A. Introduction

This Site Plan Agreement for the Template Safe Harbor Agreement for Conservation of Coho Salmon in the Shasta River (Agreement), which is intended to provide conservation benefits for the Southern Oregon and Northern California Coast (SONCC) Evolutionarily Significant Unit (ESU) of coho salmon (Covered Species), is between the NB Ranches, Inc. (Permittee), NOAA’s National Marine Fisheries Service (NMFS), and the California Department of Fish and Wildlife (CDFW).

This Site Plan Agreement, combined with the provisions of the Agreement, may serve as the basis for NMFS to issue a federal enhancement of survival permit (ESP) to the above named Permittee pursuant to section 10(a)(1)(A) of the Endangered Species Act of 1973, as amended (ESA). The joint and respective responsibilities of NMFS, CDFW, and the Permittees are detailed in the Agreement. This Site Plan Agreement is subject to terms and conditions set forth herein and in the Agreement and ESP. The definitions included in Section 2 of the Agreement are incorporated herein by reference.

In accordance with Section 5.1 of the Agreement, this Site Plan Agreement includes the following:

- General description of the Enrolled Property, including map and water rights (Section B below);
- Description of Routine Agricultural Activities carried out on the Enrolled Property (Section C.1 below), applicable Avoidance and Minimization Measures (AMMs) (Section C.2 & G.1 below), and Beneficial Management Actions (BMAs) to be implemented by the Permittee, including a schedule and other terms and conditions for implementation (Section E below);
- Description of Baseline Conditions on the Enrolled Property (Section D below) and Actions Required to Maintain Baseline Conditions (Section E.1 below);
- Description of Elevated Baseline Conditions on the Enrolled Property if applicable (Section E.2 below) and description of Other Beneficial Management Activities on the Enrolled Property (Section E.3 below);
- Monitoring and reporting activities that the Permittee agrees to carry out (Section G below);
- Description of potential and existing funding sources and timeline for the Permittee to carry out BMAs, AMMs, and monitoring and reporting requirements (Section E, F, & G below); and
- Other information consistent with the terms and conditions of the Agreement and ESP (Section F, H & I below).
The AMMs, BMAs, and associated monitoring and reporting protocols described below derive from Appendix 2 and Appendix 3 of the Agreement. In the event there is any conflict between the AMMs, BMAs, and associated monitoring and reporting protocols as described below and as described in the appendices to the Agreement, the appendices to the Agreement control.

B. **Enrolled Property**

B.1 **General narrative and map describing Enrolled Property**

NB Ranches, Inc. (Nicoletti; the Enrolled Property) is located along DeSoza Lane, approximately three miles east of Interstate 5 near Grenada, in Siskiyou County (41°38’11.56” N latitude, 122°29’22.88”W longitude). The Enrolled Property (or Ranch or NB Ranches) is located on the Shasta River, within the Mid-Shasta Reach and includes a total of 357.2 acres, with approximately 257.4 acres under irrigation based on GIS coverage. Approximately 1.2 river miles of the Shasta River is within the ownership of NB Ranches, within what has been designated the Mid Shasta Reach in the Agreement. The approximate property boundaries and general location of the Enrolled Property within the Covered Area of the Agreement is shown in Figure 1.

B.2 **Legal Description of Property Boundary**

The Enrolled Property consists of the following APNs:

038-020-200
038-160-010
038-160-040
038-030-050
038-020-190
038-120-130
038-160-030
038-160-020
038-160-100
038-170-160
Figure 1. NB Ranches - Site Plan Agreement, Ownership Map
B.3 Description of Water Rights

NB Ranches, Inc. irrigates from the Huseman Ditch Association Diversion, which is a shared point of diversion from the Shasta River. NB Ranches also benefits from several spring sources as well as deliveries and tail water from the Shasta Water Users Association, depending upon rotation scheduling. The Permittee's irrigation of the Enrolled Property under consideration herein is from the Huseman Ditch and two spring sources located on the Enrolled Property.

In addition, NB Ranches uses water provided by two springs that originate on the Enrolled Property (Rivers edge Spring and Driveway Spring). The combined volume of the two springs is estimated to be 0.3 cfs based on limited investigation. NB Ranches will file Initial statements of use for the two spring sources and include Irrigation and Fish and Wildlife as the beneficial uses. Together the springs equal approximately 0.30 cfs.

Huseman Ditch:

NB Ranches, Inc. receives much of its irrigation water from the Huseman Ditch and is a member of the Huseman Ditch Association. The Huseman Ditch is incorporated within the Shasta River Decree with an identified maximum capacity of 11.9 cfs for 569.8 acres (Paragraph 124 of Shasta River Decree). Per the Decree, the diversion season occurs from April 1 through September 30th of each year. A total of approximately 569 acres are irrigated with the Huseman Ditch shared between three current landowners and water users. A total of approximately 4,318 acre feet can be diverted during the irrigation season. NB Ranches, Inc. irrigates approximately 182 acres of the Enrolled Property with the Huseman Ditch and is identified as having 33.5% of the right. It is therefore estimated that the Huseman Ditch diverts approximately 1,447 acre feet per year for NB Ranches, Inc. The winter right on the Huseman Ditch is 5 cfs for the Enrolled Property, allowing up to approximately 1,805 acre feet per year to be diverted. Stock water is not fully utilized as cattle are often moved off the fields served by the Huseman Ditch in the fall resulting in roughly 200 acre feet of diversion per year under current operation or an estimated 90 acre feet per year for NB Ranches, Inc.

Table 1 shows the diversion numbers, amounts diverted, season, and amount of land that is irrigated. Figure 2 shows the Point of Diversion used on the Enrolled Property and the Place of use as defined by the adjudication and DWR’s irrigated land coverage from 2010.
Table 1. Cumulative Diverted Volumes of Diversions used by Huseman Diversion (Rice and Nicolletti)

<table>
<thead>
<tr>
<th>Diversion #/Water Source</th>
<th>Permit/Adjudicated/Filed Water Use Statement Amounts</th>
<th>Description</th>
<th>Season Duration</th>
<th>Total Ac-ft per season diverted</th>
<th>Acreage Irrigated with Diversion</th>
<th>Average Days per Season diverted</th>
</tr>
</thead>
<tbody>
<tr>
<td>250 11.9 cfs</td>
<td>Huseman Diversion</td>
<td>April 1-Oct 1</td>
<td>4318</td>
<td>+/-544 total between 3 users</td>
<td>183</td>
<td></td>
</tr>
<tr>
<td>250 5 cfs</td>
<td>Huseman Diversion</td>
<td>Oct 2-March 31</td>
<td>1805</td>
<td>+/-544 total between 3 users</td>
<td>182</td>
<td></td>
</tr>
</tbody>
</table>

Table 2. Diverted volume of Huseman Ditch apportioned to NB Ranches, Inc.

<table>
<thead>
<tr>
<th>Diversion #/Water Source</th>
<th>Permit/Adjudicated/Filed Water Use Statement Amounts</th>
<th>Description</th>
<th>Season Duration</th>
<th>NB Ranches Annual use per diversion</th>
<th>NB Ranches Acreage Irrigated with Diversion</th>
<th>Average Days per Season diverted</th>
</tr>
</thead>
<tbody>
<tr>
<td>250 11.9 cfs</td>
<td>Huseman Diversion</td>
<td>April 1-Sept 30</td>
<td>33.5% or 1,447 afy</td>
<td>Approx. 182 acres</td>
<td>183</td>
<td></td>
</tr>
<tr>
<td>250 5 cfs</td>
<td>Huseman Diversion</td>
<td>Oct 1-March 31</td>
<td>80 afy</td>
<td>450 cattle</td>
<td>182</td>
<td></td>
</tr>
</tbody>
</table>

NB Ranches on Ranch Spring Volumes

<table>
<thead>
<tr>
<th>Diversion #/water source</th>
<th>Permit/Adjudicated/Filed Water Use Statement Amounts</th>
<th>Description</th>
<th>Season Duration</th>
<th>NB Ranches Annual use per diversion</th>
<th>NB Ranches Acreage Irrigated with Diversion</th>
<th>Average Days per Season diverted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rivers Edge Spring</td>
<td>0.25 cfs Initial Statement to be filed 12/23/18</td>
<td>Spring</td>
<td>April 1-Sept 30</td>
<td>90 afy</td>
<td>Approx. 5.0 acres</td>
<td>182</td>
</tr>
<tr>
<td>Driveway Spring</td>
<td>0.05 cfs Initial Statement to be filed 12/23/18</td>
<td>Spring</td>
<td>April 1-Sept 30</td>
<td>18 afy</td>
<td>Less than 1 acre</td>
<td>182</td>
</tr>
</tbody>
</table>
Figure 2. NB Ranches-Site Plan Agreement, Irrigated Property - water rights
C. **Routine Agricultural Activities**

C.1 **Present Routine Agricultural Activities:**

Permittee has approximately 257.4 irrigated acres within the 482 acres of the Enrolled Property. Irrigated acreage is flood irrigated for pasture production. The Enrolled Property is irrigated primarily by the Huseman Ditch. Several springs exist within the Enrolled Property and are used infrequently for irrigation. Other contiguous lands that are not included within the Enrolled Property is acreage is irrigated by Shasta River Water Users and related tail-water collection and distribution systems. Significant riparian acreage included in the Enrolled Property is on the east side of the river is supported by sub-irrigation and managing tailwater from other properties.

