

16671

State of California
State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. Box 2000, Sacramento, CA 95812-2000
Info: (916) 341-5300, FAX: (916) 341-5400, Web: http://www.waterrights.ca.gov

PETITION FOR CHANGE
(WATER CODE 1700)

Point of Diversion, Point of Rediversion, Place of Use, Purpose of Use
Application 16671 Permit _____ License 9854 Statement or Other _____

2/1/07
JDM

I (we) hereby petition for change(s) noted above and shown on the accompanying map and described as follows:

Point of Diversion or Rediversion (Give coordinate distances from section corner or other ties as allowed by Cal CR 715, and the 40-acre subdivision in which the present & proposed points lie.)

Present N495.422' E1.680.032' - ROD 1 (offset well)
N494.244' E 1.680.275' - ROD 2 (old River Pump)

Proposed 1) N495.094' E1.679.912' (existing river pump) - ROD 3 (Frost Protection Pump)
2) new well to be drilled approximately 100' east of N494.244' E1.680.275' [see map] - ROD 4

Place of Use (If irrigation then state number of acres to be irrigated within each 40-acre tract.) N494.244' E1.680.275'
Present 61

Proposed 75.3 or all of the land west of East Side Road owned by Patianna Vineyards and included in the GPS map done by SWRCB on April 17, 2002

Purpose of Use
Present _____

Proposed _____

Does the proposed use serve to preserve or enhance wetlands habitat, fish and wildlife resources, or recreation in or on the water (See WC 1707)? _____
(yes/no)

- GIVE REASON FOR PROPOSED CHANGE: to add points of diversion to make system more reliable and to increase place of use to cover entire vineyard
- WILL THE OLD POINT OF DIVERSION OR PLACE OF USE BE ABANDONED? no
(yes/no)
- WATER WILL BE USED FOR irrigation _____ PURPOSES.

I (we) have access to the proposed point of diversion or control the proposed place of use by virtue of? ownership
(ownership, lease verbal or written agreement)

Are there any persons taking water from the stream between the old point of return flow and the new point of return flow? no
(yes/no)

If by lease or agreement, state the name and address of party(s) from whom access has been obtained. Attach additional pages if needed.
N/A

Give name and address of any person(s) taking water from the stream between the present point of diversion or rediversion and the proposed point of diversion or rediversion, as well as any other person(s) known to you who may be affected by the proposed change.
all downstream users on Russian River

THIS CHANGE DOES NOT INVOLVE AN INCREASE IN THE AMOUNT OF THE APPROPRIATION OR SEASON OF USE.

I (we) declare under penalty of perjury that the above is true and correct to the best of my (our) knowledge and belief.

Dated August 21, 2007 at Hopland, California
[Signature] Signature(s) 707-433-4097 Telephone No.

NOTE: A \$100 filing fee made payable to the State Water Resources Control Board and a \$850 fee made payable to the Department of Fish and Game must accompany a petition for change.

11-27-02
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PETITION FOR CHANGE
(WATER CODE 1700)

Point of Diversion, Point of Rediversion, Place of Use, Purpose of Use
Application 31085 Permit _____ License _____ Statement or Other _____

I (we) hereby petition for change(s) noted above and shown on the accompanying map and described as follows:

Point of Diversion or Rediversion (Give coordinate distances from section corner or other ties as allowed by Cal CR 715, and the 40-acre subdivision in which the present & proposed points lie.)

Present river pump at N495.094' E1.679.912 POD (offset well): N495.422' E1.680.032
POD 2 (Old River Pump): N494.244' E1.680.275

Proposed additions: 1) irrigation well at N495.422' E1.680.032' 2) river pump at N494.244' E1.680.275' 3) new well to be drilled approximately 100' east of 2) (see attached map)

Place of Use (If irrigation then state number of acres to be irrigated within each 40-acre tract.)

Present POD 3 (Frost Protection Pump): N495.094' E1.679.912

POD 4 (New Irrigation Well): N494.244' E1.680.375 - approximately

Proposed 100 feet East of POD 2

See attached

Purpose of Use

Present _____

Proposed _____

Does the proposed use serve to preserve or enhance wetlands habitat, fish and wildlife resources, or recreation in or on the water (See WC 1707)? _____

(yes/no)

• GIVE REASON FOR PROPOSED CHANGE: to add points of diversion to make system more reliable

• WILL THE OLD POINT OF DIVERSION OR PLACE OF USE BE ABANDONED? no

(yes/no)

• WATER WILL BE USED FOR frost protection PURPOSES.

