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Consulting Civil Engineers, A Corporation

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May 22, 2018

Mr. Scott McFarland
State Water Resources Control Board
P.O. Box 2000
Sacramento, California 95812-2000

Re: License 7328 (A018595) of Nick Tsiplakos, Petition for Change in Place of Use

Dear Mr. McFarland:

On behalf of Nick Tsiplakos, enclosed is a Petition for Change of Place of Use for the subject licensed right, including a map. Also enclosed is the environmental information form to accompany the Petition for Change. Checks for filing fees are also enclosed, as follows:

Enclosed are the following checks for the required fees:

- \$1,009.90 filing fee to the State Water Resources Control Board
- \$850 environmental fee to the Department of Fish and Wildlife

Please contact me if you have any questions.

Very truly yours,

WAGNER & BONSIGNORE
CONSULTING CIVIL ENGINEERS


Ryan Stolfus

Encl. ✓
Cc: Nick Tsiplakos (via email)
David Hines (via email)

Please indicate County where your project is located here:

Napa

MAIL FORM AND ATTACHMENTS TO:
State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. Box 2000, Sacramento, CA 95812-2000
Tel: (916) 341-5300 Fax: (916) 341-5400
http://www.waterboards.ca.gov/waterrights

PETITION FOR CHANGE

Separate petitions are required for each water right. Mark all areas that apply to your proposed change(s). Incomplete forms may not be accepted. Location and area information must be provided on maps in accordance with established requirements. (Cal. Code Regs., tit. 23, § 715 et seq.) Provide attachments if necessary.

- Point of Diversion** Wat. Code, § 1701
 - Point of Rediversion** Cal. Code Regs., tit. 23, § 791(e)
 - Place of Use** Wat. Code, § 1701
 - Purpose of Use** Wat. Code, § 1701
 - Distribution of Storage** Cal. Code Regs., tit. 23, § 791(e)
 - Temporary Urgency** Wat. Code, § 1435
 - Instream Flow Dedication** Wat. Code, § 1707
 - Waste Water** Wat. Code, § 1211
 - Split** Cal. Code Regs., tit. 23, § 836
 - Terms or Conditions** Cal. Code Regs., tit. 23, § 791(e)
 - Other**
- Application 18595 Permit 12096 License 7328 Statement

I (we) hereby petition for change(s) noted above and described as follows:

Point of Diversion or Rediversion – Provide source name and identify points using both Public Land Survey System descriptions to ¼-¼ level and California Coordinate System (NAD 83).

Present:

Proposed:

Place of Use – Identify area using Public Land Survey System descriptions to ¼-¼ level; for irrigation, list number of acres irrigated.

Present: See attached map.

Proposed: See attached map.

Purpose of Use

Present:

Proposed:

Split
Provide the names, addresses, and phone numbers for all proposed water right holders.

In addition, provide a separate sheet with a table describing how the water right will be split between the water right holders: for each party list amount by direct diversion and/or storage, season of diversion, maximum annual amount, maximum diversion to offstream storage, point(s) of diversion, place(s) of use, and purpose(s) of use. Maps showing the point(s) of diversion and place of use for each party should be provided.

Distribution of Storage

Present:

Proposed:

RECEIVED 5/24/2018
CHK# 1271 - \$850.00
CHK# 1272 - \$1,000.90 EYE.

Temporary Urgency

This temporary urgency change will be effective from [] to [] .

Include an attachment that describes the urgent need that is the basis of the temporary urgency change and whether the change will result in injury to any lawful user of water or have unreasonable effects on fish, wildlife or instream uses.

Instream Flow Dedication – Provide source name and identify points using both Public Land Survey System descriptions to ¼-¼ level and California Coordinate System (NAD 83).

Upstream Location: []
Downstream Location: []

List the quantities dedicated to instream flow in either: cubic feet per second or gallons per day:

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]

Will the dedicated flow be diverted for consumptive use at a downstream location? Yes No
If yes, provide the source name, location coordinates, and the quantities of flow that will be diverted from the stream.
[]

Waste Water
If applicable, provide the reduction in amount of treated waste water discharged in cubic feet per second.

