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State of California  
State Water Resources Control Board  
**DIVISION OF WATER RIGHTS**  
P.O. Box 2000, Sacramento, CA 95812-2000  
Info: (916) 341-5300, FAX: (916) 341-5400, Web: http://www.waterrights.ca.gov

STATE WATER RESOURCES CONTROL BOARD

PH 2: 55

DIV. OF WATER RIGHTS SACRAMENTO

**PETITION FOR CHANGE**  
(WATER CODE 1700)

X Point of Diversion,      Point of Rediversion,      Place of Use,      Purpose of Use  
Application 14997B Permit 9295B License 4777B Statement or Other     

I (we) hereby petition for change(s) noted above and shown on the accompanying map and described as follows:

**Point of Diversion or Rediversion** (Give coordinate distances from section corner or other ties as allowed by Cal CR 715, and the 40-acre subdivision in which the present & proposed points lie.)

Present N 2400' & E 1700' from SE corner of projected section 25, T 14N, R12W, MDB&M, being within NE 1/4 of SW 1/4 of said section 25  
Proposed N500, 493' E 1679, 606' NW 1/4 of NE 1/4, section 36, T 14N, R13W, MDB&M

**Place of Use** (If irrigation then state number of acres to be irrigated within each 40-acre tract.)

Present       
Proposed 50

**Purpose of Use**

Present       
Proposed Irrigation & Frost Protection

Does the proposed use serve to preserve or enhance wetlands habitat, fish and wildlife resources, or recreation in or on the water (See WC 1707)?     

- GIVE REASON FOR PROPOSED CHANGE: Requirement of license 4777B
- WILL THE OLD POINT OF DIVERSION OR PLACE OF USE BE ABANDONED? Yes
- WATER WILL BE USED FOR Irrigation & Frost Protection PURPOSES.

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

Are there any persons taking water from the stream between the old point of return flow and the new point of return flow? No  
(yes/no)

If by lease or agreement, state the name and address of party(s) from whom access has been obtained. Attach additional pages if needed.

Flight Rail Corporation  
250 Henry Station Road  
Ukiah, CA 95482

Give name and address of any person(s) taking water from the stream between the present point of diversion or rediversion and the proposed point of diversion or rediversion, as well as any other person(s) known to you who may be affected by the proposed change.

N/A

**THIS CHANGE DOES NOT INVOLVE AN INCREASE IN THE AMOUNT OF THE APPROPRIATION OR SEASON OF USE.**

I (we) declare under penalty of perjury that the above is true and correct to the best of my (our) knowledge and belief.

Dated     , 20     at     , California

[Signature]  
Signature(s)

707-744-WINE  
Telephone No.

NOTE: A \$100 filing fee made payable to the State Water Resources Control Board and a \$850 fee made payable to the Department of Fish and Game must accompany a petition for change.

**ENVIRONMENTAL INFORMATION  
FOR PETITIONS**

(THIS IS NOT A CEQA DOCUMENT)

APPLICATION NO. 14997

PERMIT NO. 9295

LICENSE NO. 4777B

The following information will aid in the environmental review of your change petition as required by the California Environmental Quality Act (CEQA). IN ORDER FOR YOUR CHANGE PETITION TO BE ACCEPTED AS COMPLETED, ANSWERS TO THE QUESTIONS LISTED BELOW MUST BE COMPLETED TO THE BEST OF YOUR ABILITY. Failure to answer all questions may result in your change petition being returned to you, causing delays in processing. If you need more space, attach additional sheets. Additional information may be required from you to amplify further or clarify the information requested in this form.

DISCRIPTION OF CHANGES TO PROJECT

1. 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, changes in land use, and project operational changes, including changes in how the water will be used.

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The ranch is fully developed and the new main line has been  
ran under the highway connecting the Flight Rail property and  
my property. The line still needs to be connected to the  
existing pumping system and a flow meter installed. This is  
currently being worked on.

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Irrigation is by drip and overhead for 50 acres of grapes.  
Water will mainly be used for summer irrigation when water  
is not available & for frost protection.