**Irrigation Management:**

Huseman Ditch: The Huseman Ditch irrigates approximately 569.8 acres total. The Huseman Ditch is operated by the Huseman Ditch Association. The Huseman Ditch is identified within the Shasta River Decree (Diversion 250, Paragraph 124) and has an identified maximum diversion capacity of 11.9 cfs from April 1 through September 30 annually. Huseman Ditch can divert approximately 4,318 acre feet throughout the irrigation season (4/1-9/30). The identified winter diversion right on the Huseman is 5 cfs.

Permittee irrigates approximately 182 acres with the Huseman Ditch and is identified as having 33.5% of volume of the Huseman water right. In 2011, Huseman Ditch added a point of diversion as part of a large water conservation and protection project. The Huseman point of diversion was moved from the Grenada Irrigation District point of diversion to a selected location on property owned by Rice Livestock Company, located approximately 31,300' feet downstream from the previously identified POD. A northern lateral pipe delivers water to the Huseman Ditch. The project eliminated the conveyance of water through 7,000' of inefficient open ditch, which is currently abandoned. The project has increased efficiency and delivery volumes overall.

As a result of the project implemented in 2011, 11.9 cfs remains instream for 31,300' before being diverted at the second point of diversion. Huseman Ditch Association now pumps Huseman Ditch water from Shasta River rather than gravity diversion via the previous diversion point. Instead of the practice of continuous diversion prior to the project implementation in 2011, Permittee currently uses approximately 110 acre feet per 15 day irrigation rotation. They have 13 irrigation rotations typically occur per year, equating to approximately 1,447 acre feet per year for the Permittee from the Huseman Ditch. Assuming current use of 1,447 acre-feet annually on an estimated 182 acres, approximately 7.95 acre-feet of water is applied per acre annually.
Irrigation Maintenance

Ditch cleaning

The open irrigation ditches on NB Ranches, Inc. are prone to vegetation growth, which slows the conveyance of water and clogs the buried mainlines, leading to ditch loss and reduced diversion volumes. The ditches need to be cleaned yearly to remove vegetation and repair breaches. Cleaning ditches consists of mechanical cleaning with a backhoe once or twice per year, typically during non-irrigation season. Some work may occur during the late summer months (August and September) if aquatic vegetation growth is significant.

Diversion cleaning

The Huseman diversion intake is maintained by an 8' diameter self-cleaning fish screen (Cone Screen). Operation and maintenance can entail the use of heavy equipment at the point of diversion to remove spoils and deposited sediment to maintain channel design elevations.

Field Check and tail-water prevention berm maintenance:

Ditches, field checks and tail water prevention berms are impacted through livestock trampling and require rebuilding and re-grading using tractors and heavy equipment to maintain their function. This work occurs as needed but work is conducted annually focusing on problem areas.

Fish Screen Cleaning

The Huseman fish screen is an 8' diameter self-cleaning cone screen. The Huseman screen has not experienced any significant sedimentation issues since installation; however, this may be required in the future. The brushes generally need to be replaced on a cone screen every five years. Maintenance and operation responsibilities are accepted by NB Ranches, Inc. and the other Huseman users.

Pasture Grazing Management

NB Ranches, Inc. has 7 distinct pastures where cattle graze. Cattle are rotated through the pastures as part of pasture management. The cattle are moved when grass height is reduced to 3-5 inches in height throughout the irrigation season.

Vehicle Crossings Maintenance

NB Ranches, Inc. has a bridge crossing of the Shasta River connecting fields on the West side of the River with fields on the East. The approaches and footings require repair and replacement after flood events, including instream work at times.
Riparian Fencing Maintenance & Management

The riparian corridor is fully fenced except for approximately 1,600' of the west river bank located near the northern boundary on the western side of the river. An additional 1,200' located immediately south of that would benefit from repair or replacement. NB Ranches, Inc. intends to exercise continued limited riparian grazing. The Enrolled Property maintains the riparian fencing and will continue to maintain riparian fencing but does not accept the financial responsibility of repairing loss from major floods where 25% of the fence or greater needs replacement.

Road Maintenance

The main ranch roads to the residences and barn yard complexes are covered in aggregate base/rock as are other established on farm roads. The aggregate base is maintained on an annual basis, or as needed, to minimize erosion.

Herbicide/Fertilizer/Pesticide Use

Permittee applies Roundup and Crossbow herbicides along ditch borders, fence lines and spot treatment of noxious weeds outside of the riparian corridor. Treatment is conducted by hand or from an ATV unit. Herbicides are used only. Treatments are spot applied via an ATV or by hand. Treatment occurs from early April through July. Total treated acreage does not exceed 3 acres annually. Total treatment within the riparian area is less than one acre annually. Treatment does not occur within 20' of surface water ditches are treated when dry. Application standards identified on labels are followed. Treatment only occurs during dry, calm days where drift risk is minimal.

C.2 Avoidance and Minimization Measures

The Permittee has agreed to carry out and monitor AMMs that are relevant to their Routine Agricultural Activities as specified in Table G1(Section G below) and as detailed in Appendix 3 of the Agreement.

D. Description of Baseline Conditions

Baseline Conditions means the habitat conditions for the Covered Species on the Enrolled Property when NMFS approves this Site Plan Agreement. The Enrolled Property is within the Mid-Shasta Reach of the Covered Area.

Elevated Baseline Conditions are certain Baseline Conditions improved as a result of certain Beneficial Management Activities. Elevated Baseline for this Site Plan Agreement is the improved flow conditions that will result from the following action: Moderate tailwater through the Hay Field by implementing a lateral pipeline with risers along the east side of the fence as described in Section E.2.

Table 2 summarizes the Beneficial Management Activities required to maintain Baseline Conditions and to achieve Elevated Baseline Conditions on the Enrolled Property for the term of the Site Plan Agreement. The Beneficial Management Activities implement
habitat enhancement actions recommended in the Agreement (Appendix 2) for the Mid-Shasta reach. Section E below describes the activities in more detail. All Beneficial Management Activities stipulated below will be implemented per relevant AMM’s included in Appendix 3 of the Agreement.

