

Christopher Whitehead Ranch  
Christopher Whitehead



April 18, 2022

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

RE: Local Cooperative Solution – Scott River

To: State Water Resources Control Board

This letter is to affirm the commitment of Christopher Whitehead DBA Christopher Whitehead Ranch to voluntarily reduce the volume of ground water used for irrigation in 2020 by 75% in 2022. Reduction methods are further defined in this letter and the attached documents as an application for a Local Cooperative Solution (LCS) pursuant to section 875(f)(4)(d) of the drought emergency regulation. The total irrigated acreage operated by Christopher Whitehead Ranch is 111 acres.

Introduction/History Irrigation Practices

Christopher Whitehead Ranch was cultivated as seasonal alfalfa and grains for feed and pasture in the Scott Valley. Approximately 49 acres grow alfalfa hay, while the remaining 62 acres is irrigated pasture for cattle.

Christopher Whitehead Ranch has adjudicated surface water rights from the Scott Valley Irrigation District and overlying adjudicated groundwater rights within the basin. We will not use our surface water right to supplement or offset the reduction in use of groundwater.

Christopher Whitehead Ranch property is not rectangular, square, or circular – the attached map shows the actual shape. The field map gives the best coordinates for the ranch location.

Historically, the operation harvested 2 cuttings of alfalfa/alfalfa-grass or one cutting of grain hay depending on the rotation year and was seasonal pasture for grazing cattle. The property is irrigated with three agriculture wells that supply the following areas and irrigation equipment:

- Wheel lines - Wheel lines (i.e., long mobile pipe sets, moved manually during the irrigation season) service approximately 111 acres. Each wheel line is moved manually at approximately 6am and 6pm resulting in two approximate 11 hour (22 hours run time) sets in a 24-hour period.

The Irrigation season for our operation, including in 2020 (base year), typically begins about April 1<sup>st</sup> each year and continues into mid to late September. These time frames are subject to variances that depend on annual temperature and precipitation conditions.

The attached spread sheet gives the reduction calculated to reduce usage by 75% over the 2020 usage and are described below.

#### 2022 Conservation Efforts

- **Summer/Fall forbearance** – In 2022 we have ceased irrigation on approximately 52 acres (17 acres from parcel# 014-281-040-000, 7 acres from parcel# 014-270-330-000, 10 acres from parcel# 014-281-150-000, and 18 acres from parcel# 014-270-350-000), that would otherwise produce grain and pasture feed.

These conservation efforts can be verified on inspections conducted by the coordinating entity while accompanied with a representative of Christopher Whitehead Ranch.

#### LCS Comments

The voluntary reduction of water usage will greatly affect the Christopher Whitehead Ranch farming operation. We raise the alfalfa and grains to feed my cattle. I have 32 pairs and 22 steers and heifers fattening up to sell that are tied to my Ranch Loan through FSA.

If I am unable to raise the required hay to keep my cattle healthy, I will be forced to sell them. I have been in contact with FSA since the cattle are the collateral for the Ranch Loan trying to figure out an alternative.

Please note this plan is offered in good faith in connection with the 2022 irrigation season only. All rights, claims and defenses with regard to the matters described herein are hereby expressly reserved. Moreover, and as this plan is offered voluntarily (without any current legal obligation to undertake the matters described herein), should any governmental or NGO funds later become available for any forbearance or improvement efforts to which Christopher Whitehead Ranch would otherwise be entitled, nothing herein shall be construed to limit the availability of such funds to the Christopher Whitehead Ranch provided that we materially perform the 2022 undertakings described herein. Water saved under this proposal will not be transferred to parcels not included under the LCS and we will not knowingly or intentionally otherwise take actions outside of the LCS that diminish, in any material way, the reduction established by this proposal.

I, Christopher Whitehead will be the contact person for this LCS. I can be reached by mail and/or the phone number listed above.

Sincerely,  
Christopher Whitehead

# **BINDING AGREEMENT**



## GROUNDWATER USE REDUCTION AND BINDING AGREEMENT FOR LOCAL COOPERATIVE SOLUTION

### BACKGROUND

Under the 2021 drought emergency regulation establishing drought emergency minimum flows in the Scott River and Shasta River watersheds,<sup>1</sup> local cooperative solutions (LCS) 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.

### 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 section 875.5(f)(4)(d)(i) – (ii) [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 irrigated 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 the 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 similar qualified entity. “
  - (ii) For the Scott River: “The proposal provides at least: 1) a net reduction of water use of 30 percent throughout the irrigation

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<sup>1</sup> California Code of Regulations, title 23, sections 875–875.9.



season (April 1 – October 31), as compared to the prior irrigation season; and 2) a monthly reduction of at least 30 percent in the July 1 through October 31 period, as compared to the prior year or to 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

On April 18, 2022, the Christopher Whitehead DBA the Christopher Whitehead Ranch (Landowner) proposed an LCS authorized by 23 CCR §§ 875(f)(4)(d) of the regulation for the 2022 irrigation season. It includes a final conservation plan, narrative, and field maps incorporated by reference. The proposal uses the year 2020 as the baseline; it includes detailed spreadsheets and a narrative that describes a reduction in total irrigated acreage. The specific conservation practices within the narrative offer concise and appropriate monitoring elements enabling the California Department of Fish and Wildlife to assume the role of a Coordinating Entity to implement a binding agreement described in “i” above. The mathematically calculated conservation plan accounts for a net reduction of approximately 75% to meet the requirement described in item “ii” above.

