

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>

024  
A030558

STATE WATER RESOURCES CONTROL BOARD

2006 SEP 25 PM 2:02

PETITION FOR CHANGE  
(WATER CODE 1700)

Application 30558  Point of Diversion,  Point of Rediversion,  Place of Use,  Purpose of Use  
Permit \_\_\_\_\_ License \_\_\_\_\_ Statement or Other SACRAMENTO

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 See Attachment #1  
Proposed \_\_\_\_\_

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

Present See Attachment #2  
Proposed \_\_\_\_\_

**Purpose of Use**

Present Irrig., Frost Control, Recreation, Domestic, Stockwatering  
Proposed Irrig., Frost Control, Rec., Dom., Stockwatering, Fire Protection, Wildlife Enhancement, Restoration

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)? Yes

(yes/no)

• GIVE REASON FOR PROPOSED CHANGE: Property has been purchased by County of Sonoma for the restoration of Tolay Lake and creation of a Regional Park.

• WILL THE OLD POINT OF DIVERSION OR PLACE OF USE BE ABANDONED? See Attachment #1

(yes/no)

• WATER WILL BE USED FOR See Attachment #1 of the Environmental Information form PURPOSES.  
for a complete project description.

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

N/A

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 8/31/06, 20 06 at Santa Rosa, California

Steve Ebes

Signature(s)

707-565-2041

Telephone No.

NOTE: A \$1,000 fee, for each Application listed, made payable to the State Water Resources Control Board and an \$850 fee made payable to the Department of Fish and Game must accompany a petition for change.

10/12/06  
\$327.00  
DC  
9/25/06  
\$1,000.00  
\$850.00  
DC

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demands and cut your energy costs, see our web-site at: <http://waterrights.ca.gov>.

# Attachment #1

## Point of Diversion or Rediversion

STATE WATER RESOURCES  
CONTROL BOARD

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### Present

| POD PORD | CALIFORNIA COORDINATES | ZONE | POINT IS WITHIN  | SECTION | TOWNSHIP | RANGE | BASE AND MERIDIAN |
|----------|------------------------|------|------------------|---------|----------|-------|-------------------|
| #1       | N195,700<br>E1,857,500 | 2    | SW 1/4 of SW 1/4 | 11      | 4N       | 6W    | MD                |
| #2       | N195,200<br>E1,856,300 | 2    | SE 1/4 of SE 1/4 | 10      | 4N       | 6W    | MD                |
| #3       | N194,550<br>E1,853,500 | 2    | NE 1/4 of NW 1/4 | 15      | 4N       | 6W    | MD                |
| #4       | N197,100<br>E1,851,550 | 2    | NW 1/4 of SW 1/4 | 10      | 4N       | 6W    | MD                |
| #5       | N192,150<br>E1,857,100 | 2    | SW 1/4 of SW 1/4 | 14      | 4N       | 6W    | MD                |

WATER RIGHTS  
STATEMENT

### Proposed

| POD PORD | CALIFORNIA COORDINATES | ZONE | POINT IS WITHIN  | SECTION | TOWNSHIP | RANGE | BASE AND MERIDIAN |
|----------|------------------------|------|------------------|---------|----------|-------|-------------------|
| #1       | N195,685<br>E1,857,590 | 2    | SW 1/4 of SW 1/4 | 11      | 4N       | 6W    | MD                |
| #2       | N195,150<br>E1,856,435 | 2    | SE 1/4 of SE 1/4 | 10      | 4N       | 6W    | MD                |
| #3       | N193,880<br>E1,854,090 | 2    | NW 1/4 of NE 1/4 | 15      | 4N       | 6W    | MD                |
| #4       | N200,380<br>E1,850,750 | 2    | SE 1/4 of SE 1/4 | 4       | 4N       | 6W    | MD                |
|          |                        |      |                  |         |          |       |                   |

- PODs #1 and #2 are existing reservoirs. The PODs have not changed but the proposed coordinates more accurately describe the POD locations.
- PODs #3, #4, and #5 described in the original application are being abandoned in favor of POD #3 and POD/PORD #4 in the amended application.

# Attachment #2

## PLACE OF USE

STATE WATER RESOURCES  
CONTROL BOARD

PRESENT

2006 SEP 25 2:02 PM

| USE IS WITHIN    | SECTION | TOWNSHIP | RANGE | BASE & MERIDIAN | ACRES | IF IRRIGATED PRESENTLY CULTIVATED?  |
|------------------|---------|----------|-------|-----------------|-------|---|
| NE 1/4 OF SE 1/4 | 3       | 4N       | 6W    | MD              | 2     | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO                           |
| SE 1/4 OF SE 1/4 | 3       | 4N       | 6W    | MD              | 20    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO                           |
| SW 1/4 OF SW 1/4 | 3       | 4N       | 6W    | MD              | 6     | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO                           |
| SW 1/4 OF SW 1/4 | 2       | 4N       | 6W    | MD              | 12    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO                           |
| SE 1/4 OF SE 1/4 | 4       | 4N       | 6W    | MD              | 5     | <input type="checkbox"/> YES <input type="checkbox"/> NO                                      |
| NE 1/4 OF NE 1/4 | 9       | 4N       | 6W    | MD              | 30    | <input type="checkbox"/> YES <input type="checkbox"/> NO                                      |
| SE 1/4 OF NE 1/4 | 9       | 4N       | 6W    | MD              | 38    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO                           |
| SW 1/4 OF NE 1/4 | 9       | 4N       | 6W    | MD              | 8     | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO                           |
| NW 1/4 OF SE 1/4 | 9       | 4N       | 6W    | MD              | 20    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO                           |
| NE 1/4 OF SE 1/4 | 9       | 4N       | 6W    | MD              | 20    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO                           |
| SE 1/4 OF SE 1/4 | 9       | 4N       | 6W    | MD              | 32    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO                           |
| SW 1/4 OF SE 1/4 | 9       | 4N       | 6W    | MD              | 15    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO                           |
| NW 1/4 OF NW 1/4 | 10      | 4N       | 6W    | MD              | 30    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO                           |
| NE 1/4 OF NW 1/4 | 10      | 4N       | 6W    | MD              | 18    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO                           |
| SE 1/4 OF NW 1/4 | 10      | 4N       | 6W    | MD              | 40    | <input checked="" type="checkbox"/> YES <input checked="" type="checkbox"/> NO (5 ac. irrig.) |
| SW 1/4 OF NW 1/4 | 10      | 4N       | 6W    | MD              | 38    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO                           |
| NW 1/4 OF NE 1/4 | 10      | 4N       | 6W    | MD              | 12    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO                           |
| NE 1/4 OF NE 1/4 | 10      | 4N       | 6W    | MD              | 20    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO                           |
| SE 1/4 OF NE 1/4 | 10      | 4N       | 6W    | MD              | 30    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO                           |
| SW 1/4 OF NE 1/4 | 10      | 4N       | 6W    | MD              | 16    | <input checked="" type="checkbox"/> YES <input checked="" type="checkbox"/> NO (5 ac. irrig.) |
| NW 1/4 OF SE 1/4 | 10      | 4N       | 6W    | MD              | 38    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO                           |
| NE 1/4 OF SE 1/4 | 10      | 4N       | 6W    | MD              | 32    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO                           |
| SE 1/4 OF SE 1/4 | 10      | 4N       | 6W    | MD              | 38    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO                           |
| SW 1/4 OF SE 1/4 | 10      | 4N       | 6W    | MD              | 38    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO                           |
| NW 1/4 OF SW 1/4 | 10      | 4N       | 6W    | MD              | 34    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO                           |
| NE 1/4 OF SW 1/4 | 10      | 4N       | 6W    | MD              | 38    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO                           |
| SE 1/4 OF SW 1/4 | 10      | 4N       | 6W    | MD              | 34    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO                           |
| SW 1/4 OF SW 1/4 | 10      | 4N       | 6W    | MD              | 32    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO                           |
| NW 1/4 OF NW 1/4 | 11      | 4N       | 6W    | MD              | 25    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO                           |
| NE 1/4 OF NW 1/4 | 11      | 4N       | 6W    | MD              | 5     | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO                           |
| SE 1/4 OF NW 1/4 | 11      | 4N       | 6W    | MD              | 28    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO                           |
| SW 1/4 OF NW 1/4 | 11      | 4N       | 6W    | MD              | 25    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO                           |
| NW 1/4 OF SE 1/4 | 11      | 4N       | 6W    | MD              | 28    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO                           |
| NE 1/4 OF SE 1/4 | 11      | 4N       | 6W    | MD              | 3     | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO                           |
| SE 1/4 OF SE 1/4 | 11      | 4N       | 6W    | MD              | 6     | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO                           |
| SW 1/4 OF SE 1/4 | 11      | 4N       | 6W    | MD              | 28    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO                           |
| NW 1/4 OF SE 1/4 | 11      | 4N       | 6W    | MD              | 25    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO                           |
| NE 1/4 OF SW 1/4 | 11      | 4N       | 6W    | MD              | 28    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO                           |
| SE 1/4 OF SW 1/4 | 11      | 4N       | 6W    | MD              | 26    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO                           |

