

STATE WATER RESOURCES CONTROL BOARD
2005 DEC -6 PM 1:33

PETITION FOR CHANGE
(WATER CODE 1700)

DIVISION OF WATER RIGHTS
SACRAMENTO

Application 15603 Point of Diversion, 9746 Point of Rediversion, X License 5682 Place of Use, X Purpose of Use
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 N/A

Proposed _____

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

Present See Attachment

Proposed _____

Purpose of Use

Present Irrigation

Proposed Irrigation, Frost Protection, Recreation & Fire Protection

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)

Domestic & Heat Control

DT 9/26/07

• GIVE REASON FOR PROPOSED CHANGE: To accurately describe the project as it will be operated.

• WILL THE OLD POINT OF DIVERSION OR PLACE OF USE BE ABANDONED? No
(yes/no)

• WATER WILL BE USED FOR Irrigation, Frost Protection, Heat Control, Recreation & Fire 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.

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.

SEE FILES OF THE STATE WATER RESOURCES CONTROL BOARD.

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 11/1, 20 05 at Sacramento, California

Paula J. Whealen
Paula J. Whealen Signature(s) (Agent)

(916) 441-6850
Telephone No.

NOTE: A \$1,000 fee, for each Application listed, made payable to the State Water Resources Control Board and an \$850 fee made payable to the Department of Fish and Game must accompany a petition for change.

12/9/05
\$850

12/9/05
#1036-90
CM

**Attachment to Accompany
Petition for Change in Purpose of Use
Brookfield Investors, LLC
License 5682 (Application 15603)**

Current

<u>Use Within</u>	<u>Section</u>	<u>Township</u>	<u>Range</u>	<u>B. & M.</u>	<u>Acres</u>	<u>Previously Cultivated</u>
SE $\frac{1}{4}$ of NE $\frac{1}{4}$	1	T8N	R9W	M.D.	14	Yes
NE $\frac{1}{4}$ of SE $\frac{1}{4}$	1	T8N	R9W	M.D.	16	Yes
					30	

Proposed

<u>Use Within</u>	<u>Section</u>	<u>Township</u>	<u>Range</u>	<u>B. & M.</u>	<u>Acres</u>	<u>Previously Cultivated</u>
SW $\frac{1}{4}$ of SE $\frac{1}{4}$	36	T9N	R9W	M.D.	12	No
SE $\frac{1}{4}$ of SE $\frac{1}{4}$	36	T9N	R9W	M.D.	10	No
NW $\frac{1}{4}$ of NE $\frac{1}{4}$	1	T8N	R9W	M.D.	40	No
NE $\frac{1}{4}$ of NE $\frac{1}{4}$	1	T8N	R9W	M.D.	33	No
NW $\frac{1}{4}$ of NW $\frac{1}{4}$	6	T8N	R8W	M.D.	1	No
SW $\frac{1}{4}$ of NE $\frac{1}{4}$	1	T8N	R9W	M.D.	40	No
SE $\frac{1}{4}$ of NE $\frac{1}{4}$	1	T8N	R9W	M.D.	30	No
NE $\frac{1}{4}$ of SE $\frac{1}{4}$	1	T8N	R9W	M.D.	21	No
					187	

THE RESERVOIR WITHIN NE $\frac{1}{4}$ SECTION 1, T8N, R9W, M.D

*DI
10-9-07*

California Environmental Protection Agency

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

2005 DEC -6 PM 1:33
DIVISION OF WATER RIGHTS
PERMITS

ENVIRONMENTAL INFORMATION FOR PETITIONS

Petition for Change

Petition for Extension of Time

Before the State Water Resources Control Board (SWRCB) can approve a petition to change your water right permit or a petition for extension of time to complete use, the SWRCB must consider the information contained in an environmental document prepared in compliance with the California Environmental Quality Act (CEQA). This form is not a CEQA document. If a CEQA document has not yet been prepared, a determination must be made of who is responsible for its preparation. As the petitioner, you are responsible for all costs associated with the environmental evaluation and preparation of the required CEQA documents. Please answer the following questions to the best of your ability and submit any studies that have been conducted regarding the environmental evaluation of your project. If you need more space to completely answer the questions, please number and attach additional sheets.

1. DESCRIPTION OF PROPOSED CHANGES OR WORK REMAINING TO BE COMPLETED

For a petition to change, 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, increase in water diversion and use (up to the amount authorized by the permit), changes in land use, and project operational changes, including changes in how the water will be used. For a petition for extension of time, provide a description of what work has been completed and what remains to be done. Include in your description any of the above elements that will occur during the requested extension period.