Will this change involve water provided by a water service contract which prohibits your exclusive right to this treated waste water? Yes No

Will any legal user of the treated waste water discharged be affected? Yes No

General Information – For all Petitions, provide the following information, if applicable to your proposed change(s).

Will any current Point of Diversion, Point of Storage, or Place of Use be abandoned? Yes No

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

If by lease or agreement, state name and address of person(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 redirection and the proposed point of diversion or redirection, as well as any other person(s) known to you who may be affected by the proposed change.
[]

All Right Holders Must Sign This Form: I (we) declare under penalty of perjury that this change does not involve an increase in the amount of the appropriation or the season of diversion, and that the above is true and correct to the best of my (our) knowledge and belief. Dated [5/22/18] at [Sacramento, CA] .

Paula J. Whealen

Right Holder or Authorized Agent Signature
Paula J. Whealen, Wagner & Bonsignore

Right Holder or Authorized Agent Signature
Consulting Civil Engineers

NOTE: All petitions must be accompanied by:
(1) the form Environmental Information for Petitions, including required attachments, available at: http://www.waterboards.ca.gov/waterrights/publications_forms/forms/docs/pet_info.pdf
(2) Division of Water Rights fee, per the Water Rights Fee Schedule, available at: http://www.waterboards.ca.gov/waterrights/water_issues/programs/fees/
(3) Department of Fish and Wildlife fee of \$850 (Pub. Resources Code, § 10005)

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

ENVIRONMENTAL INFORMATION FOR PETITIONS

This form is required for all petitions.

Before the State Water Resources Control Board (State Water Board) can approve a petition, the State Water Board 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.

DESCRIPTION OF PROPOSED CHANGES OR WORK REMAINING TO BE COMPLETED

For a petition for 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 is filing a Petition for Change to add existing developed and undeveloped lands to the authorized place of use named in License 7328.

The Petitioner wishes to increase the place of use from the licensed 15 acres to 33 acres. Approximately 22 acres are currently developed to vineyard, as indicated on the attached map.

Petitioner does not expect to remove any trees and intends to develop only in cleared areas. There is no change to the amount of water requested.

Insert the attachment number here, if applicable:

Coordination with Regional Water Quality Control Board

For change petitions only, you must request consultation with the Regional Water Quality Control Board regarding the potential effects of your proposed change on water quality and other instream beneficial uses. (Cal. Code Regs., tit. 23, § 794.) In order to determine the appropriate office for consultation, see: http://www.waterboards.ca.gov/waterboards_map.shtml. Provide the date you submitted your request for consultation here, then provide the following information.

Date of Request

5/22/2018 (by copy of this Petition)

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

Will a waste discharge permit be required for the project?

Yes No

If necessary, provide additional information below:

[Empty text box for additional information]

Insert the attachment number here, if applicable:

Local Permits

For temporary transfers only, you must contact the board of supervisors for the county(ies) both for where you currently store or use water and where you propose to transfer the water. (Wat. Code § 1726.) Provide the date you submitted your request for consultation here.

Date of Contact

[Empty text box for Date of Contact]

For change petitions only, you should contact your local planning or public works department and provide the information below.

Person Contacted:

Date of Contact:

Department:

Phone Number:

County Zoning Designation:

Are any county permits required for your project? If yes, indicate type below.

Yes No

Grading Permit Use Permit Watercourse Obstruction Permit

Change of Zoning General Plan Change Other (explain below)

If applicable, have you obtained any of the permits listed above? If yes, provide copies.