### TERMS OF BINDING AGREEMENT

The Landowner is required to adhere to the proposed conservation plan, as submitted to CDFW and approved by the State Water Board. The Landowner has requested that CDFW serve as the coordinating entity. The Landowner and CDFW agree to the following:

- For the duration of this binding agreement where CDFW is the coordinating entity, the Landowner shall give CDFW and CDFW agents the right to reasonably access the included parcels for the limited purpose of verifying execution of the conservation plan. Any individual not directly employed or contracted by CDFW shall provide pre-notification to, and shall obtain approval by, the Landowner.

- CDFW will strive to notify the Landowner a day in advance of visiting the parcels and shall provide the Landowner or a designee the ability to participate in the monitoring inspection.
- It is anticipated that CDFW representatives will visit the property approximately twice per month. A monitoring inspection may include verification of any or all the actions described in the conservation plan and may include inspection checklist/notes/report and photo verification.
- Any photos, logs, checklists, and other documentation for this conservation strategy incorporated by reference will be transmitted by the Landowner via email to the Klamath Watershed Program at [klamathwatershed@wildlife.ca.gov](mailto:klamathwatershed@wildlife.ca.gov). This information for each month shall be transmitted within the first 7 calendar days of each calendar month.
- CDFW 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. CDFW supports 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 with 30 days' notice. The Coordinating Entity will only terminate the agreement if the Landowner is not cooperating with the terms of this binding agreement (e.g., is not providing access, is not reporting, etc.). Both parties agree to take reasonable measures to resolve any concerns related to performance of the conservation plan, negative human interaction, or any other unforeseen circumstance prior to invoking termination.
- It is recognized that as the irrigation season unfolds, there may be reason to change the terms of the conservation plan or this agreement regarding its implementation and verification. Any such changes to the conservation plan or binding agreement will need to offer continued compliance with the drought emergency regulations and shall be agreed upon by both parties as well as the State Water Board.



**Contact Information**

California Department of Fish and Wildlife  
Carmen Tull  
[klamathwatershed@wildlife.ca.gov](mailto:klamathwatershed@wildlife.ca.gov)  
916.203.1947

The Christopher Whitehead Ranch  
Christopher Whitehead  
[REDACTED]

This Binding Agreement is valid while the current drought emergency regulation is in place. By signature, both parties agree and memorialize CDFW as the Coordinating Entity for this binding agreement. The Landowner shall include one signed copy with its petition to the SWB, return one signed copy to CDFW, and retain a signed copy of this binding agreement and have the conservation plan readily available at its residence in the event any questions arise from either party during implementation or monitoring.