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GOVERNMENTAL REQUIREMENTS

Before a final decision can be made on your change petition, we must consider the information contained in an environmental document prepared in compliance with the requirements of CEQA. If an environmental document has been prepared for your proposed changes by another agency, we must consider it. If one has not been prepared, a determination must be made as to who is responsible for the preparation of the environmental document for your change petition. The following questions are designed to aid us in that determination.

2. Contact your county planning or public works department for the following information:

a. Person contacted Dennis Chaty Date of contact 1/28/03  
Department Co. Planning Telephone (707) 463-4281

b. Assessor's Parcel No. \_\_\_\_\_

c. County Zoning Designation \_\_\_\_\_

d. Are any county permits required for your proposed changes? No

If yes, check appropriate space below:

\_\_\_\_\_ Grading Permit, \_\_\_\_\_ Use Permit, \_\_\_\_\_ Watercourse  
Obstruction Permit, \_\_\_\_\_ Change of Zoning, \_\_\_\_\_ General Plan  
Change, Other (explain):  
\_\_\_\_\_

e. Have you obtained any of the required permits described above? \_\_\_\_\_

If yes, provide a complete copy of each permit obtained.

3. Are any additional state or federal permits required for your proposed changes? \_\_\_\_\_ (i.e., from Federal Energy Regulatory Commission, U.S. Forest Service, Bureau of Land Management, Soil Conservation Service, Department of Water Resources (Division of Safety of Dams), Reclamation Board, Coastal Commission, State Lands Commission, etc.) For each agency from which a permit is required provide the following information:

Permit type \_\_\_\_\_

Person (s) contacted \_\_\_\_\_ Agency \_\_\_\_\_

Date of contact \_\_\_\_\_ Telephone ( ) \_\_\_\_\_

4. Has any public agency prepared an environmental document for any aspect of your proposed changes? \_\_\_\_\_

If so, please submit a copy of the latest environmental document (s) prepared, including a copy of the notice of determination adopted by the public agency. If not, explain below whether you expect that a public agency other than the State Water Resources Control Board will be preparing an environmental document for your change petition or whether the applicant, if it is a California public agency, will be preparing the environmental document for your change petition:

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Note: When completed, please submit a copy of the final environmental document (including notice of determination) or notice of exemption to the State Water Resources Control Board. Processing of your change petition cannot proceed until such documents are submitted.

5. Will your proposed changes, during construction or operation, generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or cause erosion, turbidity or sedimentation? No If so, explain: \_\_\_\_\_
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If yes or you are unsure of your answer, contact your local Regional Water Quality Control Board for the following information (See attachment for address and telephone number):

Will a waste discharge permit be required for your petition? \_\_\_\_\_ No

Person contacted \_\_\_\_\_ Date of contact \_\_\_\_\_

What method of treatment and disposal will be used? \_\_\_\_\_

N/A

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6. Have any archeological reports been prepared on this project, or will you be preparing an archeological report to satisfy another public agency? No

Do you know of any archeological or historic sites located within the general project area?

\_\_\_\_\_ If so, explain: \_\_\_\_\_

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### ENVIRONMENTAL SETTING

7. Attach **THREE COMPLETE SETS** of color photographs, clearly dated and labeled, showing the vegetation currently existing at the following locations:

- a. Along the stream channel immediately downstream from the proposed point(s) of diversion
- b. Along the stream channel immediately upstream from the proposed point(s) of diversion
- c. At the place(s) where the water is to be used

Note: It is very important that you submit no less than three complete sets of photographs as required above. If less than three sets are submitted, processing of your change petition will be delayed until you furnish the remaining sets!

8. From the list given below, mark or circle the general plant community types which best describe those which occur within your project area (Note: See footnote denoted by \* under Question 11 below):

Tree Dominated Communities

Subalpine Conifer  
 Red Fir  
 Lodgepole Pine  
 Mixed Conifer  
     Sierran Mixed Conifer  
     White Fir  
     Klamath Mixed Conifer  
 Douglas-Fir  
 Jeffrey Pine  
 Ponderosa Pine  
 Eastside Pine  
 Redwood  
 Pinyon-Juniper  
 Juniper  
 Aspen  
 Closed-Cone Pine-Cypress  
 Montane Hardwood-Conifer  
 Montane Hardwood  
 Valley Foothill Hardwood  
     Blue Oak Woodland  
     Valley Oak Woodland  
     Coastal Oak Woodland  
 Valley Foothill Hardwood-Conifer  
     Blue Oak-Digger Pine  
 Eucalyptus  
 Montane Riparian  
 Valley Foothill Riparian  
 Desert Riparian  
 Palm Oasis  
 Joshua Tree