Yes No

If necessary, provide additional information below:

[Empty text box for additional information]

Insert the attachment number here, if applicable:

Federal and State Permits

Check any additional agencies that may require permits or other approvals for your project:

- Regional Water Quality Control Board Department of Fish and Game
- Dept of Water Resources, Division of Safety of Dams California Coastal Commission
- State Reclamation Board U.S. Army Corps of Engineers U.S. Forest Service
- Bureau of Land Management Federal Energy Regulatory Commission
- Natural Resources Conservation Service

Have you obtained any of the permits listed above? If yes, provide copies. N/A Yes No

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

Agency	Permit Type	Person(s) Contacted	Contact Date	Phone Number

If necessary, provide additional information below:

Insert the attachment number here, if applicable:

Construction or Grading Activity

Does the project involve any construction or grading-related activity that has significantly altered or would significantly alter the bed, bank or riparian habitat of any stream or lake? Yes No

If necessary, provide additional information below:

Insert the attachment number here, if applicable:

Archeology

Has an archeological report been prepared for this project? If yes, provide a copy. Yes No

Will another public agency be preparing an archeological report? Yes No

Do you know of any archeological or historic sites in the area? If yes, explain below. Yes No

If necessary, provide additional information below:

See files of State Water Resources Control Board for Application 18595.

Insert the attachment number here, if applicable:

Photographs

For all petitions other than time extensions, attach complete sets of color photographs, clearly dated and labeled, showing the vegetation that exists at the following three locations: Photographs of requested place of use only

- Along the stream channel immediately downstream from each point of diversion
- Along the stream channel immediately upstream from each point of diversion
- At the place where water subject to this water right will be used

Maps

For all petitions other than time extensions, attach maps labeled in accordance with the regulations showing all applicable features, both present and proposed, including but not limited to: point of diversion, point of rediversion, distribution of storage reservoirs, point of discharge of treated wastewater, place of use, and location of instream flow dedication reach. (Cal. Code Regs., tit. 23, §§ 715 et seq., 794.)

Pursuant to California Code of Regulations, title 23, section 794, petitions for change submitted without maps may not be accepted.

All Water Right Holders Must Sign This Form:

I (we) hereby certify that the statements I (we) have furnished above and in the attachments are complete to the best of my (our) ability and that the facts, statements, and information presented are true and correct to the best of my (our) knowledge. Dated at .

Water Right Holder or Authorized Agent Signature

Water Right Holder or Authorized Agent Signature

Paula J. Whealen, Wagner & Bonsignore Consulting Civil Engineers

NOTE:

- **Petitions for Change** may not be accepted unless you include proof that a copy of the petition was served on the Department of Fish and Game. (Cal. Code Regs., tit. 23, § 794.)
- **Petitions for Temporary Transfer** may not be accepted unless you include proof that a copy of the petition was served on the Department of Fish and Game and the board of supervisors for the county(ies) where you currently store or use water and the county(ies) where you propose to transfer the water. (Wat. Code § 1726.)



Licensed Place of Use:

Stockwatering and domestic use within SE $\frac{1}{4}$ of SW $\frac{1}{4}$ and SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of projected Section 16; SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of projected Section 17; NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of projected Section 20; NW $\frac{1}{4}$ of NW $\frac{1}{4}$ and NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of projected Section 21 within T5N, R4W, MDB&M.

Irrigation of 14 acres within NE $\frac{1}{4}$ of NW $\frac{1}{4}$ and 1 acre within SE $\frac{1}{4}$ and NW $\frac{1}{4}$ of projected Section 21 within T5N, R4W, MDB&M.

Requested Place of Use

Irrigation:

Use Within	Section	Township	Range	B.&M.	Acres	Previously Cultivated
SE $\frac{1}{4}$ of SW $\frac{1}{4}$	16	T5N	R4W	M.D.	4	Partial
SW $\frac{1}{4}$ of SW $\frac{1}{4}$	16	T5N	R4W	M.D.	3	Partial
NW $\frac{1}{4}$ of NE $\frac{1}{4}$	17	T5N	R4W	M.D.	5	Partial
NE $\frac{1}{4}$ of NE $\frac{1}{4}$	20	T5N	R4W	M.D.	6	Yes
NW $\frac{1}{4}$ of NW $\frac{1}{4}$	21	T5N	R4W	M.D.	8	Yes
NE $\frac{1}{4}$ of NW $\frac{1}{4}$	21	T5N	R4W	M.D.	<u>7</u>	Yes
					33	