Table 3- Summary of Beneficial Management Activities

<table>
<thead>
<tr>
<th>Habitat Parameter</th>
<th>Beneficial Management Activities</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Present Baseline Conditions</td>
</tr>
<tr>
<td></td>
<td>(Section E1-Maintain)</td>
</tr>
<tr>
<td></td>
<td>Elevated Baseline Conditions</td>
</tr>
<tr>
<td></td>
<td>(Section E2-Restore; Implement and Maintain)</td>
</tr>
<tr>
<td></td>
<td>Other Beneficial Management</td>
</tr>
<tr>
<td></td>
<td>Activities (Section E3-Restore; Measures to Avoid and Minimize Impacts)</td>
</tr>
<tr>
<td>Hydrology/ Water Quality</td>
<td>-Maintain the existing Huseman second point of diversion that conserves an estimate 240 af compared to previous point of diversion as described in E.1.a.</td>
</tr>
<tr>
<td></td>
<td>-Continue to manage tailwater production using existing collection and reuse system as described in E.1.a.</td>
</tr>
<tr>
<td></td>
<td>-Eliminate/Reduce Huseman tailwater through Hayfield by adding piped lateral on Eastside of field E.2.a.</td>
</tr>
<tr>
<td></td>
<td>-Participate in design and implement Nicoletti component of Huseman Ditch piping to reduce diversion volume. E.3.a</td>
</tr>
<tr>
<td></td>
<td>-Participate in design and implementation of contributing spring source water for cold water refugia as part of a Huseman Piping exchange. E.3.a</td>
</tr>
<tr>
<td></td>
<td>-Install soil moisture sensors throughout the Enrolled Property to improve water efficiency as a component of Huseman piping project described in Section E.3.a.</td>
</tr>
<tr>
<td></td>
<td>-Participate in a reach-wide flow strategy as outlined in the Mid-Shasta Flow Strategy E.3.a</td>
</tr>
<tr>
<td></td>
<td>-Manage fields to reduce tailwater returns from outside sources to reduce diversion as described in Section E.3.a.</td>
</tr>
<tr>
<td>Passage/ Migration/ Protection</td>
<td>-Maintain unimpeded fish passage conditions at the Huseman Diversion as described in Section E.1.b.</td>
</tr>
<tr>
<td></td>
<td>-Maintain Huseman Ditch Fish Screen as described in Section E.1.b</td>
</tr>
<tr>
<td>Habitat Parameter</td>
<td>Beneficial Management Activities</td>
</tr>
<tr>
<td>-----------------------------------</td>
<td>--------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td></td>
<td><strong>Present Baseline Conditions</strong> (Section E1-Maintain) <strong>Elevated Baseline Conditions</strong> (Section E2-Restore; Implement and Maintain) <strong>Other Beneficial Management Activities</strong> (Section E3-Restore; Measures to Avoid and Minimize Impacts)</td>
</tr>
</tbody>
</table>
| Instream Habitat Complexity       | - Participate in seeking funding and implementation of habitat enhancement projects (LWD for bank stabilization) as shown on the attached Habitat Improvement Map (Appendix C) and as described in Section E.3.c.  
- Participate in seeking funding and implementation of habitat enhancement project to re-connect oxbow on southeast side of Enrolled Property as specified on Habitat Improvement Map and as described in Section E.3.c.  
- Implement beaver Best Management Practices as described in E.3.c. |
| Riparian Condition/ Function      | - Continue to perform yearly maintenance on existing riparian fencing as described in E.1.d.  
- Maintain existing watering lanes for stock water as described in Section E.1.d.  
- Participate in seeking funding and implementation of riparian planting projects as described in Section E.3.d.  
- Participate in the development of and implementation of a UC Extension guided riparian grazing plan E.3.d  
- Provide additional watering lanes or install alternative stock watering systems depending on NRCS led evaluation which will be shared with CDFW and NOAA to reach a mutual conclusion for livestock watering. E.3.d. |
| Pasture Management               | - Continue to utilize pasture rotation to avoid over grazing as described in E.1.f.  
- Continue to utilize pasture rotation to avoid over grazing. |
### E. Description of Beneficial Management Activities

This section provides a detailed description of Beneficial Management Activities to be implemented on the Enrolled Property for the benefit of the Covered Species.

**E.1 Actions Required to Maintain Baseline Conditions**

This section and Figure 3 details the actions the Permittee will implement on the Enrolled Property to maintain Baseline Conditions. This includes any Covered Activities that are being implemented, or have been implemented on the Enrolled Property that benefit the Covered Species and will be maintained over the duration of the Agreement and this Site Plan Agreement.

**E.1.a. Hydrology/Water Quality**

*Increased delivery and irrigation efficiencies:*

Maintain the second Huseman point of diversion which was added 5.9 river miles downstream in 2012 of the original diversion point. The diversion was modified from a flashboard dam and gravity diversion to an on river pump diversion where sufficient flow and fish passage is provided at all times (minimum estimated bypass at Huseman diversion is 30-40 cfs). The change in point of diversion conserved an estimated 240 acre feet compared to previous operation for NB Ranches.

Continue to reduce and manage tailwater re-entering the Shasta River using existing collection and reuse systems that captures Shasta Water Users Tailwater.
E.1.b. Passage/Migration/ Diversion Screening

Huseman has a compliant on-channel self-cleaning cone screen and no diversion structure that impedes fish passage. The diversion has a Streambed Alteration Agreement for operation of the screen and diversion intake. Permittee agrees to maintain the diversion facility and fish screen with the Huseman Ditch Association users.

E.1.d Riparian Condition/Function

Riparian Grazing

Riparian area grazing will occur during limited time periods during the spring and summer within the riparian area. Stubble height of 4-6” and impacts to woody vegetation will be identified as triggers when removing livestock from riparian area. Livestock will not have access to the riparian area after September 15th – April 15th to protect redds and habitat.

Riparian Fencing

Riparian exclusion fencing has been installed throughout the Ranch except for the northern most section where approximately 1,600’ is needed on the west side of the River. An additional 1,200’ immediately south needs to be improved or replaced as well (also on west bank).

The Permittee will repair or replace up to 25% of the existing riparian fencing if it is damaged or lost due to floods or other events. The Permittee does not accept the financial responsibility of repairing loss or damage of more than 25% of the existing riparian fencing but will work with agencies to secure funding to replace fencing.

Crossings:

Maintain the existing bridge used for livestock and vehicles over the Shasta River west locate near the center of the Enrolled Property.

Maintain existing wet livestock crossing located at north end of Enrolled Property.

Maintain two existing water lanes used for livestock watering. The watering lanes allow livestock access to water at the river. The site is limited by fencing panels (approx. 25’ wide). Erosion is protected by installing/maintaining crushed rock at the sites.

E.1.e Substrate Quality

All measures designed to minimize sediment are related to maintaining substrate quality and summarized in this section. The Participant will also implement measures specifically to substrate quality as summarized in section E.3.e.
E.1.f Pasture Management

Pasture Grazing Management

Rotation pasture management is utilized on pasture fields. Majority of the cattle are moved off-site during winter to allow for pasture recovery and limit impacts of annual grazing.

Figure 3. NB Ranches- Site Plan Agreement, Baseline Conditions
E.2  **Actions Required to Achieve Elevated Baseline Conditions**

This section and Figure 4 details the actions the Permittee will implement on the Enrolled Property to achieve and maintain Elevated Baseline Conditions. This includes any Covered Activities that will be implemented and maintained on the Enrolled Property to improve habitat conditions for the Covered Species for the duration of the Agreement and this Site Plan Agreement.

E.2.a **Hydrology/Water Quality**

Moderate amounts of tailwater occur on the Enrolled Property due to a swale through the Hay Field. The Permittee proposes to install a lateral pipeline with risers along the east side of the fence to control volume and coverage. The estimated 3,200' pipeline would reduce/eliminate up to 0.7 cfs of intermittent tailwater entering the Shasta River. The estimated schedule for this work is as follows: project design completed by 2020, apply for implementation grant funding 2021, implement piping project by 2023.
Figure 4. NB Ranches Site Plan Agreement - Proposed Conditions

- Manage fields to reduce tailwater returns from SRWA to reduce diversion
- Implement riparian planting projects and add watering lanes or install alternative stock watering systems
- Implement Nicoletti component of Huseman Ditch piping to reduce diversion volume
E.3 Other Beneficial Land and Water Management Activities

This section summarizes any other Beneficial Management Activities that will be implemented and maintained during the term of the Agreement to improve habitat conditions for the Covered Species.

E.3.a. Hydrology/Water Quality

Soil Moisture Monitoring

The Permittee will install, utilize and maintain soil moisture sensors throughout the Enrolled Property under advisement with UC-Extension in order to inform irrigation water application and to assist the Permittee with making informed decisions around the crop water needs of the pastures. The purpose will be monitoring water application versus need for water in the soil profile. After consultation between the Permittee and UC Extension, soil moisture sensors will be installed in different pastures, with sensors at different soil depths to monitor when irrigation is needed for particular pastures. The practice of monitoring soil moisture will assist Permittee in knowing appropriate irrigation schedule and rotation to ensure adequate irrigation occurs while minimizing the possibility of overwatering or watering when ET rates are low. By fine tuning irrigation practices on the Enrolled Property, the potential for additional instream contributions from spring sources can be maximized. These additional instream contributions will be quantified after reviewing the soil moisture and irrigation data and included in the annual report.

Increase delivery and irrigation efficiency:

Huseman Ditch: The Permittee Commits to reevaluate existing conceptual design for a pipeline for Huseman Ditch, if conservation benefit is determined beneficial by CDFW and NOAA using cost benefit analysis and water budget: Permittee will seek funds to implement a pipeline from the northern Rice Livestock property line to the end of the Huseman Ditch. NRCS has an engineered design for a piping project from the original diversion point for full diversion volume. Permittee and NRCS are investigating revising the design for existing POD including a reduced pipe size based on conserved water. In exchange for piping the from current POD to end of existing ditch, Huseman Ditch, including NB Ranches, will permanently reduce the maximum diversion volume from 11.9 cfs to 10.0 cfs for irrigation purposed. Reduced diversion will be verified through data recorded by a flow meter located in the discharge pipe of the diversion pumps. The flow meter and recorded data frequency will meet SWRCB Water Measuring and Reporting Standards.

