping volumes for the selected baseline year and current year. Use one row per irrigation method per field.

**Upload Baseline Pumping**

- c. Map(s) with each field labelled.

**Upload Map(s)**

**Section 10: List of Fields, APNs, and Water Rights**

List the fields associated with this groundwater LCS application, if each property is owned or leased, and the assessor's parcel number (APN) that contains each field. If a field is on multiple parcels, provide the APN that contains the majority of the field. Alternatively, you may also electronically submit a document or spreadsheet with this information. Each field can only have **one (1)** type of groundwater LCS associated with it.

<b>Irrigated Field Name(s) or Number(s)</b>	<b>Is the parcel owned or leased?</b>	<b>Assessor Parcel Number(s)</b>	<b>Water Right(s)</b>	<b>Groundwater LCS Type</b>
See Table LCS Cessation Sites				




## Submission of Groundwater LCS Proposal to State Water Board

A groundwater LCS may require the applicant to attach or email additional information, such as descriptions, spreadsheets, maps, or other relevant information. State Water Board staff request descriptions be submitted as Microsoft Word (.docx, .doc) or Adobe PDF (.pdf) files as these file formats are easiest for staff to work with applicants to review and revise, if needed. For the same reasons, staff request that applicants submit spreadsheets as Microsoft Excel files (.xlsx, .xls).

Submitting documents in other formats, such as photographs of narratives or narratives via traditional mail may lengthen the review process. If you need assistance, please contact your Coordinating Entity (see Section 4) or State Water Board staff identified in the Contact Information section below.

To submit your application with all required materials (see Section 2), you can:

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

### Contact Information for State Water Board Staff

- Kevin DeLano  
Phone: (916) 319-0631  
Email: [Kevin.DeLano@waterboards.ca.gov](mailto:Kevin.DeLano@waterboards.ca.gov)
- Shahab Araghinejad  
Phone: (916) 319-0975  
Email: [shahab.araghinejad@waterboards.ca.gov](mailto:shahab.araghinejad@waterboards.ca.gov)
- Division of Water Rights – Scott-Shasta Phone Line and Email  
Phone: (916) 327-3113  
Email: [ScottShastaDrought@waterboards.ca.gov](mailto:ScottShastaDrought@waterboards.ca.gov)

### What's Next?

State Water Board staff will review each groundwater LCS application. If staff identify errors, a need for additional information, or changes that need to be made, they will contact the applicant. Once staff determine the application is substantially complete, it will be posted as pending on the State Water Board's [Local Cooperative website](#) for the Scott River and Shasta River watersheds emergency regulation.

2024 Fawaz LCS Cessation Sites

Field ID	2024 Irrigated Acres	2024 Irrigation Method	2024 Crop Type	
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10-01	37	Pivot	Alfalfa	
10-02	21	Pivot	Alfalfa	
10-03	25	Pivot	Alfalfa	
2-01	14	Wheel Line	Alfalfa	
<b>Totals</b>	<b>97</b>			

20% of Acres to be fallowed after July 20th (19.4 needed)

2-01	14			
10-02	4.08			
10-01	1.5	Hand line along road fallowed and by creek		
<b>Total Fallow</b>	<b>19.58</b>			

50% Fallowed by August 20th (48.5 needed)

Acres Above	19.58			
10-03	25			
10-01	3.93			
<b>Total Fallow</b>	<b>48.51</b>			

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2024 Fawaz LCS Meter Sites

Meter Location	Mounted on Pivot or Well	Acres Covered by meter	Acres covered by well servicing field	April 15th Reading
POH - West*	Pivot	116	144	
POH Across Road**	Pivot	18	144	0
POH East	Well	149	149	0
Goldenhoof	Well	166	172	0
Mason Pivot	Pivot	115	125	0

\* Meter previously installed and not working. Trying to repair

\*\* Location not in LCS, but meter data will be reported

2024 Fawaz / Daws LCS Cessation Sites. All sites relate to Daws map

Field ID	2024 Irrigated Acres	2024 Irrigation Method	2024 Crop Type	
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2-01	46	Pivot + Wheel Line	Alfalfa / Grass	
2-01A	40	Pivot	Alfalfa	
2-01B	6	Hand line + Gun	Alfalfa	
2-01C	25	Pivot + Wheel Line	Alfalfa	
<b>Totals</b>	<b>117</b>			

20% of Acres to be fallowed after July 20th (23.4 needed)