Stockwatering and Domestic at Reservoirs: No change requested

Reservoir	Use Within	Section	Township	Range	B&M
Pond #1	NE $\frac{1}{4}$ of NE $\frac{1}{4}$	20	T5N	R4W	M.D.
Pond #2	SE $\frac{1}{4}$ of SE $\frac{1}{4}$	17	T5N	R4W	M.D.
Pond #3	SW $\frac{1}{4}$ of SW $\frac{1}{4}$	16	T5N	R4W	M.D.
	SE $\frac{1}{4}$ of SW $\frac{1}{4}$	16	T5N	R4W	M.D.

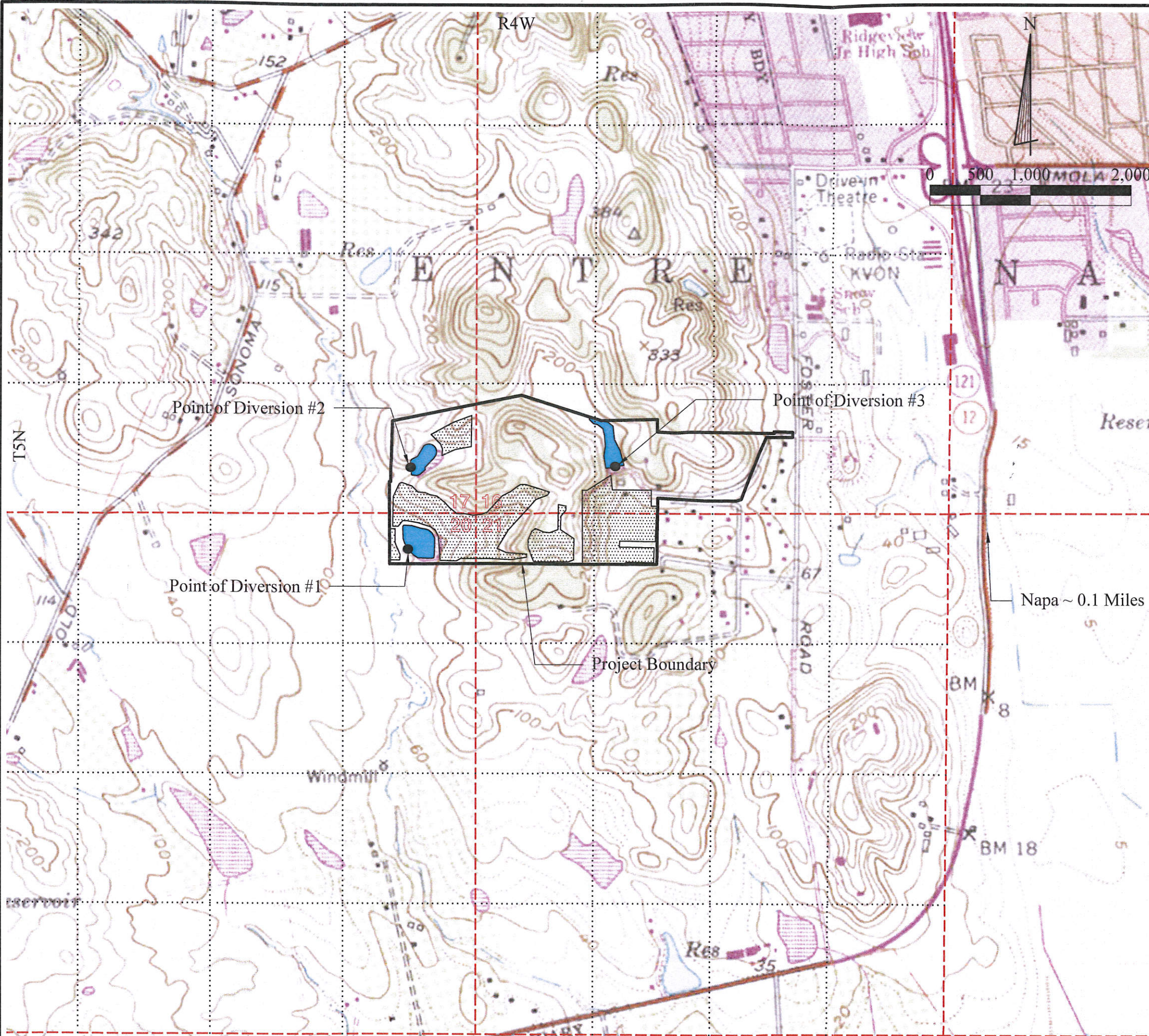
Point of Diversion - No change requested, described in NAD83