**Authorized Landowner Signature:**

Sign Here: *Chris Whitehead* Date Signed: 9/16/22

**Authorized Coordinating Entity Signature:**

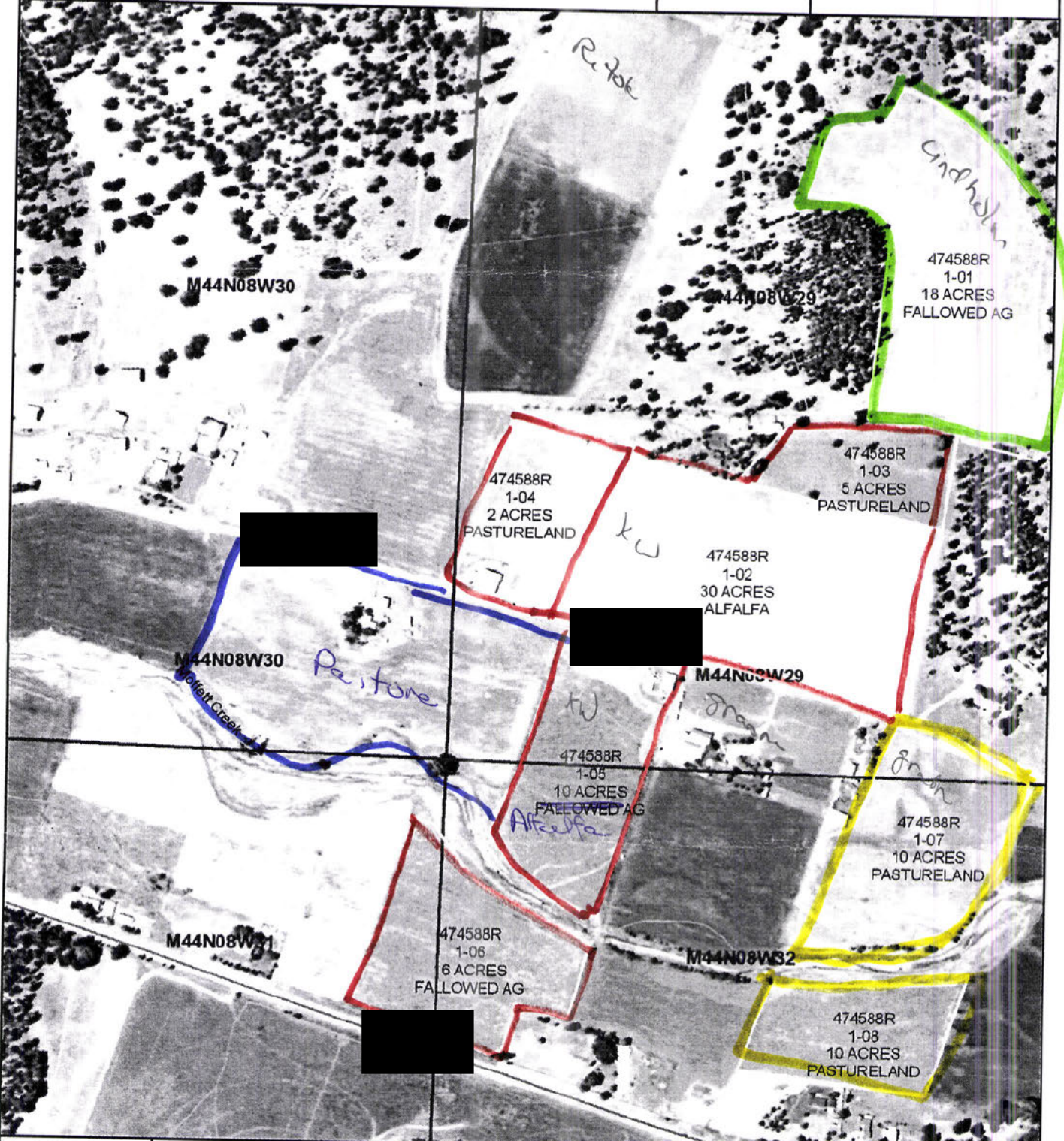
Sign Here: *Jana Bartlett* Date Signed: 8/18/2022



## **SUPPORTING INFORMATION**



<b>Siskiyou County</b>		Permit Number: 474588R
MAP 1 Home Ranch & Leases		Created On: 3/1/2019
[REDACTED] 3/Houses, creek		Operator: WHITEHEAD, CHRIS



Included Sites:	1-01, 1-02, 1-03, 1-04, 1-05, 1-06, 1-07, 1-08	
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Field ID	2020 Irrigated Acres	2020 Irrigation Method	2020 Crop Type	AF applied per acre per year	April 2020 Acre Feet Applied	May 2020 Acre Feet Applied	June 2020 Acre Feet Applied	July 2020 Acre Feet Applied	August 2020 Acre Feet Applied	September 2020 Acre Feet Applied	October 2020 Acre Feet Applied	2020 Total Acre Feet	2022 Irrigated Acres	2022 Irrigation Method	2022 Crop Type	AF applied per acre per year	April 2022 Acre Feet Applied	May 2022 Acre Feet Applied	June 2022 Acre Feet Applied	July 2022 Acre Feet Applied	August 2022 Acre Feet Applied	September 2022 Acre Feet Applied	October 2022 Acre Feet Applied	2022 Acre Feet
620	17	Wheel lines	Pasture	6.7	19.0	19.0	19.0	19.0	19.0	19.0	0.0	113.9	17	Wheel lines	Pasture	0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
729; 1-02	30	Wheel lines	Alfalfa	1	5.0	5.0	5.0	5.0	5.0	5.0	0.0	30.0	30	Wheel lines	Alfalfa	1	5.0	5.0	5.0	5.0	5.0	5.0	0.0	30.0
729; 1-04	7	Wheel lines	Pasture	6.7	7.8	7.8	7.8	7.8	7.8	7.8	0.0	46.9	7	Wheel lines	Pasture	0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
634; 1-06	19	Wheel lines	Alfalfa	1	3.2	3.2	3.2	3.2	3.2	3.2	0.0	19.0	19	Wheel lines	Alfalfa	1	3.2	3.2	3.2	3.2	3.2	3.2	0.0	19.0
1036; 1-07; 1-08	20	Wheel lines	Pasture	6.7	22.3	22.3	22.3	22.3	22.3	22.3	0.0	134.0	10	Wheel lines	Pasture	6.7	11.2	11.2	11.2	11.2	11.2	11.2	0.0	67.0
Lindholm; 1 01	18	Wheel lines	Pasture	6.7	20.1	20.1	20.1	20.1	20.1	20.1	0.0	120.6	18	Wheel lines	Pasture	0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
	111			TOTALS	77.4	77.4	77.4	77.4	77.4	77.4	0.0	464.3	101				19.3	19.3	19.3	19.3	19.3	19.3	0.0	115.9
																30 % Reduction Target Monthly 70% of 2020 use				54.2	54.2	54.2	0.0	162.5
																Water reduced in excess of need expressed in AC Feet				34.8	34.8	34.8	0.0	46.6
																Percentage Saved	75%	75%	75%	75%	75%	75%	N/A	75%