Shrub Dominated Communities

Alpine Dwarf-Shrub  
 Low Sage  
 Bitterbrush  
 Sagebrush  
 Montane Chaparral  
 Mixed Chaparral  
 Chamise-Redshank Chaparral  
 Coastal Scrub  
 Desert Succulent Shrub  
 Desert Wash  
 Desert Scrub  
 Alkali Desert Scrub

Herbaceous Dominated Communities

Annual Grassland  
 Perennial Grassland  
 Wet Meadow  
 Fresh Emergent Wetland  
 Saline Emergent Wetland  
 Pasture

Aquatic Communities

Riverine  
 Lacustrine  
 Estuarine  
 Marine

Developed Communities

Cropland  
 Orchard-Vineyard  
 Urban

Literature source: Mayer, K.E., and W.F. Laudenslayer, Jr., (eds). 1988. A Guide to Wildlife Habitats of California. California Department of Forestry and Fire Protection, Sacramento. 166 pp. (Note: You may view a copy of this document at our public counter at the address given

at the top of this form or you may purchase a copy by calling the California Department of Fish and Game, Wildlife Habitat Relationships (WHR) Program at (916) 653-7203).

9. Provide below an estimate of the type, number, and size (trunk/stem diameter at chest height) of trees and large shrubs that are planned to be removed or destroyed due to implementation of the proposed changes. Consider all aspects of your change petition, including changes in diversion structures, water distribution and use facilities, and changes in the place of use due to additional water development.

None

FISH AND WILDLIFE CONCERNS

10. Identify the typical species of fish which occur in the source(s) from which you propose to divert water and discuss whether or not any of these fish species or their habitat has been or would be affected by your proposed changes. (Note: See footnote denoted by \* under Question 11 below):

Trout & Steelhead

11. Identify the typical species of riparian and terrestrial wildlife in the area and discuss whether or not any of these species and/or their habitat has been or would be affected by your proposed changes through construction of additional water diversion and distribution works and/or changes in land use in the place of water use. (Note: See footnote denoted by \* below):

None

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**\*Note:** The purposes of Question 10 and 11 are to provide a preliminary assessment of the presence of typical plant and animal species in the area and whether these species might be affected by your proposed changes. Detailed site surveys to quantify populations of specific species or determine the presence of rare or endangered species may be required at a later date. It is very important that you answer these questions accurately. If you are unable to obtain appropriate answers from your local California Department of Fish and Game biologists (See attachment for address and telephone number) or you do not have adequate information or expertise to complete your answers, you should hire a fishery consultant and/or a wildlife consultant to review your project and prepare suitable answers for you. For information on available qualified fishery or wildlife consultants near you, consult your local telephone directory yellow pages under Environmental and Ecological Services, or call the California Environmental Protection Agency, Registered Environmental Assessor (REA) Program, at (916) 324-6881 or the University of California, Cooperative Extension Service (See your local telephone directory white pages).

12. Do your proposed changes involve any construction or grading-related activity which has significantly altered or would significantly alter the bed or bank of any stream or lake?           No            
If so, explain: \_\_\_\_\_