I (we) have access to the proposed point of diversion or control the proposed place of use by virtue of? ownership

(ownership, lease verbal or written agreement)

Are there any persons taking water from the stream between the old point of return flow and the new point of return flow? no

(yes/no)

If by lease or agreement, state the name and address of party(s) from whom access has been obtained. Attach additional pages if needed.

Give name and address of any person(s) taking water from the stream between the present point of diversion or rediversion and the proposed point of diversion or rediversion, as well as any other person(s) known to you who may be affected by the proposed change.

all downstream users on Russian River

THIS CHANGE DOES NOT INVOLVE AN INCREASE IN THE AMOUNT OF THE APPROPRIATION OR SEASON OF USE.

I (we) declare under penalty of perjury that the above is true and correct to the best of my (our) knowledge and belief.

Dated August 21, 20 02 at Hesperia, California

Signature(s)

Telephone No. 707-433-4097

NOTE: A \$100 filing fee made payable to the State Water Resources Control Board and a \$850 fee made payable to the Department of Fish and Game must accompany a petition for change.

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September 4, 2002

Ken Emanuel
California Water Resources Control Board
Division of Water Rights
P.O. Box 2000
Sacramento, CA 95812-2000

RE: Patianna Vineyards

Dear Mr. Emanuel:

Enclosed is a small map of the Patianna Ranch. I have marked each of the existing and proposed pump locations on the ranch with a handwritten number and a pink dot. The following is what my client wishes to do with each of these locations.

^{Offset}
#1 Irrigation well at GPS location N495,422' and E1,680,032'. This well will be used both for irrigation and frost protection. My understanding is that the well is currently authorized for use under the irrigation license #9854. ~~In the attached amendment we propose to add that location as a P.O.D. to the frost protection application #31085.~~

^{3 Frost Protection}
#2 River pump station at GPS location N495,094' and E1,679,912'. This station is to be added as a new P.O.D. for the irrigation license #9854. ~~I understand that this location is already included in the frost protection application #31085.~~

²
#3 Old river pump location at GPS location N494,244' and E1,680,275'. I understand that this is covered by the irrigation license #9854. My client intends to keep this location as an authorized P.O.D. for both the license and the frost protection application. ~~Therefore, we enclose an amendment to add it as a P.O.D. to the frost protection application.~~ My client will use this location periodically to maintain it as an approved location for a P.O.D.

~~#4~~ This is the domestic well at GPS location N494,520' and E1,680,905'. This well does not pump underflow of the Russian River but rather pumps from other subterranean water underlying this property. This well is used for supplying water to the houses only. My client's use is riparian in nature, and he is filing herewith a statement of such use.

A

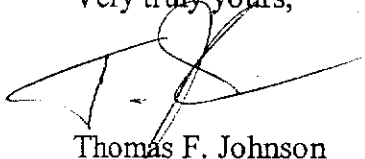
Irrigation

#5 Proposed new well. My client proposes to drill a new well at this location approximately 100 feet east of point #3² referred to above and to add it as a P.O.D. to both the irrigation license and frost protection application.

#6 To make sure that all of the property in the vineyard is included in the place of use of the license we submit herewith a petition to change the place of use to include all of the property west of East Side Road in the GPS coordinates referred to in your letter of May 29, 2002, item 3, i.e., 75.3 acres.

Please let me know is this is acceptable to the department.

Very truly yours,



Thomas F. Johnson
Attorney at Law

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**ENVIRONMENTAL INFORMATION
FOR PETITIONS**

(THIS IS NOT A CEQA DOCUMENT)

APPLICATION NO.

PERMIT NO.

LICENSE NO.

The following information will aid in the environmental review of your change petition as required by the California Environmental Quality Act (CEQA). IN ORDER FOR YOUR CHANGE PETITION TO BE ACCEPTED AS COMPLETED, ANSWERS TO THE QUESTIONS LISTED BELOW MUST BE COMPLETED TO THE BEST OF YOUR ABILITY. Failure to answer all questions may result in your change petition being returned to you, causing delays in processing. If you need more space, attach additional sheets. Additional information may be required from you to amplify further or clarify the information requested in this form.