# Attachment #2 (cont.)

## PLACE OF USE

PRESENT

| USE IS WITHIN    | SECTION | TOWNSHIP | RANGE | BASE & MERIDIAN | ACRES | IF IRRIGATED PRESENTLY CULTIVATED?                                  |
|------------------|---------|----------|-------|-----------------|-------|---|
| SW 1/4 OF SW 1/4 | 11      | 4N       | 6W    | MD              | 2     | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |
| NW 1/4 OF NW 1/4 | 14      | 4N       | 6W    | MD              | 20    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |
| NE 1/4 OF NW 1/4 | 14      | 4N       | 6W    | MD              | 6     | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |
| SW 1/4 OF NW 1/4 | 14      | 4N       | 6W    | MD              | 12    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |
| NW 1/4 OF NE 1/4 | 14      | 4N       | 6W    | MD              | 5     | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |
| NW 1/4 OF SW 1/4 | 14      | 4N       | 6W    | MD              | 30    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |
| NW 1/4 OF NW 1/4 | 15      | 4N       | 6W    | MD              | 38    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |
| NE 1/4 OF NW 1/4 | 15      | 4N       | 6W    | MD              | 8     | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |
| SE 1/4 OF NW 1/4 | 15      | 4N       | 6W    | MD              | 20    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |
| SW 1/4 OF NW 1/4 | 15      | 4N       | 6W    | MD              | 20    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |
| NW 1/4 OF NE 1/4 | 15      | 4N       | 6W    | MD              | 32    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |
| NE 1/4 OF NE 1/4 | 15      | 4N       | 6W    | MD              | 15    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |
| SE 1/4 OF NE 1/4 | 15      | 4N       | 6W    | MD              | 30    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |
| SW 1/4 OF NE 1/4 | 15      | 4N       | 6W    | MD              | 18    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |
| NW 1/4 OF SE 1/4 | 15      | 4N       | 6W    | MD              | 40    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |
| NE 1/4 OF SE 1/4 | 15      | 4N       | 6W    | MD              | 38    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |
| SE 1/4 OF SE 1/4 | 15      | 4N       | 6W    | MD              | 12    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |
| SW 1/4 OF SE 1/4 | 15      | 4N       | 6W    | MD              | 20    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |
| NW 1/4 OF SW 1/4 | 15      | 4N       | 6W    | MD              | 30    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |
| NE 1/4 OF SW 1/4 | 15      | 4N       | 6W    | MD              | 16    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |
| SE 1/4 OF SW 1/4 | 15      | 4N       | 6W    | MD              | 38    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |
| SW 1/4 OF SW 1/4 | 15      | 4N       | 6W    | MD              | 32    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |
| NE 1/4 OF NE 1/4 | 16      | 4N       | 6W    | MD              | 38    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |
| SE 1/4 OF NE 1/4 | 16      | 4N       | 6W    | MD              | 38    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |
| NE 1/4 OF NW 1/4 | 22      | 4N       | 6W    | MD              | 34    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |
| NW 1/4 OF NE 1/4 | 22      | 4N       | 6W    | MD              | 38    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |
| Total =          |         |          |       |                 | 1,500 |   |

## Attachment #2 (cont.)

### PLACE OF USE

**PROPOSED**

| USE IS WITHIN    | SECTION | TOWNSHIP | RANGE | BASE & MERIDIAN | ACRES | IF IRRIGATED PRESENTLY CULTIVATED?   |
|------------------|---------|----------|-------|-----------------|-------|--|
| SW 1/4 OF SW 1/4 | 2       | 4N       | 6W    | MD              | 11    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO            |
| SW 1/4 OF SW 1/4 | 3       | 4N       | 6W    | MD              | 4     | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO            |
| SE 1/4 OF SE 1/4 | 3       | 4N       | 6W    | MD              | 25    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO            |
| SE 1/4 OF SE 1/4 | 4       | 4N       | 6W    | MD              | 2     | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO            |
| E 1/2            | 9       | 4N       | 6W    | MD              | 186   | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO            |
|                  | 10      | 4N       | 6W    | MD              | 576   | <input checked="" type="checkbox"/> YES <input checked="" type="checkbox"/> NO |
|                  | 11      | 4N       | 6W    | MD              | 345   | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO            |
| W 1/2            | 14      | 4N       | 6W    | MD              | 54    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO            |
|                  | 15      | 4N       | 6W    | MD              | 515   | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO            |
| NE 1/4 OF NE 1/4 | 16      | 4N       | 6W    | MD              | 12    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO            |
| N 1/2            | 22      | 4N       | 6W    | MD              | 7     | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO            |
|                  |         |          |       | TOTAL           | 1,737 |  |

(10 ac. irrig.)

The Place of Use for irrigation under this petition and amended application is 160 acres per year within the 1,737-acre site described above. Water will also be stored in Tolay Lake for recreation, wildlife enhancement and restoration purposes.

