

PERMIT TERM 85A

Title: Diversion Restriction - Napa Valley – Main Stem Only

When Used: For direct diversion and storage after March 15 for frost protection, irrigation, and/or heat control from the Napa River or its tributaries. Do not use on tributaries if frost protection is not a purpose of use or for onstream winter storage on small tributaries. Do not use on Conn Creek above Lake Hennessey.

Term:

Diversion of water between March 15 and May 15 is subject to control under a water distribution program administered by the State Water Resources Control Board or by the Department of Water Resources. Whenever such a program is in effect at the project location, permittee shall comply with the following:

- A. Diversion after March 15 is contingent upon participation in the water distribution program by permittee.
- B. Diversion after March 15 shall be solely to replenish water stored prior to March 15 unless otherwise authorized by the Watermaster in charge of the distribution program.
- C. Prior to making diversions after March 15, permittee shall install and maintain devices, satisfactory to the Watermaster, which are capable of measuring the instantaneous rate of diversion and the total amount of water diverted during participation in the distribution program.
- D. Permittee's participation in any water distribution program required under the terms of this permit shall be evidenced by returning the information sheet distributed prior to the frost season and paying costs as apportioned at the end of the season.
- E. The water distribution program required under this permit may be revised periodically by the State Water Resources Control Board provided that the program shall be substantially consistent with terms of any water distribution program imposed on similarly situated users by the Napa County Superior Court.

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