DISCRIPTION OF CHANGES TO PROJECT

1. Provide a description of the proposed changes to your project, including but not limited to, type of construction activity, structures existing or to be built, area to be graded or excavated, changes in land use, and project operational changes, including changes in how the water will be used. does not involve construction activity, structures, grading, excavating, changes in land use

system is already in place except the new well that will be drilled

project consists of pumps, wells, plastic pipes, and overhead sprinklers

GOVERNMENTAL REQUIREMENTS

Before a final decision can be made on your change petition, we must consider the information contained in an environmental document prepared in compliance with the requirements of CEQA. If an environmental document has been prepared for your proposed changes by another agency, we must consider it. If one has not been prepared, a determination must be made as to who is responsible for the preparation of the environmental document for your change petition. The following questions are designed to aid us in that determination.

2. Contact your county planning or public works department for the following information:

a. Person contacted Frank Lynch Date of contact _____

Department Planning and Building Telephone (707) 463-4281

b. Assessor's Parcel No. 047-310-06-00, 047-310-08-00, 047-370-04-00 ~~047-310-10~~

c. County Zoning Designation Ag-40 047-310-11

d. Are any county permits required for your proposed changes? no

If yes, check appropriate space below:

_____ Grading Permit, _____ Use Permit, _____ Watercourse

Obstruction Permit, _____ Change of Zoning, _____ General Plan

Change, Other (explain):

e. Have you obtained any of the required permits described above? N/A

If yes, provide a complete copy of each permit obtained.

3. Are any additional state or federal permits required for your proposed changes? no (i.e., from Federal Energy Regulatory Commission, U.S. Forest Service, Bureau of Land Management, Soil Conservation Service, Department of Water Resources (Division of Safety of Dams), Reclamation Board, Coastal Commission, State Lands Commission, etc.) For each agency from which a permit is required provide the following information:

Permit type _____

Person (s) contacted _____ Agency _____

Date of contact _____ Telephone () _____

4. Has any public agency prepared an environmental document for any aspect of your proposed changes? no

If so, please submit a copy of the latest environmental document (s) prepared, including a copy of the notice of determination adopted by the public agency. If not, explain below whether you expect that a public agency other than the State Water Resources Control Board will be preparing an environmental document for your change petition or whether the applicant, if it is a California public agency, will be preparing the environmental document for your change petition:

Note: When completed, please submit a copy of the final environmental document (including notice of determination) or notice of exemption to the State Water Resources Control Board. Processing of your change petition cannot proceed until such documents are submitted.

5. Will your proposed changes, during construction or operation, generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or cause erosion, turbidity or sedimentation? no If so, explain: _____
-
-

If yes or you are unsure of your answer, contact your local Regional Water Quality Control Board for the following information (See attachment for address and telephone number):

Will a waste discharge permit be required for your petition? no

Person contacted _____ Date of contact _____

What method of treatment and disposal will be used? _____

no waste discharge is contemplated by project

6. Have any archeological reports been prepared on this project, or will you be preparing an archeological report to satisfy another public agency? no

Do you know of any archeological or historic sites located within the general project area?

no If so, explain: _____

no new construction will occur except drilling new well

ENVIRONMENTAL SETTING

7. Attach **THREE COMPLETE SETS** of color photographs, clearly dated and labeled, showing the vegetation currently existing at the following locations:

- a. Along the stream channel immediately downstream from the proposed point(s) of diversion
- b. Along the stream channel immediately upstream from the proposed point(s) of diversion
- c. At the place(s) where the water is to be used

Note: It is very important that you submit no less than three complete sets of photographs as required above. If less than three sets are submitted, processing of your change petition will be delayed until you furnish the remaining sets!