California Environmental Protection Agency

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

2006 SEP 25 PM 2:02

DIVISION OF WATER RIGHTS SACRAMENTO

ENVIRONMENTAL INFORMATION FOR PETITIONS

[X] Petition for Change PENDING APPLICATION 30558

[ ] Petition for Extension of Time

Before the State Water Resources Control Board (SWRCB) can approve a petition to change your water right permit or a petition for extension of time to complete use, the SWRCB must consider the information contained in an environmental document prepared in compliance with the California Environmental Quality Act (CEQA). This form is not a CEQA document. If a CEQA document has not yet been prepared, a determination must be made of who is responsible for its preparation. As the petitioner, you are responsible for all costs associated with the environmental evaluation and preparation of the required CEQA documents. Please answer the following questions to the best of your ability and submit any studies that have been conducted regarding the environmental evaluation of your project. If you need more space to completely answer the questions, please number and attach additional sheets.

DESCRIPTION OF PROPOSED CHANGES OR WORK REMAINING TO BE COMPLETED

For a petition to change, 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, increase in water diversion and use (up to the amount authorized by the permit), changes in land use, and project operational changes, including changes in how the water will be used. For a petition for extension of time, provide a description of what work has been completed and what remains to be done. Include in your description any of the above elements that will occur during the requested extension period.

See Attachment #1

Multiple horizontal lines for text entry.

[ ] See Attachment #2

ENVIRONMENTAL INFORMATION FOR PETITIONS

**2. COUNTY PERMITS**

a. Contact your county planning or public works department and provide the following information:

Person contacted: Greg Carr Date of contact: Jan 2004 to present

Department: Permit & Resource Management Dept Telephone: ( 707 ) 565-1900

County Zoning Designation: LIA, LEA. Will be rezoned in General Plan Update.

Are any county permits required for your project?  YES  NO If YES, check appropriate box below:

Grading permit  Use permit  Watercourse  Obstruction permit  Change of zoning

General plan change  Other (explain):

\_\_\_\_\_

b. Have you obtained any of the required permits described above?  YES  NO

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

See Attachment No. \_\_\_\_\_

**3. STATE/FEDERAL PERMITS AND REQUIREMENTS**

a. Check any additional state or federal permits required for your project:

Federal Energy Regulatory Commission  U.S. Forest Service  Bureau of Land Management

Soil Conservation Service  Dept. of Water Resources (Div. of Safety of Dams)  Reclamation Board

Coastal Commission  State Lands Commission  Other (specify) \_\_\_\_\_

b. For each agency from which a permit is required, provide the following information:

| AGENCY | PERMIT TYPE      | PERSON(S) CONTACTED                    | CONTACT DATE | TELEPHONE NO.  |
|--------|------------------|--|--------------|----------------|
| CDFG   | To be determined | Terry Palmisano                        | June 2006    | (831) 649-2870 |
| ACOE   | To be determined | Will be contacted during Initial Study |              |                |
| RWQCB  | To be determined | Will be contacted during Initial Study |              |                |

See Attachment No. \_\_\_\_\_

c. Does your proposed project involve any construction or grading-related activity that has significantly altered or would significantly alter the bed or bank of any stream or lake?  YES  NO

If YES, explain: \_\_\_\_\_

**Restoration of Tolay Lake will require reconstruction of the approximate historical dam, and may require grading activities in the Tolay Creek basin and its tributaries.**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

See Attachment No. \_\_\_\_\_

ENVIRONMENTAL INFORMATION FOR PETITIONS

- d. Have you contacted the California Department of Fish and Game concerning your project?  YES  NO  
If YES, name and telephone number of contact: Terry Palmisano (831) 649-2870  
Linda Hansen (707) 944-5562

**4. ENVIRONMENTAL DOCUMENTS**

- a. Has any California public agency prepared an environmental document for your project?  YES  NO  
If YES, submit a copy of the latest environmental document(s) prepared, including a copy of the notice of determination adopted by the California public agency. Public agency: \_\_\_\_\_
- b. If NO, check the appropriate box and explain below, if necessary:
- The petitioner is a California public agency and will be preparing the environmental document.\*
  - I expect that the SWRCB will be preparing the environmental document.\*\*
  - I expect that a California public agency other than the State Water Resources Control Board will be preparing the environmental document.\* Public agency: \_\_\_\_\_

See Attachment No. \_\_\_\_

\* Note: When completed, submit a copy of the final environmental document (including notice of determination) or notice of exemption to the SWRCB, Division of Water Rights. Processing of your petition cannot proceed until these documents are submitted.

\*\* Note: CEQA requires that the SWRCB, as Lead Agency, prepare the environmental document. The information contained in the environmental document must be developed by the petitioner and at the petitioner's expense under the direction of the SWRCB, Division of Water Rights.

**5. WASTE/WASTEWATER**

- a. Will your project, during construction or operation, (1) generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or (2) cause erosion, turbidity or sedimentation?  YES  NO  
If YES, or you are unsure of your answer, explain below and contact your local Regional Water Quality Control Board for the following information (See instruction booklet for address and telephone no.):  
\_\_\_\_\_

See Attachment No. \_\_\_\_

- b. Will a waste discharge permit be required for your project?  YES  NO  
Person contacted: \_\_\_\_\_ Date of contact: \_\_\_\_\_

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

**Grading activities will occur during the dry season and no impacts are expected. However, RWQCB will be contacted during the initial study phase, and any necessary permits will be obtained prior to construction.**

See Attachment No. \_\_\_\_

**6. ARCHEOLOGY**

- a. Have any archeological reports been prepared on this project?  YES  NO  
b. Will you be preparing an archeological report to satisfy another public agency?  YES  NO  
c. Do you know of any archeological or historic sites located within the general project area?  YES  NO



If YES, explain: **Several sites have been identified, and appropriate mitigation will be provided in the CEQA document.**

See Attachment No. \_\_\_\_

**7. ENVIRONMENTAL SETTING**

Attach **three complete sets of color photographs**, clearly dated and labeled, showing the vegetation that exists at the below-listed three locations. For time extension petitions, the photographs should document only those areas of the project that will be impacted during the requested extension period.

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

**Photos are on file that include a panoramic view of the ranch. An aerial photo of the site is attached.**

**8. CERTIFICATION**

I hereby certify that the statements I have furnished above and in the attachments 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: 8/31/06

Signature: Steve Christ

2006 SEP 25 PM 2:02

DIV OF WATER RIGHTS  
SACRAMENTO**ATTACHMENT #1****Tolay Lake Regional Park  
Pending Water Right Application 30558  
Petition for Change  
Amended Application**

## Revised Project Description:

This revised project is the development of a regional park at 5869 Lakeville Highway southeast of the City of Petaluma. Conversion of the 1,737-acre site will include the restoration of historic Tolay Lake, which was the largest natural freshwater body in the San Pablo Bay drainage until farmers removed the natural dam in the 1800's to drain the lakebed for crop production. The site is now a smaller seasonal lake that forms around December of each year and reaches approximately 140-200 surface acres in mid-winter. The restoration project is a critical component of creating the proposed Tolay Lake Regional Park. The park project will include development of picnic and vista areas, multiple use trails, an equestrian center, interpretive center, operations buildings and parking facilities, and may include fishing at the existing upland reservoirs. The restored lake may have access trails, viewing areas, and non-motorized boating access for the public. Additionally, the existing 10-acre vineyard will be perpetuated and demonstration crops and/or gardens may be planted.

