

STATE OF CALIFORNIA
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

In the Matter of Water Right Application A031635

Hestan Vineyards LLC

ORDER APPROVING MINOR CHANGE TO APPLICATION

SOURCE: An Unnamed Stream tributary to Gordon Valley Creek thence
Ledgewood Creek thence Peytonia Slough thence Suisun Slough thence
Suisun Bay

COUNTY: Napa County

WHEREAS:

1. On August 30, 2006, Hestan Vineyards LLC (Applicant) filed water right application A031635 with the State Water Resources Control Board (State Water Board or Board), Division of Water Rights (Division) to appropriate water from the Ledgewood Creek stream system in Napa County.
2. The application was publicly noticed on October 26, 2007. Protests were received from the California Department of Fish and Wildlife and Gordon Family Ranch. Both protests were rejected.
3. On June 16, 2023, the applicant initiated a minor change to modify the application as follows:
 - a. Change the maximum amount of water requested for diversion by reducing it to 146 acre-feet per year.
 - b. Change the points of diversion by removing the second point of diversion.
 - c. Change the place of use by reducing it from 87 acres to 60 acres.
4. On July 28, 2023 the State Water Board provided notice and an opportunity to provide comments regarding the minor change to the applicant, the protestants, and other interested parties. No comments were received.
5. The State Water Board may make a minor change to an application without requiring the filing of a petition for change if the Board finds all of the following:

- a. The change does not enlarge or increase the authorized rate, amount, or season of diversion.
- b. The change does not increase the total area subject to inundation by water diverted to storage or the area where facilities will be constructed.
- c. The change is not substantial or constitutes a reduction, agreed to by the applicant, in the authorized diversion, affected area, or other feature of the application.
- d. The change does not have the potential to adversely affect the water supply of other legal users of water or instream beneficial uses.

(Wat. Code, § 1700.4.)

6. The proposed changes will not enlarge or increase the authorized rate, amount, or season of diversion. The amount of diversion will be reduced.
7. The proposed changes will not increase the total area subject to inundation by water diverted to storage or the area where facilities will be constructed. No changes to the reservoir at the third point of diversion are proposed, the reservoir proposed for construction at the second point of diversion will be removed, and the place of use will be reduced.
8. The proposed changes are not substantial or constitute a reduction, agreed to by the applicant, in the authorized diversion, affected area, or other feature of the application. The changes to the points of diversion, maximum amount for diversion, and place of use constitute a reduction.
9. The proposed changes do not have the potential to adversely affect the water supply of other legal users of water or instream beneficial uses.
10. Pursuant to Resolution 2012-0061, the State Water Board has delegated the authority to conduct and supervise the activities of the State Water Board to the Executive Director. By memorandum dated April 28, 2022, the Executive Director has redelegated the authority to act on minor changes to the Deputy Director for Water Rights. The Deputy Director for Water Rights has further redelegated this authority pursuant to a memorandum dated April 20, 2023.

NOW, THEREFORE, IT IS ORDERED:

1. The minor change to the application is approved.
2. The maximum amount of water requested for diversion is changed to 146 acre-feet per year.

3. The second point of diversion located on an Unnamed Stream tributary to Gordon Valley Creek is removed.
4. The place of use for irrigation, frost protection, and heat control is changed to 59.9 acres as follows:
 - a. 0.8 acre within the Northeast quarter of the Southeast quarter of Section 31;
 - b. 0.1 acre within the Southeast quarter of the Southeast quarter of Section 31;
 - c. 7.3 acres within the Southwest quarter of the Northwest quarter of Section 32;
 - d. 4.2 acres within the Southeast quarter of the Northwest quarter of Section 32;
 - e. 19.8 acres within the Northwest quarter of the Southwest quarter of Section 32;
 - f. 18.1 acres within the Northeast quarter of the Southwest quarter of Section 32;
 - g. 4.9 acres within the Northwest quarter of the Southeast quarter of Section 32;
 - h. 4.2 acres within the Southwest quarter of the Southwest quarter of Section 32;
 - i. 0.5 acre within the Southeast quarter of the Southwest quarter of Section 32;
 - j. All within Township 6 North, Range 2 West, Mount Diablo Base and Meridian.

STATE WATER RESOURCES CONTROL BOARD

ORIGINAL SIGNED BY:
MATTHEW MCCARTHY FOR:

*Erik Ekdahl, Deputy Director
Division of Water Rights*

Dated: September 6, 2023