Map Point	Description
1	Located N.1,860,831' and E.6,470,035', California Coordinate System, NAD83, Zone 2, being within the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Projected Section 20, T5N, R4W, MDB&M.
2	Located N.1,861,643' and E.6,470,057', California Coordinate System, NAD83, Zone 2, being within the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Projected Section 17, T5N, R4W, MDB&M.
3	Located N.1,861,658' and E.6,472,091', California Coordinate System, NAD83, Zone 2, being within the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Projected Section 16, T5N, R4W, MDB&M.

Map to Accompany
 Petition for Change
 for
 Water Right Application 18595
 by
 Nick Tsiplos

Napa County, California

Wagner Bonsignore
 Consulting Civil Engineers, A Corporation



Licensed Place of Use:

Stockwatering and domestic use within SE¼ of SW¼ and SW¼ of SW¼ of projected Section 16; SE¼ of SE¼ of projected Section 17; NE¼ of NE¼ of projected Section 20; NW¼ of NW¼ and NE¼ of NW¼ of projected Section 21 within T5N, R4W, MDB&M.

Irrigation of 14 acres within NE¼ of NW¼ and 1 acre within SE¼ and NW¼ of projected Section 21 within T5N, R4W, MDB&M.

Requested Place of Use

Irrigation:

Use Within	Section	Township	Range	B.&M.	Acres	Previously Cultivated
SE¼ of SW¼	16	T5N	R4W	M.D.	4	Partial
SW¼ of SW¼	16	T5N	R4W	M.D.	3	Partial
NW¼ of NE¼	17	T5N	R4W	M.D.	5	Partial
NE¼ of NE¼	20	T5N	R4W	M.D.	6	Yes
NW¼ of NW¼	21	T5N	R4W	M.D.	8	Yes
NE¼ of NW¼	21	T5N	R4W	M.D.	7	Yes
					33	

Stockwatering and Domestic at Reservoirs: No change requested

Reservoir	Use Within	Section	Township	Range	B&M
Pond #1	NE¼ of NE¼	20	T5N	R4W	M.D.
Pond #2	SE¼ of SE¼	17	T5N	R4W	M.D.
Pond #3	SW¼ of SW¼	16	T5N	R4W	M.D.
	SE¼ of SW¼	16	T5N	R4W	M.D.

Point of Diversion - No change requested, described in NAD83

Map Point	Description
1	Located N.1,860,831' and E.6,470,035', California Coordinate System, NAD83, Zone 2, being within the NE¼ of NE¼ of Projected Section 20, T5N, R4W, MDB&M.
2	Located N.1,861,643' and E.6,470,057', California Coordinate System, NAD83, Zone 2, being within the SW¼ of SW¼ of Projected Section 17, T5N, R4W, MDB&M.
3	Located N.1,861,658' and E.6,472,091', California Coordinate System, NAD83, Zone 2, being within the SE¼ of SW¼ of Projected Section 16, T5N, R4W, MDB&M.

Map to Accompany
Petition for Change
for
Water Right Application 18595
by
Nick Tsiplakos

Napa County, California

Wagner Bonsignore
Consulting Civil Engineers, A Corporation

Photographs to Accompany
Petition for Change
Water Right License 3728 (Application 18595)



Typical existing Place of Use



Typical Unplanted Place of Use (cleared area above pond)