Application 30558 was filed in 1996 for the right to collect 1,100 AF of water in 3 proposed offstream reservoirs and 2 existing onstream reservoirs for irrigation and frost protection of 1,500 acres of vineyard including the 10 acres of existing vineyard. The purpose of use under the pending application also includes recreation, domestic and stockwatering. An amended application is accompanying this petition to change points of diversion, place of storage, and place of use under Application 30558.

The petition and amended application seek the right to collect 1,100 AF of water in the two existing onstream reservoirs (#1 and #2) located on an unnamed stream tributary to Tolay Creek, and in the restored Tolay Lake. An earthen dam with an automated overshot gate will be constructed at the approximate location of the historic Tolay Lake dam. The spillway will be approximately 5.5 to 6 feet above the toe of the dam. A new backdam may need to be constructed near the upstream limit of the property, which would be a point of diversion under the amended application (POD #4 on the accompanying map).

The existing onstream reservoirs each have a capacity of approximately 25 AF, and the maximum storage capacity (above any dead storage) of the restored Tolay Lake will be 1,050 AF.

Water stored in existing Reservoirs #1 and #2 will be used for irrigation and frost protection of the 10 acres of existing vineyard, and may provide irrigation water for landscaping and various projects such as woodland, riparian and grassland restoration,

and demonstration crops/gardens. In addition, Reservoirs #1 and #2 may be used for recreational purposes and for stock watering as part of a grazing program for fire control and ecology.

Water collected and stored in Tolay Lake will only be used to irrigate the lake margins as part of a lake management program and for restoration projects within park boundaries described above. Tolay Lake will also be used for recreational purposes. The place of use for irrigation from Tolay Lake under the petition and amended application is a non-specific 150 acres per year within the 1,737-acre site. No more than 150 acres will be irrigated from Tolay Lake during a given year, but the area may rotate from year to year, as project and park management needs change.

Domestic water for the operations buildings, restrooms, etc. will be from existing on-site springs and existing or new wells not within the Division of Water Rights jurisdiction.

The irrigation and frost control systems for the existing 10 acres of vineyard are existing and will be maintained. Irrigation of the existing vineyard will be solely from Reservoirs #1 and #2. Permanent buried pipelines are already installed from Reservoir #2 to some landscape areas; new pipelines will be installed to service future crop areas and gardens. Temporary above grade pipelines will be installed from Reservoir #2 and Tolay Lake to restoration areas as needed.

The project area is currently pasture and crop land. No trees will be removed as a result of this project.

TYPE OR PRINT  
IN BLACK INK  
(For Instructions, see  
booklet: "How to File an  
Application to Appropriate  
Water in California")



California Environmental Protection Agency

State Water Resources Control Board  
Division of Water Rights  
P.O. Box 2000, Sacramento, CA 95812-2000  
Tel: (916) 341-5300 Fax: (916) 341-5400  
www.waterrights.ca.gov

STATE WATER RESOURCES  
CONTROL BOARD

2006 SEP 25 PM 2:03

DIV. OF WATER RIGHTS  
SACRAMENTO

APPLICATION NO. 30558  
(leave blank)

**AMENDED APPLICATION TO APPROPRIATE WATER**

**SECTION A: NOTICE INFORMATION**

**1. APPLICANT/AGENT**

|                   | APPLICANT                                 | ASSIGNED AGENT (if any)                |
|-------------------|---|--|
| Name              | County of Sonoma                          | Drew L. Aspegren, P.E.                 |
|                   | c/o County of Sonoma Regional Parks Dept. | Napa Valley Vineyard Engineering, Inc. |
| Mailing Address   | 2300 County Center Dr., Suite 120A        | 176 Main Street, Suite B               |
| City, State & Zip | Santa Rosa, CA 95403                      | St. Helena, CA 94574                   |
| Telephone         | (707) 565-2041                            | (707) 963-4927                         |
| Fax               | (707) 565-3642                            | (707) 963-1297                         |
| E-mail            | sehret@sonoma-county.org                  | NapaVVE@aol.com                        |

**2. OWNERSHIP INFORMATION (Please check type of ownership.)**

- Sole Owner                       Limited Liability Company (LLC)                       General Partnership\*  
 Limited Partnership\*               Business Trust                       Husband/Wife Co-Ownership  
 Corporation                       Joint Venture                       Other County Agency
- \*Please provide a copy of your partnership agreement.

**3. PROJECT DESCRIPTION (Provide a detailed description of your project, including, but not limited to, type of construction activity, area to be graded or excavated, and how the water will be used.)**

**See Attachment #1**

For continuation, see Attachment No. \_\_\_\_

**4. PURPOSE OF USE, DIVERSION/STORAGE AMOUNT AND SEASON**

| a. PURPOSE OF USE<br>(irrigation, domestic, etc.) | DIRECT DIVERSION      |                       |                                 |                              | STORAGE               |                                 |                              |
|---|-----------------------|-----------------------|---------------------------------|------------------------------|-----------------------|---------------------------------|------------------------------|
|   | AMOUNT                |                       | SEASON OF DIVERSION             |                              | AMOUNT                | SEASON OF COLLECTION            |                              |
|   | Rate<br>(cfs or gpd)* | Acre-feet<br>per year | Beginning date<br>(month & day) | Ending date<br>(month & day) | Acre-feet<br>per year | Beginning date<br>(month & day) | Ending date<br>(month & day) |
|   |                       |                       |                                 |                              |                       |                                 |                              |
|   |                       |                       |                                 |                              |                       |                                 |                              |
|   |                       |                       |                                 |                              |                       |                                 |                              |

See Attachment No. 2                      \* If rate is less than 0.025 cubic feet per second (cfs), use gallons per day (gpd).

b. Total combined amount taken by direct diversion and storage during any one year will be 1,100 acre-feet.

c. Reservoir storage is:  onstream  offstream  underground (If underground storage, attach Form APP-UGSTOR.)

d. County in which diversion is located: Sonoma County in which water will be used: Sonoma

e. Assessor's Parcel Number(s): 068-070-005, 004; 068-080-001, 068-060-057, 058

**5. SOURCES AND POINTS OF DIVERSION/REDIVERSION**

- a. Sources and Points of Diversion (POD)/Points of Rediversion (PORD):
- POD /  PORD # 1 : Unnamed Stream tributary to Tolay Creek  
thence San Pablo Bay
- POD /  PORD # 2 : Unnamed Stream tributary to Tolay Creek  
thence San Pablo Bay
- POD /  PORD # 3 : Tolay Creek tributary to San Pablo Bay  
thence \_\_\_\_\_
- POD /  PORD # 4 : Tolay Creek tributary to San Pablo Bay  
thence \_\_\_\_\_

See Attachment No. \_\_\_\_

b. State Planar and Public Land Survey Coordinate Description:

| POD/<br>PORD<br># | CALIFORNIA<br>COORDINATES<br>(NAD 27) | ZONE | POINT IS WITHIN<br>(40-acre subdivision) | SECTION | TOWN<br>-SHIP | RANGE | BASE AND<br>MERIDIAN |
|-------------------|---------------------------------------|------|--|---------|---------------|-------|----------------------|
| 1                 | N195,685<br>E1,857,590                | 2    | SW ¼ of SW ¼                             | 11      | 4N            | 6W    | MD                   |
| 2                 | N195,150<br>E1,856,435                | 2    | SE ¼ of SE ¼                             | 10      | 4N            | 6W    | MD                   |
| 3                 | N193,880<br>E1,854,090                | 2    | NW¼ of NE ¼                              | 15      | 4N            | 6W    | MD                   |
| 4                 | N200,380<br>E1,850,750                | 2    | SE ¼ of SE ¼                             | 4       | 4N            | 6W    | MD                   |

See Attachment No. \_\_\_\_\_

c. Name of the post office most often used by those living near the proposed point(s) of diversion:  
Petaluma

6. WATER AVAILABILITY

a. Have you attached a water availability analysis for this project?  YES  NO

If NO, provide sufficient information to demonstrate that there is reasonable likelihood that unappropriated water is available for the proposed appropriation:

A Water Availability Analysis will be prepared and submitted as part of the environmental review process.