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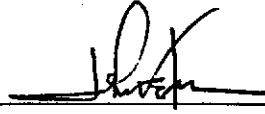
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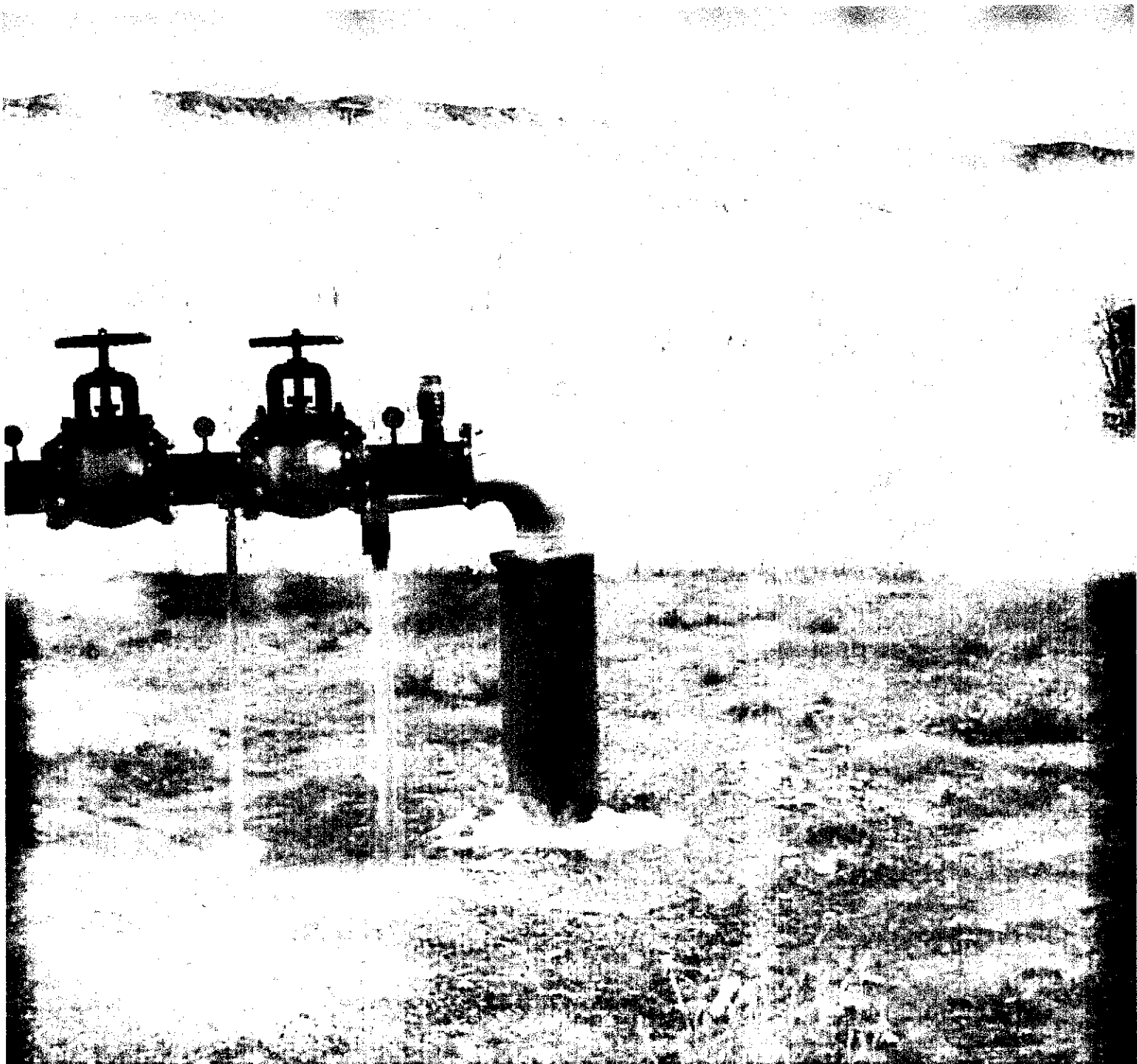
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CERTIFICATION

I hereby certify that the statements I have furnished above and in the attached exhibits are complete to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge.

