

PETITION FOR CHANGE (WATER CODE 1700)

Application _____ Point of Diversion, _____ Point of Rediversion, X Place of Use, _____ Purpose of Use
24139 Permit 17330 License 12649 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 _____
Proposed _____

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

Present See License 12649
Proposed See Attachment #1

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)? _____

• GIVE REASON FOR PROPOSED CHANGE: To give the Petitioner flexibility in irrigation and frost protection of his existing and proposed place of use.

• WILL THE OLD POINT OF DIVERSION OR PLACE OF USE BE ABANDONED? N/A

• WATER WILL BE USED FOR Irrigation and frost protection PURPOSES.

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

Are there any persons taking water from the stream between the old point of return flow and the new point of return flow? N/A

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.

N/A

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 4/29/06, 20 06 at Sacramento, California
Paula J. Whealen Signature(s) (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.

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>

**ENVIRONMENTAL INFORMATION
FOR PETITIONS**

License 12649 (Application 24139)

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.

The Petitioner proposes to include additional existing and proposed lands to the authorized Place of Use, as shown on the attached map. The Place of Use will be increased from 331 acres to 703 acres.

The amount of water to be used on the requested Place of Use (703 acres) will not exceed the 50 acre-feet authorized pursuant to this License. These lands will also be named in the Place of Use for Applications 17624, 24140 and 29763.

The proposed Place of Use consists of existing vineyards and cleared grasslands. No trees are proposed to be removed pursuant to this Petition. The water service and transmission pipelines will need to be developed for the proposed Place of Use.

See Attachment No. ____

ENVIRONMENTAL INFORMATION FOR PETITIONS

2. COUNTY PERMITS

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

Person contacted: Mendocino County Date of contact: 6/21/06

Department: Planning Department Telephone: (co.mendocino.ca.us/planning

County Zoning Designation: See Attachment #2

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. _____

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:

Table with 5 columns: AGENCY, PERMIT TYPE, PERSON(S) CONTACTED, CONTACT DATE, TELEPHONE NO. Contains 3 empty rows.

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: Two sites were found within the proposed place of use. They are flagged
and will be avoided in any future planting.

See Attachment No. ___

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: 6/29/06

Signature: Douglas Heater

Attachment to Accompany
Petition for Change
Nelson & Sons, Inc.

License 12649 (A24139)

Attachment #1
Proposed Place of Use:

<u>Use Within</u>	<u>Section</u>	<u>Township</u>	<u>Range</u>	<u>B. & M.</u>	<u>Acres</u>	<u>Previously Cultivated</u>
SW¼ of SW¼	14	T14N	R12W	M.D.	11	No
NE¼ of SW¼	15	T14N	R12W	M.D.	10	No
NW¼ of SE¼	15	T14N	R12W	M.D.	36	No
NE¼ of SE¼	15	T14N	R12W	M.D.	9	Partial
SW¼ of SE¼	15	T14N	R12W	M.D.	13	No
SE¼ of SE¼	15	T14N	R12W	M.D.	36	Partial
NE¼ of NE¼	22	T14N	R12W	M.D.	19	Partial
SE¼ of NE¼	22	T14N	R12W	M.D.	16	Yes
NE¼ of SE¼	22	T14N	R12W	M.D.	1	Yes
SW¼ of SE¼	22	T14N	R12W	M.D.	7	Yes
SE¼ of SE¼	22	T14N	R12W	M.D.	20	Yes
NW¼ of NW¼	23	T14N	R12W	M.D.	23	Partial
SW¼ of NW¼	23	T14N	R12W	M.D.	27	Partial
SE¼ of NW¼	23	T14N	R12W	M.D.	24	Partial
SW¼ of NE¼	23	T14N	R12W	M.D.	5	Yes
NW¼ of SW¼	23	T14N	R12W	M.D.	31	Partial
NE¼ of SW¼	23	T14N	R12W	M.D.	21	Partial
NW¼ of SE¼	23	T14N	R12W	M.D.	3	Yes
SW¼ of SW¼	23	T14N	R12W	M.D.	32	Yes
SE¼ of SW¼	23	T14N	R12W	M.D.	6	Yes
NW¼ of NW¼	26	T14N	R12W	M.D.	42	Yes
NE¼ of NW¼	26	T14N	R12W	M.D.	22	Partial
SW¼ of NW¼	26	T14N	R12W	M.D.	40	Partial
SE¼ of NW¼	26	T14N	R12W	M.D.	18	Partial
NW¼ of SW¼	26	T14N	R12W	M.D.	5	Yes
NE¼ of SW¼	26	T14N	R12W	M.D.	4	Partial
NE¼ of NW¼	27	T14N	R12W	M.D.	1	Yes
NW¼ of NE¼	27	T14N	R12W	M.D.	32	Partial
NE¼ of NE¼	27	T14N	R12W	M.D.	40	Yes
SE¼ of NW¼	27	T14N	R12W	M.D.	5	Partial
SW¼ of NE¼	27	T14N	R12W	M.D.	29	Partial
SE¼ of NE¼	27	T14N	R12W	M.D.	33	Yes
NW¼ of SW¼	27	T14N	R12W	M.D.	3	Partial
NE¼ of SW¼	27	T14N	R12W	M.D.	37	Partial
NW¼ of SE¼	27	T14N	R12W	M.D.	37	Yes
NE¼ of SE¼	27	T14N	R12W	M.D.	5	Yes
SE¼ of SW¼	27	T14N	R12W	M.D.	10	Yes
SW¼ of SE¼	27	T14N	R12W	M.D.	9	Yes
SE¼ of SE¼	27	T14N	R12W	M.D.	2	Yes

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Attachment to Accompany
Petition for Change
Nelson & Sons, Inc.

License 12649 (A24139)

Attachment #2
County Zoning Designations”

<u>Assessors Parcel Number</u>	<u>Zoning Designation</u>	<u>Assessors Parcel Number</u>	<u>Zoning Designation</u>
047-140-1700	RL160	186-160-0400	RL160
046-300-5800	RL160	186-170-0100	RL160
047-130-0200	AG40	186-170-0200	RL160
047-130-0300	AG40	186-180-0100	RL160
047-140-0900	AG40	186-190-0100	RL160
047-160-0600	AG40	186-190-0200	RL160
047-170-0400	AG40	186-200-0100	RL160
047-170-2100	AG40	186-200-0200	RL160
186-220-0200	RL160	186-210-0100	RL160
186-260-0200	RL160	186-210-0200	RL160
046-300-0800	RL160	186-210-0300	RL160
046-300-1400	RL160	186-230-0100	RL160
046-300-1600	RL160	186-230-0200	RL160
046-300-3800	RL160	186-230-0300	RL160
046-320-0500	RL160	186-240-0100	RL160
047-130-0400	AG40	186-240-0200	RL160
047-140-1600	RL160	186-250-0100	RL160
047-160-0500	AG40	186-250-0200	RL160
047-170-2000	AG40	186-260-0600	RL160