See Attachment No. \_\_\_\_\_

b. Is your project located on a stream system declared to be fully appropriated by the State Water Resources Control Board during your proposed season of diversion?  YES  NO

c. In an average year, does the stream dry up at any point downstream of your project?  YES  NO If YES, during which months?  Jan  Feb  Mar  Apr  May  Jun  Jul  Aug  Sep  Oct  Nov  Dec

d. What alternate sources of water are available if a portion of your requested diversion season must be excluded because water is not available for appropriation? (e.g., percolating groundwater, purchased water, etc.)

none

See Attachment No. \_\_\_\_\_

7. PLACE OF USE **See Attachment #3**

| USE IS WITHIN<br>(40-acre subdivision) | SECTION* | TOWNSHIP | RANGE | BASE &<br>MERIDIAN | IF IRRIGATED |  |
|--|----------|----------|-------|--------------------|--------------|--|
|  |          |          |       |                    | Acres        | Presently cultivated?                                    |
| ¼ of ¼                                 |          |          |       |                    |              | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| ¼ of ¼                                 |          |          |       |                    |              | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| ¼ of ¼                                 |          |          |       |                    |              | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| ¼ of ¼                                 |          |          |       |                    |              | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| ¼ of ¼                                 |          |          |       |                    |              | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| ¼ of ¼                                 |          |          |       |                    |              | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| ¼ of ¼                                 |          |          |       |                    |              | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| ¼ of ¼                                 |          |          |       |                    |              | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| Total:                                 |          |          |       |                    |              |  |

\*Please indicate if section is projected with a "(P)" following the section number.

See Attachment No. 3

8. PROJECT SCHEDULE

a. Project is:

proposed. Year construction will begin: \_\_\_\_\_

partially complete. Extent of completion: Reservoirs #1 and #2 are existing, and 10 acres of vineyard are existing.

complete. Year completed: \_\_\_\_\_

b. Year of first use: \_\_\_\_\_ Year water will be used to the full extent intended: 20 years after permit issuance

**SECTION B: MISCELLANEOUS DIVERSION INFORMATION**

**I. JUSTIFICATION OF AMOUNTS REQUESTED**

a.  IRRIGATION: Maximum area to be irrigated in any one year: \_\_\_\_\_ acres.

| CROP | ACRES | METHOD OF IRRIGATION<br>(sprinklers, flooding, etc.) | WATER USE<br>(Acre-feet/Yr.) | SEASON OF WATER USE             |                              |
|------|-------|--|------------------------------|---------------------------------|------------------------------|
|      |       |  |                              | Beginning date<br>(month & day) | Ending date<br>(month & day) |
|      |       |  |                              |                                 |                              |
|      |       |  |                              |                                 |                              |
|      |       |  |                              |                                 |                              |
|      |       |  |                              |                                 |                              |

See Attachment No. 4

b.  DOMESTIC: Number of residences to be served: 1 Separately owned?  YES  NO  
 Number of people to be served: n/a Estimated daily use per person is: n/a gallons per day  
 Area of domestic lawns and gardens: ±21,780 square feet  
 Incidental domestic uses: Dust Control, Fire Protection  
(dust control area, number and kind of domestic animals, etc.)

c.  STOCKWATERING: Kind of stock: grazing stock Maximum number: unknown  
 Describe type of operation: Grazing program for fire control and ecology  
(feedlot, dairy, range, etc.)

d.  RECREATIONAL: Type of recreation:  Fishing  Swimming  Boating  Other Regional Park

e.  MUNICIPAL:

| POPULATION<br><small>List for 5-year periods until use is completed</small> |            | MAXIMUM MONTH                             |                            | ANNUAL USE                                |                           |                      |
|---|------------|---|----------------------------|---|---------------------------|----------------------|
| Period  | Population | Average daily use<br>(gallons per capita) | Rate of diversion<br>(cfs) | Average daily use<br>(gallons per capita) | Acre-foot<br>(per capita) | Total<br>(acre-feet) |
| Present   |            |   |                            |   |                           |                      |
|   |            |   |                            |   |                           |                      |
|   |            |   |                            |   |                           |                      |
|   |            |   |                            |   |                           |                      |
|   |            |   |                            |   |                           |                      |

See Attachment No. \_\_\_\_\_

Month of maximum use during year: \_\_\_\_\_ Month of minimum use during year: \_\_\_\_\_

f.  HEAT CONTROL: Area to be heat controlled: \_\_\_\_\_ net acres  
 Type of crops protected: \_\_\_\_\_  
 Rate at which water is applied to use: \_\_\_\_\_ gpm per acre  
 Heat protection season will begin \_\_\_\_\_ and end \_\_\_\_\_  
(month & day) (month & day)

g.  FROST PROTECTION: Area to be frost protected: 10 net acres  
 Type of crops protected: Vineyard  
 Rate at which water is applied to use: 55 gpm per acre  
 The frost protection season will begin March 15 and end May 15.  
(month & day) (month & day)

h.  INDUSTRIAL: Type of industry: \_\_\_\_\_  
 Basis for determination of amount of water needed: \_\_\_\_\_

i.  MINING: Name of the claim: \_\_\_\_\_  Patented  Unpatented  
 Nature of the mine: \_\_\_\_\_ Mineral(s) to be mined: \_\_\_\_\_  
 Type of milling or processing: \_\_\_\_\_  
 After use, the water will be discharged into \_\_\_\_\_ (watercourse)  
 in \_\_\_\_\_ ¼ of \_\_\_\_\_ ¼ of Section \_\_\_\_\_, T \_\_\_\_\_, R \_\_\_\_\_, \_\_\_\_\_ B. & M.

j.  POWER: Total head to be utilized: \_\_\_\_\_ feet  
 Maximum flow through the penstock: \_\_\_\_\_ cfs  
 Maximum theoretical horsepower capable of being generated by the works (cfs x fall + 8.8): \_\_\_\_\_  
 Electrical capacity (hp x 0.746 x efficiency): \_\_\_\_\_ kilowatts at: \_\_\_\_\_ % efficiency  
 After use, the water will be discharged into \_\_\_\_\_ (watercourse)  
 in \_\_\_\_\_ ¼ of \_\_\_\_\_ ¼ of Section \_\_\_\_\_, T \_\_\_\_\_, R \_\_\_\_\_, \_\_\_\_\_ B. & M. FERC No.: \_\_\_\_\_

k.  FISH AND WILDLIFE PRESERVATION AND/OR ENHANCEMENT: List specific species and habitat type that will be preserved or enhanced in Item 7a of Section C.