Date           2/10/03           Signature           

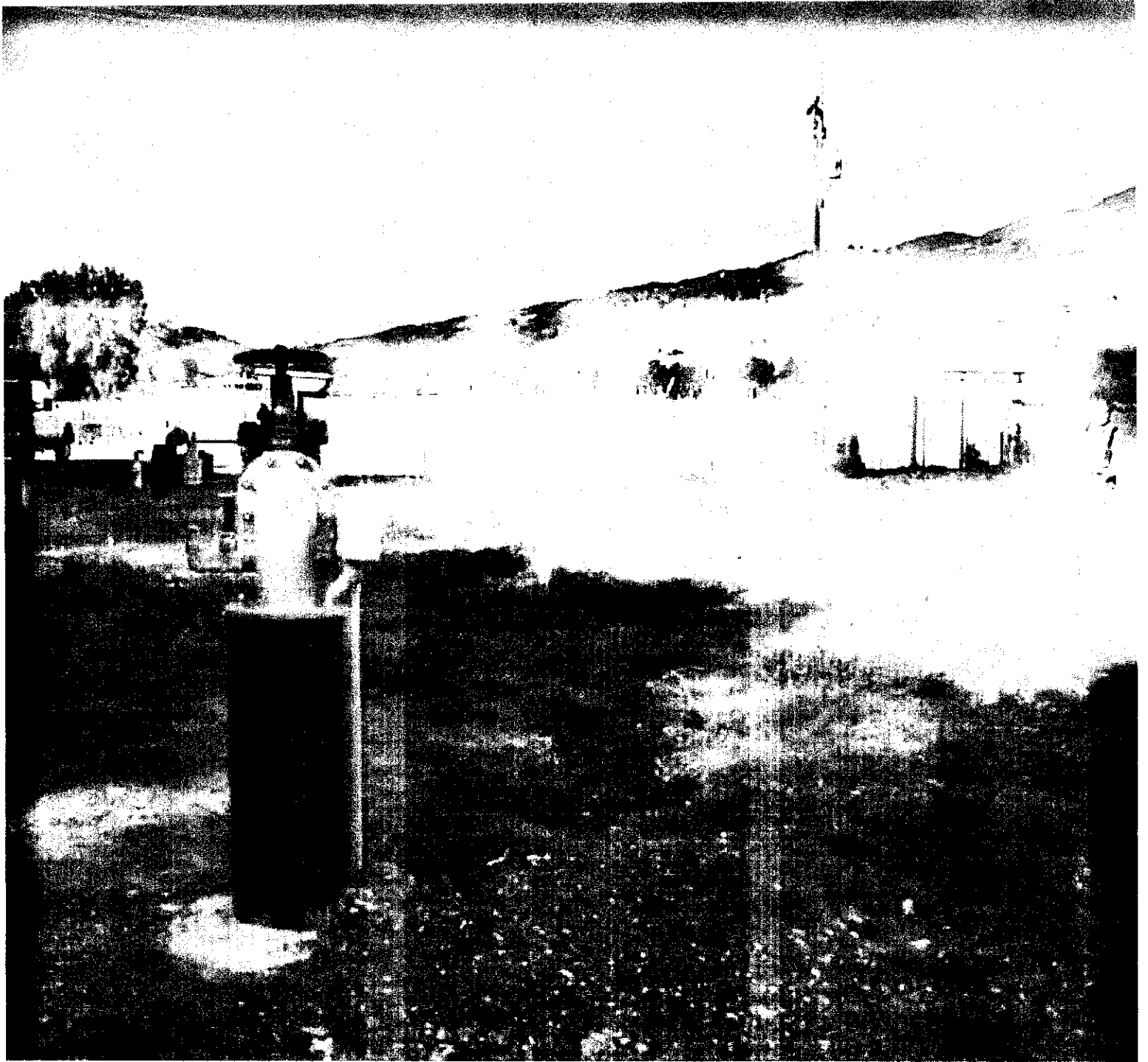




POD on Bank of Russian River looking E



Looking NE Just E of PDD



POD Looking N



POD Looking NW



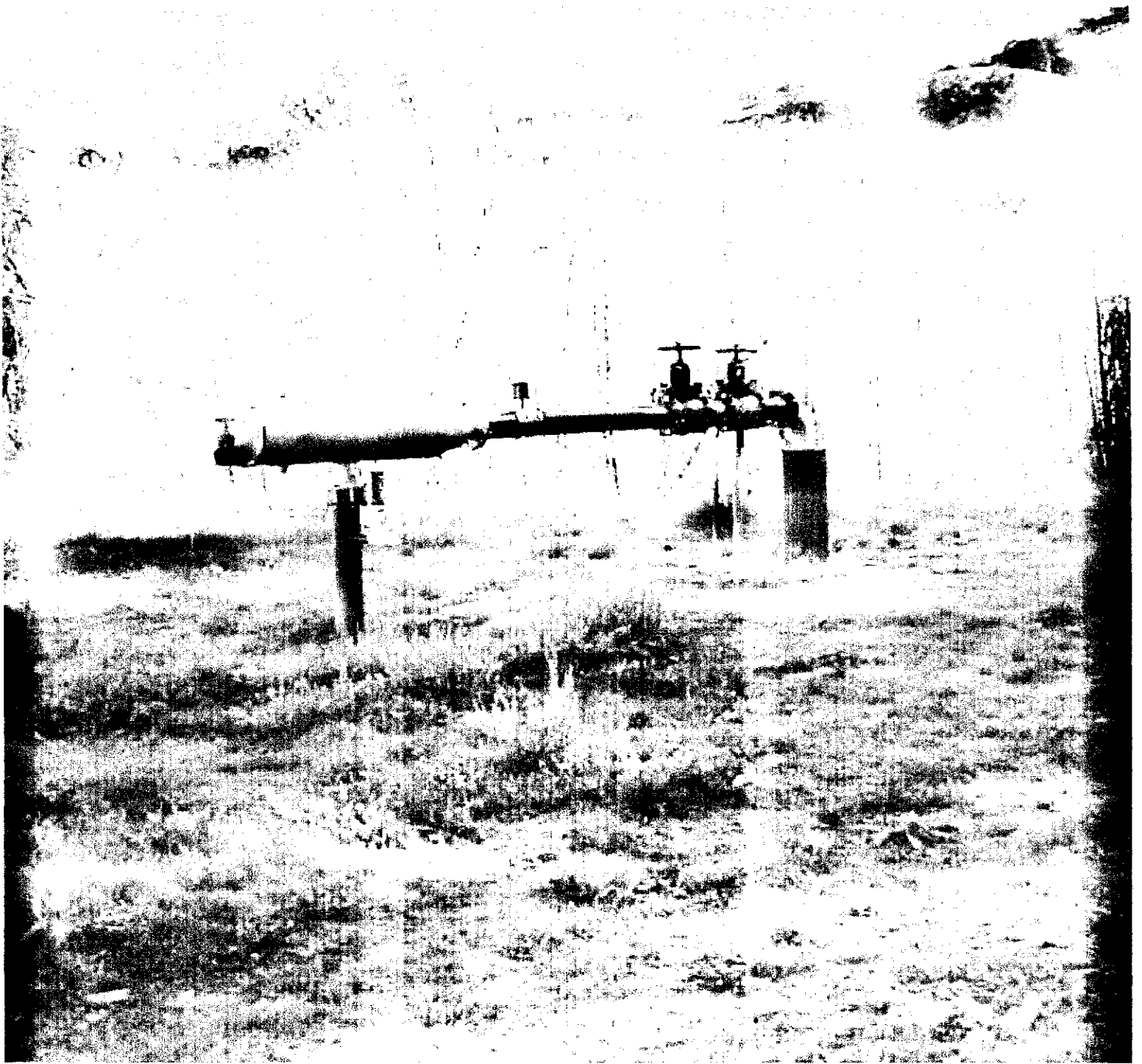
