

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

DIVISION OF WATER RIGHTS

In the Matter of Water Right Application A030794

Duckhorn Wine Company

ORDER APPROVING MINOR CHANGE TO APPLICATION

SOURCE: An Unnamed Stream tributary to Donelly Creek thence Anderson Creek
thence the Navarro River

COUNTY: Mendocino

WHEREAS:

1. On October 13, 1998, the Christopher Demuth filed water right application A030794 with the State Water Resources Control Board (State Water Board or Board), Division of Water Rights (Division) to appropriate water from the Navarro River stream system in Mendocino County.
2. The application was publicly noticed on December 17, 1999. Protests were received from the California Sportfishing Protection Alliance, Friends of the Navarro Watershed, Anderson Vineyards Inc, Sierra Club Mendocino Group, Navarro Watershed Protection Association, Daniel Myers, and the California Department of Fish and Wildlife. The protest from the California Department of Fish and Wildlife has been rejected and the protests from Anderson Vineyards Inc and the California Sportfishing Protection Alliance have been withdrawn.
3. On August 8, 2023, the State Water Board approved a minor change to modify Application A030794 as follows:
 - a. Reduce the season of diversion to December 15 to March 31.
 - b. Reduce the amount of water requested for diversion to 5.9 acre-feet per year.
 - c. Remove a point of diversion.
 - d. Add dust control as a purpose of use.
 - e. Reduce the place of use to 27 acres.

4. On May 1, 2024, the State Water Board initiated a minor change to modify Application A030794 by removing domestic use.
5. On May 3, 2024 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.
6. 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.)

7. The proposed changes will not enlarge or increase the authorized rate, amount, or season of diversion. There will not be any changes to the rate, amount, or season of diversion.
8. 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. There will not be any changes to the existing reservoir or the area where facilities will be constructed.
9. 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. Removing domestic use is not substantial.
10. The proposed changes do not have the potential to adversely affect the water supply of other legal users of water or instream beneficial uses.
11. 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 purposes of use are changed by removing domestic.

STATE WATER RESOURCES CONTROL BOARD

ORIGINAL SIGNED BY:
MATTHEW MCCARTHY FOR:

*Erik Ekdahl, Deputy Director
Division of Water Rights*

Dated: May 30, 2024