2-01	9.55	Pivot only		
2-01A	3.55	Pivot		
2-01B	6	No Irrigation		
2-01C	2	Wheel Line off		
<b>Total Fallow</b>	<b>21.1</b>			

50% Fallowed by August 20th (58.5 needed)

Acres Above	21.1			
2-01A	36.45			
2-01	3.5	End Gun off		
<b>Total Fallow</b>	<b>61.05</b>			

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**From:** [REDACTED]  
**To:** [Richardson, Shay@Waterboards](mailto:Richardson_Shay@Waterboards)  
**Subject:** Re: Merge Bob Daws/Fawaz 2024 LCS Application  
**Date:** Wednesday, July 17, 2024 1:52:15 PM

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EXTERNAL:

Hi Shay - I looked at your idea of moving the cessation method at Bob Daws to 15% on July 15th, which is no problem, and then 50% on 15th. I think I can make that work. Let's go with that proposal.

I also thought I sent an email to the waterboard regarding my original LCS for the BMP. I cannot find it now, or even its draft. I had wanted to make a small amendment to my LCS. I even informed my coordinating entity about it. When the LCS was due, I was a few days off of waiting for a back ordered part for a new pivot we had installed. We were unsure when the part would be available. Therefore, I left the small field of around 16 acres out. The parts ended up arriving early, and I was able to irrigate the entire season so far with the new pivot with LEPA installed. I also have my moisture sensor installed (but having reliability issues). The meter has been on the pivot since the first drop of water went through the pivot. I have the data recorded. Anyway, I had been awaiting an answer on that amendment, that I haven't received. Apparently I haven't received the answer the email seems lost and most likely the water board doesn't have it. Can we address this?

I believe these are the two issues I am aware of to address for my LCSs for this 2024 crop season.

Please let me know if you have any questions and how we move forward.

Thank you,

Brandon

On Jun 27, 2024, at 2:36 PM, Brandon Fawaz [REDACTED] wrote:

Thank you Shay for the LCS of Bob Daws. I am attaching a quick spreadsheet using the cessation method of LCS compliance as I did not lease all of Bob Daws' fields. He has other fields that were used for the reduction of irrigation. Those fields are done for the year. I believe it is cleaner to not try and muddle Bob's acres and mine together on this LCS. I would be happy to explain in a phone call if you want more clarification.

My current LCS with my Moffett Creek ground and my mom's (neighbor one place away from Daws') is of a cessation method LCS. If we use the spreadsheet below, I think it would be easiest to just add Bob's acres that I am leasing to my other document. I did speak with Chris Voight as my coordinating entity, and he is willing to accept the additional acres for inspection.

The spreadsheet shows being off about 2 acres on the July 20th date, but then 2 acres extra on the August 20th date. I am hoping that due to field size and irrigation method, a variance of around 1.7% could be used since the farm is relatively small and more difficult to adjust irrigated acres due to field size.

Please take a look at the spreadsheet and let me know if you have any questions and how to proceed.

Thank you,  
Brandon

<2024\_Fawaz\_Daws\_LCS\_CutOff.pdf>

On Jun 27, 2024, at 12:18 PM, Richardson, Shay@Waterboards  
[REDACTED] wrote:

Hi Brandon,

As requested, please see Bob's unredacted 2024 LCS Application for the land that you have leased. Can you please revise the application and spreadsheet to reflect any changes and re-submit to us by Friday, July 5?

Thank you,  
Shay

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Shay Richardson  
Senior Environmental Scientist (Specialist)  
Supply, Demand, & Instream Flow Section  
State Water Resources Control Board  
Division of Water Rights

<2024-Bob Daws Ranch-GW-LCS-Received.pdf><Daws\_2024 LCS Spreadsheet-KD.xlsx>





# Scott River Water Trust

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

Month, Day, Year

04/15/2024

## 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>	Fawaz Farming
<i>Contact Person:</i>	Brandon Fawaz

## 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)(i).*

*(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,
- 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 SWRCB. If a Landowner requests SRWT assistance with an updated LCS, the SRWT and Landowner will enter into a new Binding Agreement and,

### **Payment**

In consideration for the services to be performed by SRWT, the Landowner agrees to pay SRWT 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 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 established by the actions described in the LCS

### Signatures

*Christopher Voigt*

SRWT Representative

*Brandon Fawaz*

Brandon Fawaz (Apr 15, 2024 10:00 AM)

Landowner

Signature: *Brandon Fawaz*

Brandon Fawaz (Apr 15, 2024 10:00 AM)

Email: [fawazfarming@sisqfal.net](mailto:fawazfarming@sisqfal.net)