Looking S from POD at Russian River



PDD Looking W

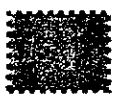
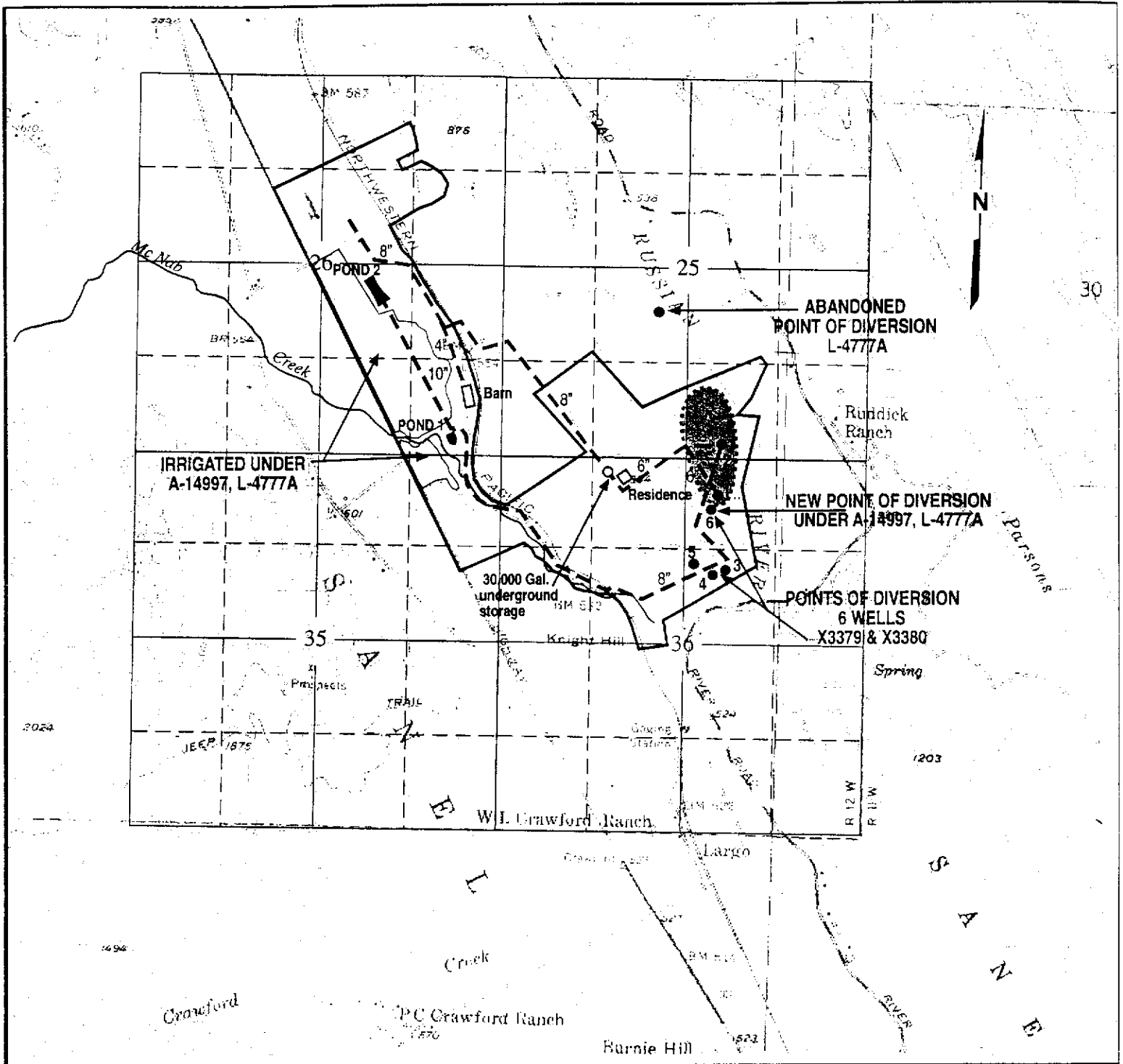


POD Looking S



POD looking SE





Green Areas are those irrigated in 1949, as depicted on Drwg No. 470-207-1 and interpreted from 1952 flight photos. The State Water Rights Board, in Decision D-1030, adopted August 17, 1961, Conditioned the issuance of Permits for the appropriation of summer waters to those lands irrigated in 1949.

