
State Water Resources Control Board

**NOTICE OF AMENDED PETITION FOR CHANGE & TIME EXTENSION FOR
WATER RIGHT PERMIT 20820 (APPLICATION 30118) OF WILLIAM HARDIN
TRUST**

COUNTY: Napa
Creek

STREAM SYSTEM: Pope

On May 29, 2019, William Hardin Trust (Petitioner) filed amendments to previously filed petitions to change its water right Permit 20820 (Application 30118) with the State Water Resources Control Board, Division of Water Rights (Division). With these amendments, the Petitioner has requested to modify Permit 20820 as follows: 1) all undeveloped ponds are requested to be offstream pit type ponds; 2) the permitted point of diversion (POD 6) on Pope Creek is withdrawn and the single existing permitted diversion facility on Pope Creek (POD 1) will serve the entire project; 3) permitted enlargement of Pond 3 is no longer proposed and Pond 3 will remain as a stockpond; 4) the place of use is reduced from the previously requested 274 acres to 268 acres; and 5) a time extension of 10 years from date of the order that grants the petition is being requested to complete beneficial use under the permit.

Summary of Permit 20820 and Proposed Changes:

Sources

Present

- (1) (3) (4) - Three Unnamed Streams tributary to Pope Creek thence Putah Creek
- (6) (7) - Pope Creek tributary to Putah Creek

Proposed

- (1) - Pope Creek tributary to Putah Creek
- (2) - Unnamed Stream tributary to Pope Creek thence Putah Creek

Points of Diversion (POD), Rediversion (PORD) & Places of Storage (as shown on map accompanying petitions)

Present

- (1) – Onstream Reservoir 1: POD by collection to storage, place of storage, and PORD for water diverted from (7), located within NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of projected Section 14, T9N, R5W, MDB&M
- (2) – Offstream Reservoir 2: Place of storage for water diverted from (7), located within SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of projected Section 15, T9N, R5W, MDB&M
- (3) – Onstream Reservoir 3: POD by collection to storage, place of storage, and PORD for water diverted at (6), located within NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of projected Section 15, T9N, R5W, MDB&M

(4) Onstream Reservoir 4: POD by collection to storage, place of storage, and PORD for water diverted from Point 6, located within SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of projected Section 15, T9N, R5W, MDB&M

(5) - Offstream Reservoir 5: Place of storage for water diverted from (7), located within SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of projected Section 15, T9N, R5W, MDB&M

(6) – POD to offstream storage at Reservoirs #3 and #4, located within SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 10, T9N, R5W, MDB&M

(7) – POD to offstream storage at Reservoirs #1, #2, and #5, located within SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 10, T9N, R5W, MDB&M

Proposed

(1) – Existing POD to offstream storage at existing Ponds 2 and A, and proposed Ponds B, C, and D, located North 1,995,397 feet and East 6,449,887 feet, being within SW $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 11, T9N, R5W, MDB&M

(2) – Existing Onstream Pond 2: POD by collection to storage, place of storage, and PORD for water diverted from POD 1, located North 1,994,441 feet and East 6,450,058 feet, being within NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of projected Section 14, T9N, R5W, MDB&M

(A) – Existing Offstream Pond A: Place of storage for water diverted from POD 1, located within SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of projected Section 14 & SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of projected Section 15, T9N, R5W, MDB&M

(B) – Proposed Offstream Pond B: Place of storage for water diverted from POD 1, located within NW $\frac{1}{4}$ of SW $\frac{1}{4}$ and SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of projected Section 14, T9N, R5W, MDB&M

(C) – Proposed Offstream Pond C: Place of storage for water diverted from POD 1, located within SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of projected Section 15, T9N, R5W, MDB&M

(D) – Proposed Offstream Pond D: Place of storage for water diverted from POD 1, located within SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of projected Section 15, T9N, R5W, MDB&M

Amount

Present

A total of 245 acre-feet (af) annually (49 af in each reservoir)

Proposed

A total of 245 af annually (49 af in each reservoir)

Season

Present (no change)

November 1 through May 31 of the succeeding year

Purpose of Use

Present Uses

Domestic, Irrigation, Frost Protection, Heat Control, Recreation, and Stockwatering

Proposed Additional Use

Industrial

Place of Use

Present

258 acres within Sections 11, 14, 15, 22, and 23, T9N, R5W, MDB&M as shown on map filed with petition.

Proposed

Domestic, Irrigation, Frost Protection, Heat Control, Recreation and Stockwatering Uses on 268 acres within Sections 10, 11, 14, 15, 22, and 23, T9N, R5W, MDB&M as shown on map filed with amendment

Industrial Uses within the SW¼ of SW¼ of projected Section 14, T9N, R5W, MDB&M

Date to Complete Construction and Apply Water to Beneficial Use

Present

December 31, 2006

Proposed

10 years from the date the order granting the petition is approved

More information regarding the petitions is available at [Water Rights Petition Information](#).

Any interested person may file a written protest against the approval of the petition (Wat. Code, § 1703.1). Protest submittal information is available at [Protest Submittal Information](#).

Protests filed with the Division must indicate the manner in which service upon the Petitioner of a duplicate copy of the protest has been made. Correspondence directed to the Petitioner should be addressed to William Hardin Trust c/o Paula Whealen, Wagner & Bonsignore, 2151 River Plaza Drive, Suite 100, Sacramento, CA 95833 or by email at pwhealen@wbecorp.com.

Pursuant to California Water Code section 1703.1 any interested person may file an objection to the petitioned changes. Protests must be received by the Division by **4:30 p.m. on October 16, 2019**. Protests may be provided via email prior to the deadline; however, a copy of the original signed protest must be subsequently filed with the Division.

Kate Gaffney is the staff person presently assigned to this matter, and she can be reached at (916) 341-5360 or kathryn.gaffney@waterboards.ca.gov. Written correspondence or inquiries should be addressed as follows: State Water Resources Control Board, Division of Water Rights, Attn: Kate Gaffney, P.O. Box 2000, Sacramento, CA, 95812-2000.

Date of Notice: **September 16, 2019**