8. From the list given below, mark or circle the general plant community types which best describe those which occur within your project area (Note: See footnote denoted by * under Question 11 below):

Tree Dominated Communities

Subalpine Conifer
 Red Fir
 Lodgepole Pine
 Mixed Conifer
 Sierran Mixed Conifer
 White Fir
 Klamath Mixed Conifer
 Douglas-Fir
 Jeffrey Pine
 Ponderosa Pine
 Eastside Pine
 Redwood
 Pinyon-Juniper
 Juniper
 Aspen
 Closed-Cone Pine-Cypress
 Montane Hardwood-Conifer
 Montane Hardwood
 Valley Foothill Hardwood
 Blue Oak Woodland
 Valley Oak Woodland
 Coastal Oak Woodland
 Valley Foothill Hardwood-Conifer
 Blue Oak-Digger Pine
 Eucalyptus
 Montane Riparian
 Valley Foothill Riparian
 Desert Riparian
 Palm Oasis
 Joshua Tree

Shrub Dominated Communities

Alpine Dwarf-Shrub
 Low Sage
 Bitterbrush
 Sagebrush
 Montane Chaparral
 Mixed Chaparral
 Chamise-Redshank Chaparral
 Coastal Scrub
 Desert Succulent Shrub
 Desert Wash
 Desert Scrub
 Alkali Desert Scrub

Herbaceous Dominated Communities

Annual Grassland
 Perennial Grassland
 Wet Meadow
 Fresh Emergent Wetland
 Saline Emergent Wetland
 Pasture

Aquatic Communities

Riverine
 Lacustrine
 Estuarine
 Marine

Developed Communities

Cropland
 Orchard-Vineyard
 Urban

Literature source: Mayer, K.E., and W.F. Laudenslayer, Jr., (eds). 1988. A Guide to Wildlife Habitats of California. California Department of Forestry and Fire Protection, Sacramento. 166 pp. (Note: You may view a copy of this document at our public counter at the address given

at the top of this form or you may purchase a copy by calling the California Department of Fish and Game, Wildlife Habitat Relationships (WHR) Program at (916) 653-7203).

9. Provide below an estimate of the type, number, and size (trunk/stem diameter at chest height) of trees and large shrubs that are planned to be removed or destroyed due to implementation of the proposed changes. Consider all aspects of your change petition, including changes in diversion structures, water distribution and use facilities, and changes in the place of use due to additional water development.

none all construction work is complete except drilling of new well

FISH AND WILDLIFE CONCERNS

10. Identify the typical species of fish which occur in the source(s) from which you propose to divert water and discuss whether or not any of these fish species or their habitat has been or would be affected by your proposed changes. (Note: See footnote denoted by * under Question 11 below):

salmon, steelhead, trout

All requirements set out by California's Department of Fish and DFG have been followed to avoid entrapment of these or any other species of fish. All work was installed long ago with DFG approval. DFG does not get involved with drilling of a new well.

11. Identify the typical species of riparian and terrestrial wildlife in the area and discuss whether or not any of these species and/or their habitat has been or would be affected by your proposed changes through construction of additional water diversion and distribution works and/or changes in land use in the place of water use. (Note: See footnote denoted by * below):

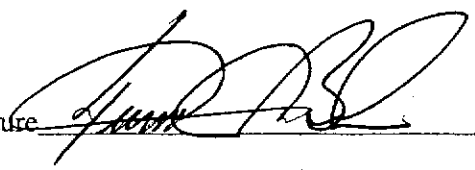
typical Russian River wildlife none will be affected in any way by this use

*Note: The purposes of Question 10 and 11 are to provide a preliminary assessment of the presence of typical plant and animal species in the area and whether these species might be affected by your proposed changes. Detailed site surveys to quantify populations of specific species or determine the presence of rare or endangered species may be required at a later date. It is very important that you answer these questions accurately. If you are unable to obtain appropriate answers from your local California Department of Fish and Game biologists (See attachment for address and telephone number) or you do not have adequate information or expertise to complete your answers, you should hire a fishery consultant and/or a wildlife consultant to review your project and prepare suitable answers for you. For information on available qualified fishery or wildlife consultants near you, consult your local telephone directory yellow pages under Environmental and Ecological Services, or call the California Environmental Protection Agency, Registered Environmental Assessor (REA) Program, at (916) 324-6881 or the University of California, Cooperative Extension Service (See your local telephone directory white pages).