See Attachment No. 1

ENVIRONMENTAL INFORMATION FOR PETITIONS

2. COUNTY PERMITS

a. Contact your county planning or public works department and provide the following information:

Person contacted: Sonoma County Date of contact: 9/15/05

Department: Planning Department Telephone: (707) 565-1900

County Zoning Designation: 086-180-003:RRD-B6-40acres-SR; 086-180-005:RRD-B6-40acres-SR-FI-VOH; 161-010-020:AR-B6-5acres-FI-VOH

Are any county permits required for your project? YES NO If YES, check appropriate box below:

Grading permit Use permit Watercourse Obstruction permit Change of zoning

General plan change Other (explain):

b. Have you obtained any of the required permits described above? YES NO

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

See Attachment No. 2

3. STATE/FEDERAL PERMITS AND REQUIREMENTS

a. Check any additional state or federal permits required for your project:

Federal Energy Regulatory Commission U.S. Forest Service Bureau of Land Management

Soil Conservation Service Dept. of Water Resources (Div. of Safety of Dams) Reclamation Board

Coastal Commission State Lands Commission Other (specify) _____

b. For each agency from which a permit is required, provide the following information:

AGENCY	PERMIT TYPE	PERSON(S) CONTACTED	CONTACT DATE	TELEPHONE NO.

See Attachment No. ____

c. Does your proposed project involve any construction or grading-related activity that has significantly altered or would significantly alter the bed or bank of any stream or lake? YES NO

If YES, explain:

See Attachment No. ____

ENVIRONMENTAL INFORMATION FOR PETITIONS

- d. Have you contacted the California Department of Fish and Game concerning your project? YES NO
If YES, name and telephone number of contact: _____

4. ENVIRONMENTAL DOCUMENTS

- a. Has any California public agency prepared an environmental document for your project? YES NO
If YES, submit a copy of the latest environmental document(s) prepared, including a copy of the notice of determination adopted by the California public agency. Public agency: _____
- b. If NO, check the appropriate box and explain below, if necessary:
- The petitioner is a California public agency and will be preparing the environmental document.*
 - I expect that the SWRCB will be preparing the environmental document.**
 - I expect that a California public agency other than the State Water Resources Control Board will be preparing the environmental document.* Public agency: _____

See Attachment No. _____

* Note: When completed, submit a copy of the final environmental document (including notice of determination) or notice of exemption to the SWRCB, Division of Water Rights. Processing of your petition cannot proceed until these documents are submitted.

** Note: CEQA requires that the SWRCB, as Lead Agency, prepare the environmental document. The information contained in the environmental document must be developed by the petitioner and at the petitioner's expense under the direction of the SWRCB, Division of Water Rights.

5. WASTE/WASTEWATER

- a. Will your project, during construction or operation, (1) generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or (2) cause erosion, turbidity or sedimentation?
 YES NO
If YES, or you are unsure of your answer, explain below and contact your local Regional Water Quality Control Board for the following information (See instruction booklet for address and telephone no.):

See Attachment No. _____

- b. Will a waste discharge permit be required for your project? YES NO

Person contacted: _____ Date of contact: _____

- c. What method of treatment and disposal will be used? _____

See Attachment No. _____

6. ARCHEOLOGY

- a. Have any archeological reports been prepared on this project? YES NO
- b. Will you be preparing an archeological report to satisfy another public agency? YES NO
- c. Do you know of any archeological or historic sites located within the general project area? YES NO

ENVIRONMENTAL INFORMATION FOR PETITIONS

If YES, explain: _____

See Attachment No. 3 - A portion of the archaeological survey is being provided.

7. ENVIRONMENTAL SETTING

Attach **three complete sets of color photographs**, clearly dated and labeled, showing the vegetation that exists at the below-listed three locations. For time extension petitions, the photographs should document only those areas of the project that will be impacted during the requested extension period.

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

8. CERTIFICATION

I hereby certify that the statements I have furnished above and in the attachments 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: 11/1/05

Signature: Paula J. Whealen
Paula J. Whealen, Agent

Attachment 1 to Accompany
Environmental Information Form
Brookfield Investors, LLC
License 5682 (Application 15603)

1. Description of proposed changes or work relating to be completed.

The Petitioner proposes to increase the place of use and add purposes of use to License 5682. The proposed place of use will be a combination of agricultural and residential uses. Use will include irrigation, frost protection and heat control of proposed vineyards and for irrigation of lawns and garden areas at eight homesites. The homesites have been approved by a resolution of the Planning Commission - County of Sonoma - 05-017 dated May 5, 2005. The existing 30 acre place of use, previously planted to orchards, will be converted to vineyard. The existing and proposed place of use is shown on the attached map.

*include
Domestic
use...
9/26/07
ST
see e-mail
dated 9/26/07*

The amount of water to be used on the proposed 187 acre place of use will not exceed the 133 acre-feet authorized pursuant to License 5682. Petitioner also seeks to add frost protection and heat control as purposes of use, and recreation and fire protection as incidental uses at the reservoir. The additional place of use consists of cleared grasslands and tree areas (see photos). The trees located within the boundary of the place of use are not proposed to be removed pursuant to this Petition for Change.

The existing reservoir named in License 5682 was built in 1954 and is under the jurisdiction of the Division of Safety of Dams (No. 1427) and will not be changed. The proposed place of use and associated water service and transmission systems will need to be developed pursuant to this petition.