Huseman Ditch use by NB Ranches, Inc.:

Current NB Ranches use: 1,477 afy
NB Ranches maximum use after piping project 1,209 afy
Volume conserved for instream benefit 268 afy
**Spring Sources Contribution:** In addition, NB Ranches will permanently cease diversion of two cold water springs (Rivers Edge Spring and Driveway Spring) and provide the spring water for instream benefit as a commitment for the pipeline. The combined spring water volume is estimated to be 0.3 cfs resulting in an additional 109 AF provided for instream benefit as a condition of providing a pipeline for houseman ditch.

**NB Ranches Cumulative Summary of water conserved for instream benefit:** NB Ranches conserved volume of water from Huseman Ditch resulting from the project would be 268 acre feet year through conserved water. NB Ranches would release an additional 109 afy provided by the 0.3 cfs contribution of spring water calculated through irrigation season. The cumulative volume of water conserved by this Site Plan Agreement with NB Ranches is a minimum of 377 afy of instream benefit from 4/1-9/30 of each year.

Permittee will work with SWCG to add instream beneficial use as secondary benefit for water conserved by the proposed projects for Huseman Ditch through a Section 1707 or equivalent process. The project has been designed by NRCS but would require some revision to truncate the piping reach, determine pipe diameter and conduct necessary permitting. Rice Livestock Company, Inc. and Permittee are initiating re-design with NRCS currently. Rice Livestock and NB Ranches commit to seeking funds for design, permitting, installation of the pipeline and preparation of the 1707 petitions. Rice Livestock and NB Ranches intend to have the pipeline installed by the close of the 5th year of the Agreement and will meet with permitting agencies if funding is not obtained by that point.

**Comprehensive Flow Strategy**

NB Ranches, through Huseman Ditch, will cooperate in the Mid- Shasta Flow Strategy. The Permittee commitments are defined below:

**Huseman Ditch:** Additional measure as a result of the piping project include:

- The Permittee will not irrigate from 4/1 to 4/5 (5 days) to aid in reducing rapid flow reduction that occurs on onset of irrigation season (100 AF cumulative contribution).

- Beginning on 4/6, the Permittee will irrigate on a 15+- day rotation using approximately 1,300 afy.

- The Permittee is agreeable to reduce diversion by up to 50% for up to 5 days to provide late spring flow pulse to aid fish emigrating in the Shasta River, provided that a 7 day advanced notice is given (50 acre feet cumulative contribution).
• The Permittee will not irrigate from 9/25 to 9/30 (5 days) to aid in Adult Chinook and Adult Coho early migration that is impacted by late season diversion (100 AF cumulative contributions).

Cumulative Huseman diversion reduction would be 250 acre feet provided during irrigation season. NB Ranch’s proportional share of this diversion reduction is 84 acre feet per year.

• If using livestock water between October 1 and April 1, the Permittee and Rice Livestock Company, Inc. will reduce maximum diversion from 5.0 cfs to 4.0 cfs or less and limit days of operation to a maximum of 20 days or partial days per year. Maximum cumulative diversion for stock water during winter period will be 200 acre feet per year.

E.3.b. Passage/Migration/Diversion Screening

• Huseman Ditch: Maintain Huseman Ditch Self-Cleaning Fish Screen (Cone Screen) located at the current POD. A diversion structure is not needed at this site.

E.3.c. Instream complexity

Habitat Complexity:

• The Permittee will participate in planning and development of instream structures including woody debris structures, off-channel habitat and developing access to an existing oxbow as shown on Figure 5- Habitat Improvement Map located in the Appendices. The Permittee is willing to develop back-water rearing, if feasible, in this stretch of the Shasta River as long as liabilities and impacts to ranching are not elevated. The Permittee will provide rock and trees to participate. The Permittee will participate in seeking design funds within the first three years of the Agreement and implementation funds within the first five years.

• Spring habitat development: In exchange for piping Huseman Ditch through Nicoletti property to current terminal pond, Permittee will allow cold water spring sources to be delivered to develop cold water over-summering habitat as well as overwintering habitat, including alcove development. Permittee will commit spring water through a 1707 petition or equivalent once the Huseman Ditch piping is implemented, estimated at 2023. Design and SWRCB approval, if necessary will occur within the first three years of the Agreement.

Beaver Management:

• Beaver dams have existed in the past and future occurrences will not be discouraged as described in the AMM section of the Agreement.
E.3.d. Riparian Condition/Function

Riparian Planting:

- The Permittee will allow and participate in riparian investigations and riparian planting programs but will not be held accountable for survival percentages or vigor. The Permittee will abide by interim grazing standards during riparian planting establishment as per the Grazing Management Plan developed for the Enrolled Property. The Permittee will seek funds and assist with implementation within the first five years of the Agreement.

- Permittee will work with UC Extension to develop and implement a Riparian Grazing Management Plan for riparian pastures. NB Ranches agrees to abide by the grazing plan upon development and mutual agreement. The estimated timeframe for Riparian Grazing Management Plan development is within one year of signing the Agreement.

- The Permittee will seek funds and participate in design for installation of additional watering lanes or install alternative stock watering systems to limit riparian access for livestock watering purposes. Permittee will work with NRCS to conduct an analysis to compare watering access sites compared to alternative stock watering sites located outside of the riparian area. NB Ranches will provide analysis to CDFW and NOAA within one year after signing of agreement and mutually conclude direction and timing of livestock watering approach.

E.3.e. Substrate Quality

- The Permittee will not disturb existing spawning habitat and will provide access for enhancement projects if determined feasible by the Parties.

E.3.f. Pasture Management

Pasture Grazing Management

- Rotation pasture management is utilized and will continue. A majority of the cattle are moved off-site during winter.

E.3.g. Assessment Studies

- The Permittee will review studies and survey proposals and will agree to provide access or otherwise participate on a case by case basis once proposals are reviewed.

- The Permittee is agreeable to providing access for water temperature and DO monitoring.

- The Permittee is agreeable to having PIT tag antennas on site.
• The Permittee will allow juvenile presence/absence surveys and juvenile tagging on the Enrolled Property if given 7 days’ notice prior to survey efforts.

E.3.h. Supplementation:

The Enrolled Property commits to salmonid supplementation when proper protections against incidental take are in place through the Agreement and associated ESP.

F. Effective Date and Duration of the Site Plan Agreement and Agreement

The Agreement, Site Plan Agreement, and ESP take effect when signed by the Permittee, NMFS, and CDFW. The Agreement, Site Plan Agreement, and ESP have a term of 20 years, which may be extended by mutual written consent of the Permittee, NMFS, and CDFW. One (1) year prior to end of term of the Agreement, Site Plan Agreement, and ESP, the Permittee, NMFS, and CDFW will meet to decide whether to extend the term of the Agreement, Site Plan Agreement, and ESP.

G. Monitoring and Reporting

AMMs are intended to minimize or reduce potential adverse impacts that may occur during implementation of BMAs or Routine Agricultural Activities. The Permittee commits to implement the AMMs and associated monitoring protocols listed in Table G1 below and as described in Appendix 3 of the Agreement.

Implementation monitoring includes those monitoring tasks associated with construction and implementation of BMAs (e.g. construction of habitat restoration projects) and associated AMMs. Implementation monitoring of BMAs serves to verify that habitat restoration projects are constructed as designed and/or managed as intended. The Permittee commits to monitoring actions as summarized in Table G2. Permittee also commits to all relevant AMMs included in Appendix 3 of the Agreement related to the implementation of the BMAs identified in Section E above.