--- PIPELINE --- FOR DOMESTIC, INDUSTRIAL AND BARN

--- PIPELINE --- FOR AGRICULTURE WATER

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

APPLICATIONS TO APPROPRIATE WATER

**MAX SCHLIENGER**

MENDOCINO COUNTY

0 1000 2000 4000 R

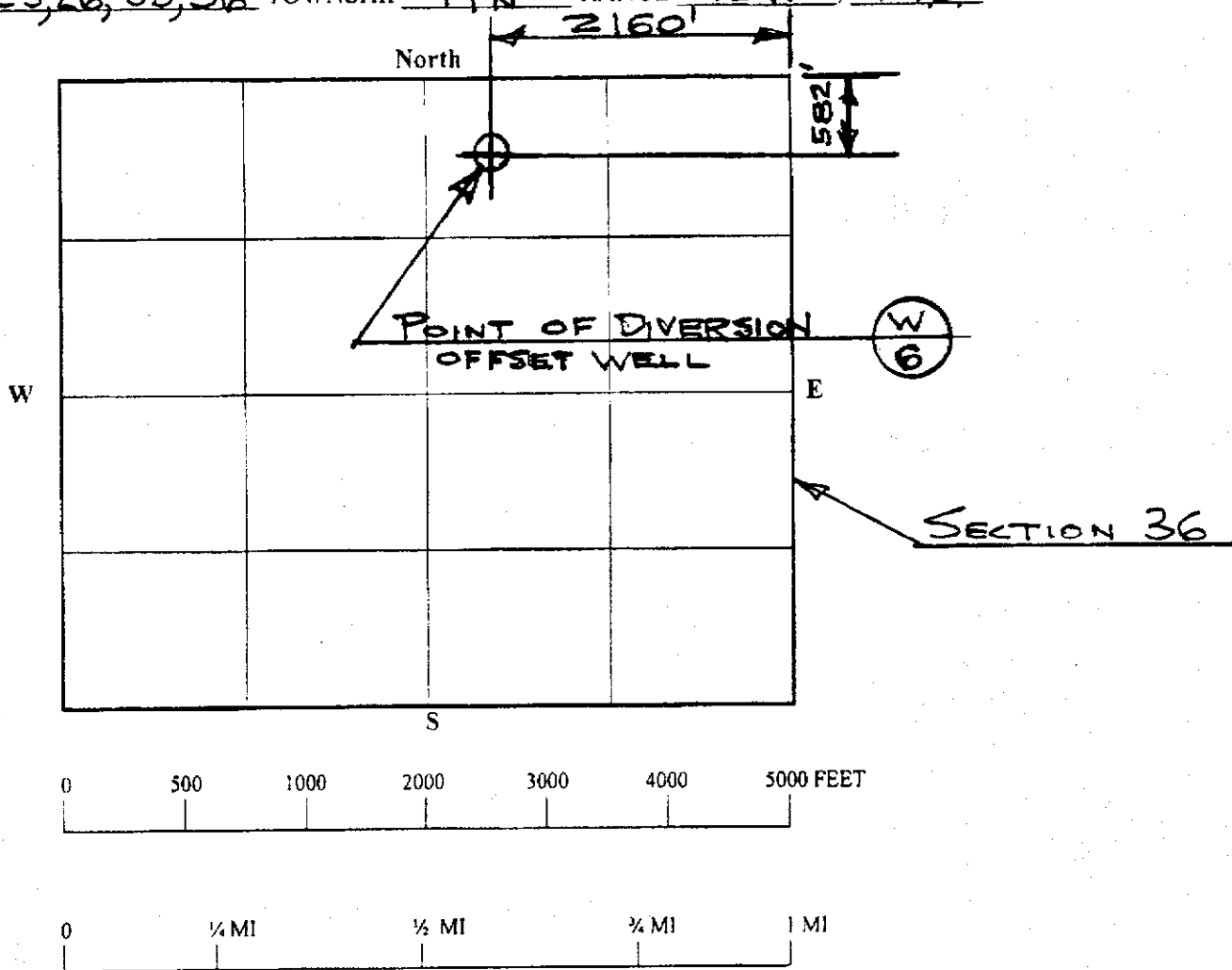
NOVEMBER 2002

SCALE IN FEET

MAP0306

13. MAP SEE ALTERNATIVE - SCHLIENGER/FLIGHT RAIL MAP  
 (Please complete legibly, with as much detail as possible, or attach a suitable alternative. See example in instruction booklet.)

SECTION(S) 25, 26, 35, 36 TOWNSHIP 14N RANGE 12W, MD B. & M.



- (1) Show location of the stream or spring, and give name.
- (2) Locate and describe the point of diversion (i.e. the point at which water is to be taken from the stream or spring) in the following way: Begin at the most convenient known corner of the public land survey, such as a section or quarter section corner (if on unsurveyed land more than two miles from a section corner, begin at a mark or some natural object or permanent monument that can be readily found and recognized) and measure directly north or south until opposite the point which it is desired to locate; then measure directly east or west to the desired point. Show these distances in figures on the map as shown in the instructions.
- (3) Show location of the main ditch or pipeline from the point of diversion.
- (4) Indicate clearly the proposed place of use of the water.

14. SUPPLEMENTAL INFORMATION

- a. If you are applying for a permit, Environmental Information form APP-ENV should be completed and attached to this form.
- b. If you are applying for underground storage, supplemental to APP (available upon request) should be completed and attached to this form.