

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  
 DIV. OF WATER RIGHTS  
 SACRAMENTO  
 02 OCT 17 AM 8:26

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

Application 16557 Point of Diversion, 24763B Point of Rediversion, X Place of Use, 9430 Purpose of Use  
 License 13195 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 Approximately 7 acres

Proposed Approximately 7 acres

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

Present Approximately 7 acres

Proposed Approximately 7 acres

**Purpose of Use**

Present \_\_\_\_\_

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)? \_\_\_\_\_

(yes/no)

• GIVE REASON FOR PROPOSED CHANGE: Removed approximately 7 acres of vines to construct a proposed pond and added approximately 7 acres of new

• WILL THE OLD POINT OF DIVERSION OR PLACE OF USE BE ABANDONED? Yes

(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  
(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.

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.

**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 10/16/, 2002 at Hopland, California

Daniel Foley  
 Signature(s)

707/744-1140  
 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.

PET-CHG (1-00)

12-12-02 \$100 TT  
 12-12-02 \$850 TT  
 12-12-02 \$100 TT  
 10/17/02 [Signature]



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 \_\_\_\_\_ Date of contact \_\_\_\_\_  
 Department \_\_\_\_\_ Telephone ( ) \_\_\_\_\_
  - b. Assessor's Parcel No. 48-090-06
  - c. County Zoning Designation Ag
  - d. Are any county permits required for your proposed changes? Yes  
 If yes, check appropriate space below:  
 \_\_\_\_\_ Grading Permit, \_\_\_\_\_ Use Permit, \_\_\_\_\_ Watercourse  
 Obstruction Permit, \_\_\_\_\_ Change of Zoning, \_\_\_\_\_ General Plan  
 Change, Other (explain):  
Pond exemption application Mendocino County
  - 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 proposed changes? Yes (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 Storage pond appropriative water right permit.  
 Person (s) contacted Ken Emanuel Agency Div. of Water Rights.  
 Date of contact 10/16/02 Telephone (916) 341-5317

- 4. Has any public agency prepared an environmental document for any aspect of your proposed changes? 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 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? n/a

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

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

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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?

No 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  
(No change to the exist. point of diversion)
- b. Along the stream channel immediately upstream from the proposed point(s) of diversion  
(No change to the exist. point of diversion)
- c. At the place(s) where the water is to be used Vineyard.

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 you 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.

No trees or shrubs to be removed.

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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):

No change to the exist. point of diversion.

No affect on fish or wildlife.

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- 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):

No riparian ares close to proposed storage pond. The vineyard that was removed has a deer fence around it keeping out most wildlife. There should be no affect on wildlife.

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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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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 10/16/02

Signature Daniel Ketzner