AMM and implementation monitoring will be conducted by the Permittee, the SWCG, or a contractor and included in the annual report.
### G.1 Avoidance and Minimization Measures Monitoring

The Permittee agrees to the following AMMs and monitoring actions:

<table>
<thead>
<tr>
<th>Routine Agricultural Activity</th>
<th>NB Ranch – AMM (See Appendix 3 of Agreement for full description)</th>
<th>AMM Monitoring Technique</th>
</tr>
</thead>
<tbody>
<tr>
<td>Irrigation Management</td>
<td>A1, A2</td>
<td>All maintenance of instream diversion structures shall be monitored as follows:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Log of what in-water work had occurred and what minimization measures were implemented will be included in the annual report</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- When construction or repair work is being done, three to five photo points using USDA Forest Service Photo Point Monitoring Handbook, 2002 <a href="http://www.fs.fed.us/pnw/pubs/gtr526/">http://www.fs.fed.us/pnw/pubs/gtr526/</a> or an annual agency inspection can be requested.</td>
</tr>
<tr>
<td>Irrigation Maintenance</td>
<td>B1, B2, B3, B4, B5, B6, B7, B8</td>
<td>All maintenance of instream irrigation facilities shall be monitored. Following are some examples of protocols:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Log of maintenance activities carried out within the calendar year be included in the annual report.</td>
</tr>
<tr>
<td>Riparian Grazing Management</td>
<td>C1, C2, C3</td>
<td>Riparian grazing management shall be monitored as follows:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Three to five permanent photo point stations will be established and marked at locations within each riparian pasture designed to show both vegetation changes before and after seasonal grazing activities, and long-term trends. Photo points shall be established using USDA Forest Service Photo Point Monitoring Handbook, 2002 <a href="http://www.fs.fed.us/pnw/pubs/gtr526/">http://www.fs.fed.us/pnw/pubs/gtr526/</a>. Digital photographs will be taken at each photo point station once per year for trend monitoring, and before and after riparian pasture grazing takes place for annual implementation reporting.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Maintain a log of grazing activities carried out within the calendar year and include in the annual report. At a minimum, the log will include the following information: beginning and end dates of riparian pasture grazing; number of animals, monitoring practices during the riparian grazing period, and management actions taken as a result of monitoring results including management cues used to determine the time to move livestock out of the riparian pasture.</td>
</tr>
<tr>
<td>Routine Agricultural Activity</td>
<td>NB Ranch – AMM (See Appendix 3 of Agreement for full description)</td>
<td>AMM Monitoring Technique</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>---------------------------------------------------------------</td>
<td>-------------------------</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- NMFS and CDFW may initiate periodic inspection of grazed riparian pastures to ensure riparian grazing management plan is effective.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>-- NMFS, CDFW, or a qualified party, approved by CDFW or NMFS, may conduct redd surveys to determine the need for livestock restrictions in streams. In the event surveys indicate redds are not present, then livestock access will follow the procedures described in riparian grazing management plan.</td>
</tr>
<tr>
<td>Fence Maintenance</td>
<td>D1 D2</td>
<td>- A short description of fence maintenance activities will be included in the annual report template.</td>
</tr>
<tr>
<td>Road Maintenance</td>
<td>E2 E3</td>
<td>- A short description of annual road maintenance activities will be included in the annual report.</td>
</tr>
<tr>
<td>Herbicide/Fertilizer/Pesticide Use</td>
<td>G1 G2 G3 G4 G5</td>
<td>- Participant commits to log use of herbicide, fertilizer and pesticide activities carried out within the calendar year be included in the annual report.</td>
</tr>
<tr>
<td>Flood Repair</td>
<td>H1 H2</td>
<td>- Participant shall take photographs of the emergency site repairs and a detailed description of the repairs to be included in the annual report.</td>
</tr>
</tbody>
</table>
### G.2 Implementation and Effectiveness Monitoring Commitments

The Permittee agrees to the following monitoring actions:

<table>
<thead>
<tr>
<th>Habitat Parameter</th>
<th>NB Ranch-Beneficial Management Activities</th>
<th>Implementation Monitoring Technique</th>
<th>Effectiveness Monitoring Commitment ? Technique?</th>
</tr>
</thead>
</table>
| Hydrology/ Water Quality | - Maintain the existing Huseman second point of diversion that conserves an estimate 240 af compared to previous point of diversion as described in E.1.a.  
- Continue to manage tailwater production using existing collection and reuse system as described in E.1.a.  
- Eliminate/Reduce Huseman tailwater through Hayfield by adding piped lateral on Eastside of field E.2.a.  
- Participate in design and implement Nicoletti component of Huseman Ditch piping to reduce diversion volume. E.3.a.  
Participate in design, implementation, and protection of contributing spring source water for cold water refugia as part of a Huseman Piping exchange. E.3.a.  
Install, maintain and utilize soil moisture sensors throughout the Enrolled Property to improve water efficiency as a component of Huseman piping project described in Section E.3.a.  
Participate in a reach-wide flow strategy as outlined in E.3.a.  
- Manage fields to reduce tailwater returns from outside sources to reduce diversion as described in Section E.3.a.  
- Three to five photo points using USDA Forest Service Photo Point Monitoring Handbook, 2002 documenting functioning diversion, pipeline improvements and spring source enhancements.  
- Soil Moisture sensor data  
- Diversion monitoring station will be maintained and operated as designed. Provide yearly data. |
<table>
<thead>
<tr>
<th>Habitat Parameter</th>
<th>NB Ranch-Beneficial Management Activities</th>
<th>Implementation Monitoring Technique</th>
<th>Effectiveness Monitoring Commitment? Technique?</th>
</tr>
</thead>
</table>
| Passage/ Migration/ Screening | -Maintain unimpeded fish passage conditions at the Huseman Diversion as described in Section E.1.b.  
- Maintain Huseman Ditch Fish Screen as described in Section E.1.b | - Three to five photo points using USDA Forest Service Photo Point Monitoring Handbook, 2002 documenting fish passage and fish screen.  
-Water measuring protocol that is in concurrence with SB88 of diversion, submit diversion data. |  |
| Instream Habitat Complexity | -Will participate in implementation of habitat enhancement projects (LWD for bank stabilization) as shown on the attached Habitat Improvement Map and as described in Section E.3.c.  
- Will participate in the implementation of habitat enhancement projects (re-connect oxbows) as specified on Habitat Improvement Map and as described in Section E.3.c.  
-Implement beaver Best Management Practices BMPs as described in E.3.c. | - Three to five photo points using USDA Forest Service Photo Point Monitoring Handbook, 2002  
Habitat improvements |  |
| Riparian Condition | -Continue to perform yearly maintenance on existing riparian fencing as described in E.1.d.  
-Participant will maintain existing watering lanes for stock water as described in Section E.1.d.  
-Will participate in riparian planting projects as described in Section E.3.d.  
-Participant will work with UC Extension to develop and implement riparian grazing plan E.3.d  
-Participant will provide additional watering lanes or install alternative stock watering systems to limit riparian access for watering purposes E.3.d. | - Three to five photo points using USDA Forest Service Photo Point Monitoring Handbook, 2002  
To document riparian grazing area, and crossing and stock water systems in proper function. | -Survival rates of riparian planting will be reported by Shasta Valley RCD or other implementing organization for a minimum period of 3 years after planting occurs or term will be stipulated by the grants utilized for implementation. |
<table>
<thead>
<tr>
<th>Habitat Parameter</th>
<th>NB Ranch-Beneficial Management Activities</th>
<th>Implementation Monitoring Technique</th>
<th>Effectiveness Monitoring Commitment Technique?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Substrate Quality</td>
<td>- Participant commits to maintain all riparian fencing as described in Section E.1.e.</td>
<td>- Three to five photo points using USDA Forest Service Photo Point Monitoring Handbook, 2002 To document fence maintenance.</td>
<td></td>
</tr>
<tr>
<td>Pasture Management</td>
<td>- Participant will continue to utilize pasture rotation to avoid over grazing as described in E.1.f.</td>
<td>- Three to five photo points using USDA Forest Service Photo Point Monitoring Handbook, 2002 To document pasture condition.</td>
<td></td>
</tr>
<tr>
<td>Assessment/Studies</td>
<td>- Continue to allow access for studies as described in Section E.1.g. - Allow access for studies as described in Section E.3.g.</td>
<td>- Reports of studies will be written/summarized/ obtained and provided in the annual report</td>
<td>- Access to maintain existing pit tag array and trap and tag fish as deemed feasible by agency staff - Juvenile surveys for presence absence and for capturing and PIT tagging fish with 7 day notification of Permittee.</td>
</tr>
<tr>
<td>Supplementation</td>
<td>- The Participant will allow access for salmonid supplementation as described in Section E.3.h.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### H. Annual Report and Adaptive Management

The Permittee will complete the Annual Report, yearly and report as stipulated in the Agreement.
I. Regulatory Assurances

Upon execution of the Agreement and this Site Plan Agreement and the satisfaction of all other applicable legal requirements, NMFS will issue a permit under Section 10(a)(1)(A) of the ESA to assure the Permittee may incidentally take Covered Species, in accordance with the Site Plan Agreement and Agreement, as a result of implementing the Covered Activities described in this Site Plan Agreement, and except where such activities would result in the diminishment or non-achievement of the Baseline and/or Elevated Baseline Conditions established for the Enrolled Property. This assurance depends on the Permittee maintaining the Baseline Conditions and/or achieving the Elevated Baseline Conditions set forth in the Site Plan Agreement, complying fully with the Agreement and the Site Plan Agreement, and so long as the continuation of Covered Activities would not be likely to result in jeopardy to Covered Species or the adverse modification or destruction of their designated critical habitat. NMFS provides no assurances with regard to any action that may affect species not covered under the Agreement, including the take of non-covered species and the adverse modification or destruction of their designated critical habitat.

