

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>

PETITION FOR CHANGE
 (WATER CODE 1700)

Point of Diversion, _____ Point of Rediversion, _____ Place of Use, _____ Purpose of Use
 Application 16561 Permit _____ License 8091 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 As set forth in Licence # 8091

 _____ (N 487.700, E 1,683.100)

Proposed Add the offset well at the "Fetzer/Orsi" property line (N490.171, E4.316.044) and the diversion location on the Russian River (N490.464, E4.316.468) as shown on the attached map.

Corrections from letter dated 4-29-04 from NCCBY JL

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

Present As set forth in license # 8091

 Proposed _____

Purpose of Use

Present Irrigation and Frost Protection

 Proposed _____

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)? No
 (yes/no)

- GIVE REASON FOR PROPOSED CHANGE: To include two new points of diversion.
- WILL THE OLD POINT OF DIVERSION OR PLACE OF USE BE ABANDONED? No
 (yes/no)
- WATER WILL BE USED FOR Irrigation and frost protection PURPOSES.

I (we) have access to the proposed point of diversion or control the proposed place of use by virtue of? ownership and 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.

Bernard and Sandra Orsi
c/o P.O. Box 435 Calpella, Ca 95418

John E. Fetzer
c/o P.O. Box 435 Calpella, CA 95418

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.

None

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 April 8, 2004 at Calpella, California

Wanda Orsi
 Signature(s)

Agent (707) 485-7211 ex 21

Telephone No. W/1204

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. \$3,000

*\$850, \$3,000 for 3 petitions
 A 16561, 31093, 31159
 kbm*

**APPLICATION TO APPROPRIATE WATER BY PERMIT
ENVIRONMENTAL INFORMATION**

(THIS IS NOT A CEQA DOCUMENT)

APPLICATION NO.

The following information will aid in the environmental review of your application as required by the California Environmental Quality Act (CEQA). IN ORDER FOR YOUR APPLICATION 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 application 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.

PROJECT DESCRIPTION

1. Provide a description of your project, including but not limited to, type of construction activity, structures existing or to be built, area to be graded or excavated and project operation, including how the water will be used.

To add two new wells to licinse # 8091. The offset well located on the Fetzer/Orsi Property line and
and river diversion location as shown on applications 31039 and 31159. Please see the attached map.

GOVERNMENTAL REQUIREMENTS

Before a final decision can be made on your water right application, 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, a determination must be made as to who is responsible for the preparation of the environmental document for your project. 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 Frank Lynch Date of contact 4/08/2004

Department Mendocino County Planning Telephone (707) 463-4281

b. Assessor's Parcel No. 048-080-03,048-040-03,048-010-06,048-010-04,048-050-002

c. County Zoning Designation Agricultural

d. Are any county permits required for your project? 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? No

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

3. Are any additional state or federal permits required for your project? No (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 project?
No

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 application or whether the applicant, if it is a California public agency, will be preparing the environmental document for your project:

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 application cannot proceed until such documents are submitted.

5. Will your project, 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: _____
-
-
-

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 project? No
Person contacted _____ Date of contact _____
What method of treatment and disposal will be used? NA

6. Have any archeological reports been prepared on this project, or will you be preparing an archeological report to satisfy another public agency? Yes

Do you know of any archeological or historic sites located within the general project area?
yes If so, explain: One barn older than 45 years is on the property.

A copy of the Archaeology survey is attached.

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 application 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 you project area (Note: See footnote denoted by * under Question 11 below):

Tree Dominated Commuinites

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 application, including changes in diversion structures, water distribution and use facilities, and changes in the place of use due to additional water development.

None the offset wells and channel diversion have been previously constructed.

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):

Rare fish known to inhabit the Russian River include Coho and Chinook salmon and steelhead trout. A Habitat and Special Status Species Survey was prepared for Saracina Vineyards in March 2003. A copy is attached.

A bat habitat assessment was conducted in July 2002. A copy off that survey is also attached.

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

The wells and diversion are in place and no further work is required except some minor clearing around the channel diversion will be expected from time to time.

The wells are within the vineyard therefore no affect to riparian and terrestrial wildlife species would be expected from their development and use. A Habitat and Special Status Species survey was conducted in March 2003. A copy is attached. Therefore there is no impact expected from changing the application as proposed.

*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 project. 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. Does your proposed project involve any construction or grading-related activity which has significantly altered or would significantly alter the bed or bank of any stream or lake? Yes

If so, explain: The off channel pool will have to be excavated out from time to time and the channel that supplies water to the pool will have to be excavated annually. The landowner is in possession of a valid 1603 stream alteration permit

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

4/8/04

Signature