l.  OTHER: Describe use: Restoration of natural lake.  
 Basis for determination of amount of water needed: \_\_\_\_\_

**2. DIVERSION AND DISTRIBUTION METHOD**

- a. Diversion will be by gravity by means of: Dam  
(dam, pipe in unobstructed channel, pipe through dam, siphon, weir, gate, etc.)
- b. Diversion will be by pumping from: \_\_\_\_\_  
(sump, offset well, channel, reservoir, etc)  
 Pump discharge rate: \_\_\_\_\_  cfs or  gpd Horsepower: \_\_\_\_\_ Pump Efficiency: \_\_\_\_\_

c. Conduit from diversion point to first lateral or to offstream storage reservoir:

| CONDUIT<br>(pipe or channel) | MATERIAL<br>(type of pipe or channel lining; indicate if pipe is buried or not) | CROSS-SECTION<br>(pipe diameter, or ditch depth and top and bottom width) (inches or feet) | LENGTH<br>(feet) | TOTAL LIFT OR FALL |        | CAPACITY<br>(cfs, gpd or gpm) |
|------------------------------|---|--|------------------|--------------------|--------|-------------------------------|
|                              |   |  |                  | feet               | + or - |                               |
|                              |   |  |                  |                    |        |                               |
|                              |   |  |                  |                    |        |                               |
|                              |   |  |                  |                    |        |                               |

See Attachment No. \_\_\_\_\_

d. Storage reservoirs: (For underground storage, complete and attach form APP-UGSTOR)

| RESERVOIR NAME OR NUMBER | DAM   |                       |               |   | RESERVOIR                      |                      |                            |
|--------------------------|---|-----------------------|---------------|---|--------------------------------|----------------------|----------------------------|
|                          | Vertical height from downstream toe of slope to spillway level (feet) | Construction material | Length (feet) | Freeboard: dam height above spillway crest (feet) | Surface area when full (acres) | Capacity (acre-feet) | Maximum water depth (feet) |
| #1                       | ±20   | earth                 | ±170          | 2.5'  | ±2.5                           | 25                   | ±18                        |
| #2                       | ±18   | earth                 | ±480          | 2.5'  | ±3.6                           | 25                   | ±14                        |
| Tolay Lake               | ±6  | earth                 | ±800          | 4'  | ±280                           | 1,050                | ±15                        |

See Attachment No. \_\_\_\_\_

e. Outlet pipe: Complete for storage reservoirs having a capacity of 10 acre-feet or more.

| RESERVOIR NAME OR NUMBER | OUTLET PIPE                          |               |   |   |   |
|--------------------------|--------------------------------------|---------------|---|---|---|
|                          | Diameter (inches)                    | Length (feet) | Fall: vertical distance between entrance and exit of outlet pipe (feet) | Head: vertical distance from spillway to entrance of outlet pipe (feet) | Dead Storage: storage below entrance of outlet pipe (acre-feet) |
| #1                       | Existing facilities - no outlet pipe |               |   |   |   |
| #2                       |                                      |               |   |   |   |
| Tolay Lake               | 12"                                  | 70            |   | 5.5   | ±300  |

See Attachment No. \_\_\_\_\_

f. If water will be stored and the reservoir is not at the point of diversion, the maximum rate of diversion to off-stream storage will be \_\_\_\_\_ cfs. Diversion to offstream storage will be made by:  Pumping  Gravity

**3. CONSERVATION AND MONITORING**

- a. What methods will you use to conserve water? Explain. Drip irrigation will be used for the existing 10 ac vineyard. Other irrigated acreage will be limited to 150 acres per year, and best management practices will be utilized for all restoration projects and other projects that may require water use.
- b. How will you monitor your diversion to be sure you are within the limits of your water right and you are not wasting water?  Weir  Meter  Periodic sampling  Other (describe) Staff gages will be installed in the reservoirs, and water levels will be recorded at the beginning and end of each diversion season. Meters will be installed to record any water withdrawn from the reservoirs.

**4. RIGHT OF ACCESS**

- a. Does the applicant own all the land where the water will be diverted, transported and used?  YES  NO  
 If NO, I  do  do not have a recorded easement or written authorization allowing me access.
- b. List the names and mailing addresses of all affected landowners and state what steps are being taken to obtain access: \_\_\_\_\_

See Attachment No. \_\_\_\_\_

**5. EXISTING WATER RIGHTS AND RELATED FILINGS**

- a. Do you claim an existing right for the use of all or part of the water sought by this application?  YES  NO  
 If YES, please specify:  Riparian  Pre-1914  Registration  Permit  License  
 Percolating groundwater  Adjudicated  Other (specify) \_\_\_\_\_
- b. For each existing right claimed, state the source, year of first use, purpose, season and location of the point of diversion (to within quarter-quarter section). Include number of registration, permit, license, or statement of

water diversion and use, if applicable.

**Additional rights include overlying rights to percolating groundwater and on-site springs. A Statement of Diversion and Use will be filed if riparian use becomes a necessary part of the park operation.**

- c. List any related applications, registrations, permits, or licenses located in the proposed place of use or that utilize the same point(s) of diversion? \_\_\_\_\_

See Attachment No. \_\_\_\_\_

**6. OTHER SOURCES OF WATER**

Are you presently using, or do you intend to use, purchased water or water supplied by contract in connection with this project?  Yes  No If yes, please explain: \_\_\_\_\_

**7. MAP REQUIREMENTS**

The Division cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the township, range, section and quarter/quarter section of (1) the proposed points of diversion and (2) the place of use. A copy of a U.S.G.S. quadrangle/topographic map of your project area is preferred, and can be obtained from sporting goods stores or through the Internet at <http://topomaps.usgs.gov>. A certified engineering map is required when (1) appropriating more than three cfs by direct diversion, (2) constructing a dam which will be under the jurisdiction of the Division of Safety of Dams, (3) creating a reservoir with a surface area in excess of ten acres or (4) appropriating more than 1000 acre-feet per annum by underground storage. See the instruction booklet for more information.

See Attachment No. \_\_\_\_\_

**SECTION C: ENVIRONMENTAL INFORMATION**

Note: Before a water right permit may be issued for your project, the State Water Resources Control Board (SWRCB) must consider the information contained in an environmental document prepared in compliance with the California Environmental Quality Act (CEQA). This form is not a CEQA document. If a CEQA document has not yet been prepared for your project, a determination must be made of who is responsible for its preparation. If the SWRCB is determined to be responsible for preparing the CEQA document, the applicant will be required to pay all costs associated with the environmental evaluation and preparation of the required documents. Please answer the following questions to the best of your ability and submit with this application any studies that have been conducted regarding the environmental evaluation of your project.