J. Signatures of NMFS, CDFW, and the Permittee

[Signature]
NB Ranches

[Signature]
Barry A. Thom
Regional Administrator
NOAA’s National Marine Fisheries Service
West Coast Region

February 24, 2021
Date

SEPARATE SIGNATURE BLOCK FOR CDFW:

By signing the Agreement and this Site Plan Agreement CDFW expresses its expectation that the Agreement along with a Permittee’s Site Plan Agreement signed by NMFS, and the NMFS ESP, could meet the requirements of section 2089.22 of the California Fish and Game Code with respect to the Enrolled Property described in the Site Plan Agreement. However, CDFW will not make such determination until reviewing that Site Plan Agreement signed by NMFS and the NMFS ESP.

[Signature]
California Department of Fish and Wildlife

Date
Appendix A

Landowner Deed
GRANT DEED

Documentary Transfer Tax is $ .00
XX computed on full value of interest or property conveyed, or
☐ full value less value of liens or encumbrances remaining at the
time of sale

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,
Evelyn M. Bontrager, Trustee of the Evelyn M. Bontrager Revocable Trust dated February 4, 2003
hereby GRANT(s) to
The 2006 Nicoletti Family Limited Partnership, a California Limited Partnership
the following real property in County of Siskiyou, State of California:

See Exhibit “ONE” Attached hereto and made a part hereof.

Dated: March 3, 2008

Evelyn M. Bontrager Revocable Trust Dated February 4, 2003

Evelyn M. Bontrager, Trustee

STATE OF CALIFORNIA
COUNTY OF Siskiyou

On March 21, 2008, before me,

a Notary Public, personally appeared,

Evelyn M. Bontrager

who proved to me on the basis of satisfactory evidence to be the person(s)
whose name(s) are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their
authorized capacity(ies), and that by his/her/their signature(s) on the
instrument the person(s) or the entity upon behalf of which the person(s)
acted, executed the instrument.

I certify under PEnALTY OF PERJURY under the laws of the State of
California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

MY COMMISSION EXPIRES ON:

APN: 038-166-040

FOR NOTARY SEAL OR STAMP

MAIL TAX STATEMENTS AS DIRECTED ABOVE
EXHIBIT “ONE”

All that real property situated in the State of California, County of Siskiyou, described as follows:

Parcel A:

That certain parcel shown on the Parcel Map for Tom Desoza, located in the North 1/4 of Section 14, Township 44 North, Range 6 West, Mount Diablo Meridian, filed August 30, 1976 in Parcel Map Book 4, page 94.

Parcel B:

Together with an easement for the purpose of maintaining an existing ditch for the conveyance of water, 20 feet in width, as created in Grant Deed recorded November 2, 1973 in Book 698, Page 106, Official Records and shown on Parcel Map Book 4, page 94.

APN: 038-160-040

Grantee
GRANT DEED

The Undersigned Grantor(s) Declare(s): DOCUMENTARY TRANSFER TAX $1,045.00; CITY TRANSFER TAX $0.00;
SURVEY MONUMENT FEE $0.00.

[ ] x computed on the consideration or full value of property conveyed,
OR
[ ] computed on the consideration or full value less value of item and/or encumbrances remaining at time of sale,
[ ] x unincorporated area; [ ] City of, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, First American Trust, FSB as Successor Trustee of the Survivor's Trust Created under the A.C. Marion Family Trust dated June 25, 1979 and First American Trust, FSB, Successor Trustee of the Exemption Trust Created under the A.C. Marion Family Trust dated June 25, 1979

hereby GRANTS to 2006 Nicoletti Family LP, a California limited partnership

the following described property in the Unincorporated Area of County of Siskiyou, State of California:

All that portion of Section 14, Township 44 North, Range 6 West,
M.D.B. & M., described as:
BEGINNING at the Section Corner common to Sections 11, 12, 13 and
14, Township 44 North, Range 6 West, M.D.B. & M.; thence West 1320
feet to the TRUE POINT OF BEGINNING; thence South 1320.0 feet;
thence East 1320.0 feet to the Southeast corner of the Northeast
quarter of the Northeast quarter of said Section 14; thence South
2640.0 feet to the Southeast corner of the Northeast quarter of the
Southwest corner of Section 14; thence West 1320.0 feet to the
Northwest corner of the Northeast quarter of the Southeast quarter
of Section 14; thence North 30° 40' West, 1130.0 feet; thence North
8° 21' West, 306.3 feet; thence South 63° 27' West, 746.6 feet to the West Bank Grenada Ranch Ditch; thence North 54° 39' West, 126.2 feet; thence North
19° 15' West, 197.9 feet; thence North 50° 19' West, 68.3 feet;
thence North 77° 20' West, 13.8 feet to a common corner of the
division of the DeSoza Brothers; thence along dividing fence North
75° 13' East, 664.8 feet; thence North 48° 17' East, 326.0 feet;
thence North 54° 32' East, 537.0 feet; thence North 31° 36' West,
182.5 feet; thence North 37° 26' East, 392.0 feet; thence North 38°
17' East, 210.5 feet; thence North 6° 56' East, 296.6 feet; thence
North 24° 15' East, 310.6 feet; thence North 11° 15' West, 296.3
feet; thence Northeasterly to a point on the North line of said
Section 14 and being 300 feet West to the Northeast corner of the
Northwest quarter of the Northeast quarter; thence East along the
North line of said Section 14, 300 feet to the TRUE POINT OF
BEGINNING.
EXCEPTING THEREFROM all that portion of Section 14, Township 44 North, Range 6 West, M.D.E. & M., described as: COMMENCING at a point from which Corner No. 13 of the Grenada Ranch Tract, recorded in Book 2, page 158, Siskiyou County Records, bears North 27° 44' West, 498.78 feet; thence South 25° 23' West, 416.6 feet; thence South 34° 38' West, 91.8 feet; thence South 22° 06' East, 101.1 feet; thence South 69° 09' East, 258.2 feet; thence South 41° 38' East, 165.6 feet; thence South 30° 27' East, 122.7 feet; thence South 26° 45' East, 224.3 feet; thence South 77° 20' East, 80.0 feet; thence North 50° 13' East, 664.8 feet; thence North 48° 17' East, 326.9 feet; thence North 54° 32' East, 597.0 feet; thence South 54° 32' East 326.0 feet to the TRUE POINT OF BEGINNING; thence South 47° 06' East, 129.0 feet; thence North 44° 11' East, 172.0 feet; thence North 16° 18' West, 127.1 feet; thence South 48° 59' West, 240.0 feet to the TRUE POINT OF BEGINNING.
GRANT DEED

The Undersigned Grantor(s) Declares: DOCUMENTARY TRANSFER TAX $0.00; CITY TRANSFER TAX $0.00;
SURVEY MONUMENT FEE $0.00;

[ X ] computed on the consideration or full value of property conveyed, OR
[ ] computed on the consideration or full value of less value of lots and/or encumbrances remaining at time of sale,
[ X ] unincorporated area; [ ] City of, and
[ X ] Exempt from transfer tax: Reason This deed is given for the purpose of a Boundary Line Adjustment

Mt. Shasta Title & Escrow Company has recorded this instrument by request as an accommodation only and has not examined it for regularity and sufficiency or as to its effect upon title and any real property that may be described therein.