12. Do your proposed changes involve any construction or grading-related activity which has significantly altered or would significantly alter the bed or bank of any stream or lake? no
If so, explain: _____

CERTIFICATION

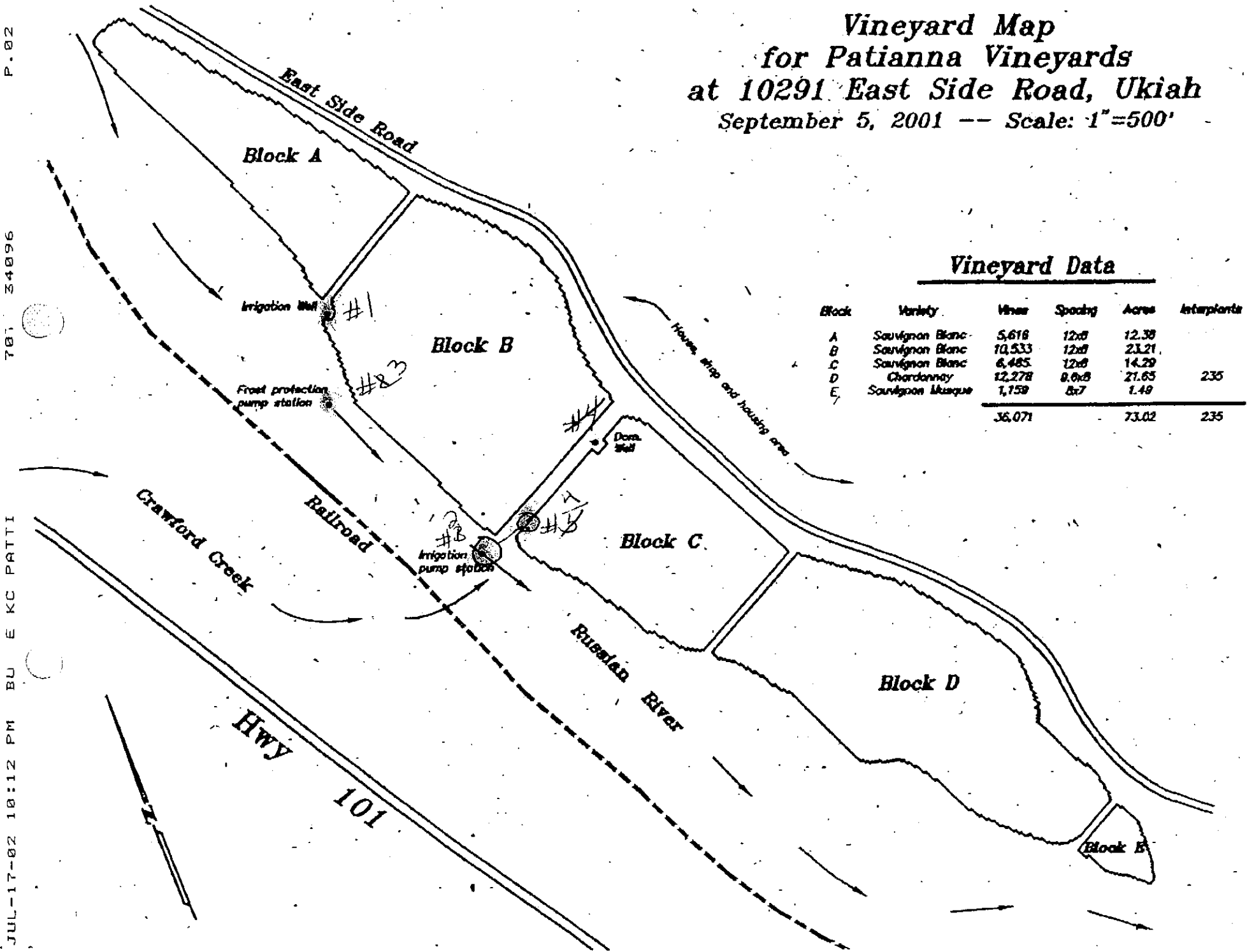
I hereby certify that the statements I have furnished above and in the attached exhibits are complete to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge.

Date August 21, 2002 Signature 

Vineyard Map for Patianna Vineyards at 10291 East Side Road, Ukiah September 5, 2001 -- Scale: 1"=500'

Vineyard Data

Block	Variety	Vines	Spacing	Acres	Interplants
A	Sauvignon Blanc	5,618	12x8	12.38	
B	Sauvignon Blanc	10,533	12x8	23.21	
C	Sauvignon Blanc	6,485	12x8	14.29	
D	Chardonnay	12,278	8.0x8	21.65	235
E	Sauvignon Musque	1,758	8x7	1.49	
		36,071		73.02	235



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