**1. COUNTY PERMITS**

- a. Contact your county planning or public works department and provide the following information:

Person contacted: Greg Carr Date of contact: Jan 2004 to present  
 Department: Permit & Resource Management Dept Telephone: (707) 565-1900  
 County Zoning Designation: LIA, LEA. Will be rezoned in General Plan Update.  
 Are any county permits required for your project?  YES  NO If YES, check appropriate box below:  
 Grading permit  Use permit  Watercourse  Obstruction permit  Change of zoning  
 General plan change  Other (explain): \_\_\_\_\_

- b. Have you obtained any of the required permits described above?  YES  NO

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

See Attachment No. \_\_\_\_\_

**2. STATE/FEDERAL PERMITS AND REQUIREMENTS**

- a. Check any additional state or federal permits required for your project:

Federal Energy Regulatory Commission  U.S. Forest Service  U.S. Bureau of Land Management  
 U.S. Corps of Engineers  U.S. Natural Res. Conservation Service  Calif. Dept. of Fish and Game  
 State Lands Commission  Calif. Dept. of Water Resources (Div. of Safety of Dams)  
 Calif. Coastal Commission  State Reclamation Board  Other (specify) \_\_\_\_\_

- b. For each agency from which a permit is required, provide the following information:

| AGENCY | PERMIT TYPE      | PERSON(S) CONTACTED                    | CONTACT DATE | TELEPHONE NO.  |
|--------|------------------|--|--------------|----------------|
| CDFG   | To be determined | Terry Palmisano                        | June 2006    | (831) 649-2870 |
| ACOE   | To be determined | Will be contacted during Initial Study |              |                |
| RWQCB  | To be determined | Will be contacted during Initial Study |              |                |

See Attachment No. \_\_\_\_\_



- c. Does your proposed project involve any construction or grading-related activity that has significantly altered or would significantly alter the bed, bank, or riparian habitat of any stream or lake?  YES  NO

If YES, explain:

**Restoration of Tolay Lake will require reconstruction of the approximate historical dam, and may require grading activities in the Tolay Creek basin and its tributaries.**

See Attachment No. \_\_\_\_

- d. Have you contacted the California Department of Fish and Game concerning your project?  YES  NO  
If YES, name and telephone number of contact: **Linda Hansen (707) 944-5562**

**Terry Palmisano (831) 649-2870**

### 3. ENVIRONMENTAL DOCUMENTS

- a. Has any California public agency prepared an environmental document for your project?  YES  NO

- c. If YES, submit a copy of the latest environmental document(s) prepared, including a copy of the notice of determination adopted by the California public agency. Public agency: \_\_\_\_\_

- d. If NO, check the appropriate box and explain below, if necessary:

The applicant is a California public agency and will be preparing the environmental document.\*

I expect that the SWRCB will be preparing the environmental document.\*\*

I expect that a California public agency other than the State Water Resources Control Board will be preparing the environmental document.\* Public agency: \_\_\_\_\_

See Attachment No. \_\_\_\_

\* **Note:** When completed, submit a copy of the final environmental document (including notice of determination) or notice of exemption to the SWRCB, Division of Water Rights. Processing of your application cannot proceed until these documents are submitted.

\*\* **Note:** CEQA requires that the SWRCB, as Lead Agency, prepare the environmental document. The information contained in the environmental document must be developed by the applicant and at the applicant's expense under the direction of the SWRCB, Division of Water Rights.

### 4. WASTE/WASTEWATER

- a. Will your project, during construction or operation, (1) generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or (2) cause erosion, turbidity or sedimentation?  YES  NO

If YES, or you are unsure of your answer, explain below and contact your local Regional Water Quality Control Board for the following information (See instruction booklet for address and telephone no.):

**During construction portable sanitary facilities will be provided for workers. The sanitary facilities will be located away from grading activities. Grading activities will occur during the dry season and no impacts are expected. RWQCB will be contacted during the initial study phase.**

See Attachment No. \_\_\_\_

- b. Will a waste discharge permit be required for your project?  YES  NO

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

- c. What method of treatment and disposal will be used? **Portable sanitary facilities will be removed from the site.**

See Attachment No. \_\_\_\_

### 5. ARCHEOLOGY

- a. Have any archeological reports been prepared on this project?  YES  NO

- b. Will you be preparing an archeological report to satisfy another public agency?  YES  NO

- c. Do you know of any archeological or historic sites located within the general project area?  YES  NO

If YES, explain: \_\_\_\_\_

**Several sites have been identified, and appropriate mitigation will be provided in the CEQA document.**

See Attachment No. \_\_\_\_

### 6. ENVIRONMENTAL SETTING

Attach **three complete sets of color photographs**, clearly dated and labeled, showing the vegetation that exists at the following three locations:

Along the stream channel immediately downstream from the proposed point(s) of diversion.

Along the stream channel immediately upstream from the proposed point(s) of diversion.

At the place(s) where the water is to be used.

See Attachment No. \_\_\_\_

**Photos are on file that include a panoramic view of the ranch. An aerial photo of the site is attached to the accompanying petition.**



## ATTACHMENT #1

**Tolay Lake Regional Park  
Pending Water Right Application 30558  
Petition for Change  
Amended Application**

2006 SEP 25 PM 2:03

DIV. OF WATER RIGHTS  
SACRAMENTO

### Revised Project Description:

This revised project is the development of a regional park at 5869 Lakeville Highway southeast of the City of Petaluma. Conversion of the 1,737-acre site will include the restoration of historic Tolay Lake, which was the largest natural freshwater body in the San Pablo Bay drainage until farmers removed the natural dam in the 1800's to drain the lakebed for crop production. The site is now a smaller seasonal lake that forms around December of each year and reaches approximately 140-200 surface acres in mid-winter. The restoration project is a critical component of creating the proposed Tolay Lake Regional Park. The park project will include development of picnic and vista areas, multiple use trails, an equestrian center, interpretive center, operations buildings and parking facilities, and may include fishing at the existing upland reservoirs. The restored lake may have access trails, viewing areas, and non-motorized boating access for the public. Additionally, the existing 10-acre vineyard will be perpetuated and demonstration crops and/or gardens may be planted.

Application 30558 was filed in 1996 for the right to collect 1,100 AF of water in 3 proposed offstream reservoirs and 2 existing onstream reservoirs for irrigation and frost protection of 1,500 acres of vineyard including the 10 acres of existing vineyard. The purpose of use under the pending application also includes recreation, domestic and stockwatering. An amended application is accompanying this petition to change points of diversion, place of storage, and place of use under Application 30558.

The petition and amended application seek the right to collect 1,100 AF of water in the two existing onstream reservoirs (#1 and #2) located on an unnamed stream tributary to Tolay Creek, and in the restored Tolay Lake. An earthen dam with an automated overshot gate will be constructed at the approximate location of the historic Tolay Lake dam. The spillway will be approximately 5.5 to 6 feet above the toe of the dam. A new backdam may need to be constructed near the upstream limit of the property, which would be a point of diversion under the amended application (POD #4 on the accompanying map).

The existing onstream reservoirs each have a capacity of approximately 25 AF, and the maximum storage capacity (above any dead storage) of the restored Tolay Lake will be 1,050 AF.