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,
The 2006 Nicoletti Family Limited Partnership, a California partnership

hereby GRANT(s) to The 2006 Nicoletti Family Limited Partnership, a California partnership

the following described property in the unincorporated area of, County of Siskiyou, State of California:

All that real property in the unincorporated area of the County of Siskiyou, State of California, described as follows:

All that portion of Sections 10, 11 and 14, Township 44 North, Range 6 West, Mount Diablo Meridian, more particularly described as follows:

Beginning at a point from which Corner No. 13 of the Grenada Ranch Tract, as per that certain map recorded in Book 2 of Maps, page 158, Siskiyou County Records, bears North 27° 44' West 498.78 feet; thence North 85° 13' East 413.6 feet; thence North 76° 57' East 259.0 feet; thence South 79° 32' East 167.9 feet; thence North 12° 20' East 300 feet, more or less, to the southeasterly corner of the 7.32 acre parcel of that certain map recorded in Book 4 of Parcel Maps, page 94, Siskiyou County Records; thence along the southerly, westerly and northerly boundaries of said 7.32 acre Parcel the following courses:

North 55° 04' 59" West 278.17 feet;
South 64° 45' 21" West 30.89 feet;
South 36° 03' 41" West 97.94 feet;
North 35° 49' 49" West 199.54 feet;
North 30° 06' 14" East 512.46 feet;
South 78° 08' 09" East 19.08 feet;

Mail Tax Statements To: SAME AS ABOVE

File No.: 4701-3944716 (LJ)
Grant Deed - continued

South 78° 08' 09" East 19.08 feet;
North 50° 39' 39" East, 554 feet,
more or less, to a point on the westerly line of Parcel I of that certain deed recorded in Book 929 Official Records, page 244, Siskiyou County Records, being a course described as North 14° 30' East, 1053.0 feet; thence North 14° 30' East, 43 feet, more or less, along said Westerly line; thence North 72° 09' East, 105.2 feet along said Westerly line; thence North 23° 43' East, 44.0 feet along said westerly line to a point hereinafter referred to as "Point B", in the centerline of the Shasta River as the same existed on July 7, 1942; thence along said centerline of the Shasta River the following courses:

North 68° 39' West, 278.0 feet;
South 74° 14' West, 142.0 feet;
North 6° 02' West, 368.0 feet;
North 29° 58' West, 204.0 feet;
North 10° 32' East, 135.0 feet;
North 54° 20' East, 186.0 feet;
North 44° 30' East, 218.0 feet;
North 31° 07' West, 222.0 feet;
North 1° 30' East, 280.0 feet;
North 27° 10' West, 150.0 feet;
North 71° 28' West, 193.0 feet;
North 21° 32' West, 221.0 feet;
North 36° 02' East, 382.0 feet;
North 44° 50' East, 148.0 feet;
North 24° 58' East, 240.0 feet;
North 18° 10' West, 242.0 feet;
North 58° 00' East, 148.0 feet;
thence North, 117 feet, more or less, from said centerline to the
North line of the Southwest quarter of said Section 11, from which point the center quarter corner
of said Section 11 bears East, 138 feet, more or less; thence West, 2500 feet, more or less, to the
quarter corner common to said Sections 10 and 11; thence South, 1320 feet, more or less, to the
Northeast corner of the Southeast quarter of the Southeast quarter of said Section 10; thence
South 87° 09' West, 796.40 feet, along the North line of said Southeast quarter of the
Southeast quarter to Corner No. 2 of said Grenada Ranch Tract; thence along the Easterly boundary of said
Grenada Ranch Tract the following record courses:

South 51° 57' East, 1012.2 feet, to Corner No. 3;
South 09° 00' West, 594.5 feet (594.0 ft., Deed), to Corner No. 4;
South 27° 17' East, 1000.0 feet, to Corner No. 5;
South 74° 04' East, 373.9 feet, to Corner No. 6;
North 79° 45' East, 272.7 feet, to Corner No. 7;
South 57° 56' East, 114.3 feet, to Corner No. 8;
South 14° 44' East, 124.5 feet, to Corner No. 9;
South 27° 45' West, 111.4 feet (114.4 ft. Deed), to Corner No. 10;
South 65° 10' West, 206.4 feet, to Corner No. 11;
South 14° 12' West, 138.0 feet, to Corner No. 12;
North 73° 23' East, 214.5 feet, to Corner No. 13;
South 00° 17' 30" West, 388.6 feet along said Easterly boundary; thence East, 255.0 feet; thence South 25° 23' West, 54.20 feet to the point of beginning.

EXCEPTING THEREFROM the following described portion of said Section 14:
Beginning at Point B as described above; thence South 23° 43' 00" West 44.00 feet; thence South 72° 09' 00" West 105.20 feet to a corner on the Northerly boundary of the 7.32 acre parcel of that certain map recorded in Book 4 of Parcel Maps at page 94, Siskiyou County Records; thence along the Northerly line of said parcel, North 48° 15' 53" West 19.43 feet (recorded as North 46° 16' 37" West 19.43 feet); thence North 48° 40' 23" East 115.70 feet; thence South 68° 39' East 47.99 feet to the point of beginning.
Grant Deed - continued

Date: 01/23/2013

A.F.N.: 038-160-030 portion; 038-020-200 portion; & 038-036-050 portion

File No.4701-3944716 (LJ)

The 2006 Nicoletti Family Limited Partnership, a California partnership
by its General Partner:
NB Management Co., Inc., a California corporation

Ann B. Nicoletti, President

STATE OF CALIFORNIA
COUNTY OF SISKIYOU

On January 23, 2013, before me, L. Johnson, Notary
Public, personally appeared Ann B. Nicoletti, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PEnalty Of Perjury under the laws of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

My Commission Expires: 11/21/2015

Notary Name: L. Johnson
Notary Registration Number: 1485152
Notary Phone: 342.4333
County of Principal Place of Business: SISKIYOU
CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

STATE OF California
COUNTY OF Contra Costa

On January 22, 2023, before me, [Notary Public, name] personally appeared

[Signature]

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature ______________________________

[Notary Seal]

OPTIONAL SECTION
CAPACITY CLAIMED BY SIGNER

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the documents.

☐ INDIVIDUAL
☐ CORPORATE OFFICER(S)
☐ PARTNER(S)
☐ ATTORNEY-IN-FACT
☐ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR
☐ OTHER

SIGNER IS REPRESENTING:
Name of Person or Entity ______________________________

OPTIONAL SECTION
THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED BELOW

TITLE OR TYPE OF DOCUMENT: ______________________________
NUMBER OF PAGES __________ DATE OF DOCUMENT __________
SIGNER(S) OTHER THAN NAMED ABOVE ______________________________
Appendix B

Water Rights Verification

Huseman Ditch - Shasta River Decree & Statements of Water Use from Novy-Rice-Zenkus Riparian Diversion

124. EDSOK AND FOULKE COMPANY, a corporation, and MANUEL DE SOZA,
are entitled to divert from the natural flow of Shasta River, through the Edson and Foulke Company Grenada Ditch,

(a) during the period between April first and October first of each year,
11.90 CUBIC FEET PER SECOND--PRIORITY APRIL 1, 1885,
or as much thereof as they directly apply to beneficial use for stock watering purposes and for the irrigation of the lands hereinafter described in this paragraph;

(b) during the period between October first of each year and April first of the succeeding year,
5.00 CUBIC FEET PER SECOND--PRIORITY APRIL 1, 1885,
or as much thereof as they directly apply to beneficial use for stock watering purposes;

all of said water to be diverted from said Shasta River at a point (designated on Division of Water Rights Map as Diversion 250) which bears approximately S. 82° 30' W., approximately 1260 feet distant from the north quarter corner of Sec. 6, T. 43 N., R. 5 W., M.D.E. & M., being within the NE$\frac{1}{4}$ NW$\frac{1}{4}$ of said Sec. 6, and all of said water to be used upon the following described lands:
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<tr>
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<th>Section</th>
<th>Township</th>
<th>Range</th>
<th>Meridian</th>
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569.8 acres — Total.
NOVY-ZENKUS-RICE RIPARIAN DIVERSION: RICE LIVESTOCK REPORTED PROPORTIONAL USE

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FOR 2017

Primary Owner: RICE LIVESTOCK COMPANY

Statement Number: S022755

Date Submitted: 06/27/2018

1. Water is used under Riparian Claim
2. Year diversion commenced 1900

3. Purpose of Use
   Irrigation
   Stock watering 200 pair
   Fish and Wildlife Protection and/or Enhancement duck/goose habitat

Irrigated Crops

<table>
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<tr>
<th>Multiple Crops</th>
<th>Area Irrigated (Acres)</th>
<th>Primary Irrigation Method</th>
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<tr>
<td>Pasture</td>
<td>No</td>
<td>Surface (example: flood)</td>
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4. Changes in Method of Diversion

5-6. Maximum Rate of Diversion for each Month and Amount of Water Diverted and Used

<table>
<thead>
<tr>
<th>Month</th>
<th>Rate of diversion (CFS)</th>
<th>Amount directly diverted (Acre-Feet)</th>
<th>Amount diverted or collected to storage (Acre-Feet)</th>
<th>Amount beneficially used (Acre-Feet)</th>
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<td>0</td>
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<td>September</td>
<td>4</td>
<td>226</td>
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### 5-6. Maximum Rate of Diversion for each Month and Amount of Water Diverted and Used

<table>
<thead>
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<th>Month</th>
<th>Rate of diversion (CFS)</th>
<th>Amount directly diverted (Acre-Feet)</th>
<th>Amount diverted or collected to storage (Acre-Feet)</th>
<th>Amount beneficially used (Acre-Feet)</th>
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</thead>
<tbody>
<tr>
<td>October</td>
<td>4</td>
<td>226</td>
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<td>226</td>
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<tr>
<td>November</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>December</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Total</td>
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<td>1808</td>
<td>0</td>
<td>1808</td>
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</tbody>
</table>