Water stored in existing Reservoirs #1 and #2 will be used for irrigation and frost protection of the 10 acres of existing vineyard, and may provide irrigation water for landscaping and various projects such as woodland, riparian and grassland restoration,

and demonstration crops/gardens. In addition, Reservoirs #1 and #2 may be used for recreational purposes and for stock watering as part of a grazing program for fire control and ecology.

Water collected and stored in Tolay Lake will only be used to irrigate the lake margins as part of a lake management program and for restoration projects within park boundaries described above. Tolay Lake will also be used for recreational purposes. The place of use for irrigation from Tolay Lake under the petition and amended application is a non-specific 150 acres per year within the 1,737-acre site. No more than 150 acres will be irrigated from Tolay Lake during a given year, but the area may rotate from year to year, as project and park management needs change.

Domestic water for the operations buildings, restrooms, etc. will be from existing on-site springs and existing or new wells not within the Division of Water Rights jurisdiction.

The irrigation and frost control systems for the existing 10 acres of vineyard are existing and will be maintained. Irrigation of the existing vineyard will be solely from Reservoirs #1 and #2. Permanent buried pipelines are already installed from Reservoir #2 to some landscape areas; new pipelines will be installed to service future crop areas and gardens. Temporary above grade pipelines will be installed from Reservoir #2 and Tolay Lake to restoration areas as needed.

The project area is currently pasture and crop land. No trees will be removed as a result of this project.

# Attachment #2

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## 4. PURPOSE OF USE, DIVERSION/STORAGE AMOUNT AND SEASON

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### RESERVOIRS #1 AND #2

| PURPOSE OF USE       | DIRECT DIVERSION  |                    |                              |                           | STORAGE            |                              |                           |
|----------------------|-------------------|--------------------|------------------------------|---------------------------|--------------------|------------------------------|---------------------------|
|                      | AMOUNT            |                    | SEASON OF DIVERSION          |                           | AMOUNT             | SEASON OF COLLECTION         |                           |
|                      | Rate (cfs or gpd) | Acre-Feet per year | Beginning Date (month & day) | Ending Date (month & day) | Acre-Feet per year | Beginning Date (month & day) | Ending Date (month & day) |
| Irrigation (1)       |                   |                    |                              |                           |                    |                              |                           |
| Frost Protection (2) |                   |                    |                              |                           |                    |                              |                           |
| Recreation           |                   |                    |                              |                           | 50                 | October 1                    | May 15                    |
| Domestic             |                   |                    |                              |                           |                    |                              |                           |
| Stockwatering        |                   |                    |                              |                           |                    |                              |                           |

### TOLAY LAKE

| PURPOSE OF USE       | DIRECT DIVERSION  |                    |                              |                           | STORAGE            |                              |                           |
|----------------------|-------------------|--------------------|------------------------------|---------------------------|--------------------|------------------------------|---------------------------|
|                      | AMOUNT            |                    | SEASON OF DIVERSION          |                           | AMOUNT             | SEASON OF COLLECTION         |                           |
|                      | Rate (cfs or gpd) | Acre-Feet per year | Beginning Date (month & day) | Ending Date (month & day) | Acre-Feet per year | Beginning Date (month & day) | Ending Date (month & day) |
| Irrigation (3)       |                   |                    |                              |                           | 150                | October 1                    | May 15                    |
| Domestic             |                   |                    |                              |                           |                    |                              |                           |
| Recreation           |                   |                    |                              |                           |                    |                              |                           |
| Stockwatering        |                   |                    |                              |                           | 900                | October 1                    | May 15                    |
| Fire Protection      |                   |                    |                              |                           |                    |                              |                           |
| Wildlife Enhancement |                   |                    |                              |                           |                    |                              |                           |
|                      |                   |                    |                              |                           |                    |                              |                           |

Total = 1,100

(1) vineyard, demonstration gardens/crops, restoration projects

(2) vineyard, demonstration crops

(3) demonstration gardens/crops, restoration projects, lake margin management

# Attachment #3

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## 7. PLACE OF USE\*

| USE IS WITHIN    | SECTION | TOWNSHIP | RANGE | BASE & MERIDIAN | ACRES | IF IRRIGATED PRESENTLY CULTIVATED?   |
|------------------|---------|----------|-------|-----------------|-------|--|
| SW 1/4 OF SW 1/4 | 2       | 4N       | 6W    | MD              | 11    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO            |
| SW 1/4 OF SW 1/4 | 3       | 4N       | 6W    | MD              | 4     | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO            |
| SE 1/4 OF SE 1/4 | 3       | 4N       | 6W    | MD              | 25    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO            |
| SE 1/4 OF SE 1/4 | 4       | 4N       | 6W    | MD              | 2     | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO            |
| E 1/2            | 9       | 4N       | 6W    | MD              | 186   | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO            |
|                  | 10      | 4N       | 6W    | MD              | 576   | <input checked="" type="checkbox"/> YES <input checked="" type="checkbox"/> NO |
|                  | 11      | 4N       | 6W    | MD              | 345   | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO            |
| W 1/2            | 14      | 4N       | 6W    | MD              | 54    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO            |
|                  | 15      | 4N       | 6W    | MD              | 515   | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO            |
| NE 1/4 OF NE 1/4 | 16      | 4N       | 6W    | MD              | 12    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO            |
| N 1/2            | 22      | 4N       | 6W    | MD              | 7     | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO            |
|                  |         |          |       | TOTAL           | 1,737 |  |

(10 ac. irrig.)

\*The Place of Use for irrigation under this amended application is limited to 160 acres per year, including the existing 10 acre vineyard, within the 1,737-acre site described above. Water will also be stored in Tolay Lake for recreation, wildlife enhancement and restoration purposes.

# Attachment #4

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## 1. JUSTIFICATION OF AMOUNTS REQUESTED

a.  IRRIGATION: Maximum area to be irrigated in any one year: 160 acres.

### FROM RESERVOIRS #1 & #2

| CROP  | ACRES | METHOD OF IRRIGATION | WATER USE<br>(Acre-Feet/yr.) | SEASON OF WATER USE             |                              |
|---|-------|----------------------|------------------------------|---------------------------------|------------------------------|
|   |       |                      |                              | Beginning Date<br>(month & day) | Ending Date<br>(month & day) |
| Vineyard  | 10    | Drip Irrigation      | 5                            | May 1                           | Oct 31                       |
| Crops/Gardens<br>Trees/ Vegetation<br>(Restoration) | ±150  | Drip/Sprinklers      | 35                           | May 1                           | Oct 31                       |

### FROM TOLAY LAKE

| CROP   | ACRES | METHOD OF IRRIGATION | WATER USE<br>(Acre-Feet/yr.) | SEASON OF WATER USE             |                              |
|--|-------|----------------------|------------------------------|---------------------------------|------------------------------|
|  |       |                      |                              | Beginning Date<br>(month & day) | Ending Date<br>(month & day) |
| Grasses/Vegetation<br>(Lake margin<br>management)<br>Trees/ Vegetation<br>(Restoration)<br>Crops/Gardens | ±150  | Drip/Sprinklers      | 150                          | May 1                           | Oct 31                       |

Total combined water use for irrigation purposes is expected to be ±155 AFA.

Frost Control from Reservoirs #1 & #2 is expected to be ±10 AFA.