**Type of Diversion**

- Direct Diversion Only

**Comments**

**Water Transfers**

- 6d. Water transferred: No
- 6e. Quantity transferred (Acre-Feet)
- 6f. Dates which transfer occurred: / to /
- 6g. Transfer approved by

**Water Supply Contracts**

- 6h. Water supply contract: No
- 6i. Contract with
- 6j. Other provider
- 6k. Contract number
- 6l. Source from which contract water was diverted
- 6m. Point of diversion same as identified water right
- 6n. Amount (Acre-Feet) authorized to divert under this contract
- 6o. Amount (Acre-Feet) authorized to be diverted in 2017
- 6p. Amount (Acre-Feet) projected for 2018
- 6q. Exchange or settlement of prior rights
- 6r. All monthly reported diversion claimed under the prior rights
- 6s. Amount (Acre-Feet) of reported diversion solely under contract

**7. Water Diversion Measurement**

- a. Required to measure as of the date this report is submitted: No
- b. Is diversion measured? Yes
- c. An alternative compliance plan was submitted to the Division of Water Rights on
- d. A request for additional time was submitted to the Division of Water Rights on

**Measurement ID number**

M003579
This Device/Method was used to measure water during the current reporting period: Yes

<table>
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<tr>
<th>M1. Briefly describe the measurement device or method</th>
<th>Aqua Calc</th>
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<tr>
<td>M2. Nickname</td>
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<tr>
<td>M3. Type of device / method</td>
<td>Other: Aqua Calc</td>
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<tr>
<td>M4. Device make</td>
<td>Aqua Calc</td>
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<tr>
<td>M5. Serial number</td>
<td>12110021</td>
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<tr>
<td>M6. Model number</td>
<td></td>
</tr>
<tr>
<td>M7. Approximate date of installation</td>
<td></td>
</tr>
<tr>
<td>M8. Additional info</td>
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<tr>
<td>M9. Approximate date the measuring device was last calibrated or the measurement method was updated</td>
<td>05/01/2015</td>
</tr>
<tr>
<td>M10. Estimated accuracy of measurement</td>
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<tr>
<td>M11. Description of calibration method</td>
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<tr>
<td>M12. Describe the maintenance schedule for the device/method</td>
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Information for the person who last calibrated the device or designed the measurement method:

| M13. Name | Tim Beck |
| M14. Phone number | |
| M15. Email | |
| M16. Qualifications of the individual | A person trained and experienced in water measurement and reporting (this may include the diverter or the diverter's agent) |
| M17. License number and type for the qualified individual above and/or any other relevant explanation | |

| M18. Type of data recorder device / method | |
| M19. Data recorder device make | |
| M20. Data recorder serial number | |
| M21. Data recorder model number | |
| M22. Data recorder units of measurement | |
| M23. Frequency of data recording | |
| M24. Additional data recorder info | |
| M25. I am required to report my diversion or storage data by telemetry as of the date this report is submitted | No |
M26. I report my diversion or storage date by telemetry to the following website
M27. I have attached additional information on the method I used to calculate the volume of water
M28. Describe any documents related to this measurement device or method that are attached to this water use report

8. Conservation of Water
   Are you now employing water conservation efforts? Yes
   a. Describe any water conservation efforts you have initiated
      Amount of water conserved
   b. I have data to support the above surface water use reductions due to conservation efforts.

9. Water Quality and Wastewater Reclamation
   Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility, or water polluted by waste to a degree which unreasonably affects such water for other beneficial causes? No
   Amount of reduced diversion
   Type of substitute water supply
   b. Amount of substitute water supply used
      I have data to support the above surface water use reductions due to the use of a substitute water supply

10. Conjunctive Use of Surface Water and Groundwater
    a. Are you now using groundwater in lieu of surface water? No
       Amount of groundwater used
    b. I have data to support the above surface water use reductions due to the use of groundwater.

Additional Remarks

This division is shared by 3 water users.

Attachments

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Contact Information of the Person Submitting the Form
First Name Brian
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<th>Contact Information of the Person Submitting the Form</th>
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<tr>
<td>Last Name</td>
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<tr>
<td>Rice</td>
</tr>
<tr>
<td>Relation to Water Right</td>
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<tr>
<td>Diverter of Record</td>
</tr>
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<td>The information in the report is true to the best of his/her knowledge and belief</td>
</tr>
<tr>
<td>Yes</td>
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Appendix C

Riparian Grazing Management Plan

NB RANCHES
Riparian Prescribed Grazing Management Recommendations

Prepared by

Josh Davy

RIPARIAN GRAZING MANAGEMENT PLAN

Riparian Area Description

Located 1.2 miles NE of the town Grenada, CA NB Ranch spans approximately 2.25 miles of the Shasta River that runs through the ranch. Currently all but ~1000 feet of the Shasta River is fenced off for livestock grazing. Livestock water is limited to water gaps or water crossings.

Goals and Objectives

- Use livestock to control excessive herbaceous growth
- Improve or maintain quantity and/or quality of forage for grazing and browsing animals’ health and productivity.
- Improve or maintain desired species composition, structure, and/or vigor of plant communities.
- Improve or maintain riparian and/or watershed function.
- Improve or maintain the quantity, quality or connectivity of food and/or cover available for wildlife.

Riparian Grazing and Weed Management Recommendations

Prolonged exclusion of grazing the riparian area has resulted in noxious and poisonous weed development reducing the vegetative quality of the riparian area. Poison hemlock species (Conium maculatum), Teasel (Dipsacus fullonum), and Nightshade (Solanum spp) has been observed throughout the Shasta River where livestock have been excluded from grazing.

Management controls/options for treating weed species include one tool or combination of tools that can be used to accomplish the goal including the following:

- Mechanical
- Chemical
- Grazing

Recommended season of grazing

*In general, the Permittee should defer grazing livestock in the reach at the start of each season until average forage growth reaches 8 - 10 inches in height. Livestock grazing should cease in*
each area when the average stubble height is 3 to 4 inches. Leaving adequate forage protects soil, improves water quality and provides adequate wildlife cover.

Smaller areas within fenced riparian zones will follow the same grazing prescription as mentioned above, with the exception of grazing bouts being targeted with higher stock densities per bout than the general pasture area (>0.5-1 AU/acre). Stock densities should be set high enough to achieve target removal levels within 1-3 days in smaller areas. The intent being that high densities of animals, at the correct timing, can break up thatch, trample weedy species, encourage uniform consumption, and allow quick removal for desirable species recovery. Correct timing of targeted riparian area grazing can occur any time soils are not saturated and will avoid periods when salmonid spawning and emergence is occurring. To achieve these goals, timing would generally be between May 1 and November 1, with adjustments as needed to avoid impacts to spawning, emergence, and saturated soils.

**Monitoring**

Monitoring will be based on the goals of the ranch and purpose of the practice. The ranch may select which methodology to utilize. Monitoring locations will be chosen based on representative samples of the stream. Methodologies may vary but typical subjects of monitoring include but are not limited to:

- Forage Production
- Line Point Intercept
- Dry Weight Rank and Comparative Yield
- Photo Monitoring
- Stubble Height
- Canopy Cover
- Robel Pole
- Belt Transect
- Step Point

In general, bank stability and recruitment of riparian vegetation are the most pressing issue facing riparian management. For this reason, grazing decisions will be focused on stubble height measurements that will be used as triggers to guide Permittee when to move cattle so that adequate forage cover remains to protect soils and water quality. Adequate above ground cover ensures below ground rooting capacity for stabilization. Secondarily, photo monitoring will be used to assist in general evaluation of soil stability and potential woody plant recruitment which assists in bank and soil stabilization and can influence stream temperatures. Permanent marking poles, or posts, will be used to help in visual appraisal of bank sluffing and canopy cover changes over time. These should be easily identifiable and included in each photo site. If annual photo monitoring yields noticeable differences in either of these metrics, modification of grazing timing, stocking rate, or applicability will be evaluated and practices will be modified. Likewise, if no differences in bank stabilization, canopy cover or woody plant recruitment are measured, then current practices will continue.

Secondarily, though also very important, is the cessation of weedy species. In low diversity weedy or bunch grass areas photo monitoring will also be used to show general trends. If...
diversity appears to increase, alternative methods such as step point can reflect these shifts in more detail. The frequency of this monitoring is not necessary in intervals less than 3-5 years unless rapid shifts are noticed in photo monitoring.
Appendix D

Habitat Improvement Map