

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 EXTENSION OF TIME

WATER USERS:

Application 24305B Permit 17720B

Water Code section 1396 requires an applicant to exercise due diligence in developing a water supply for beneficial use. The State Water Resources Control Board (SWRCB), in considering requests for extension of time, will review the facts presented to determine whether there is good cause for granting an extension of time to complete the project. Where diligence in completing the project is not fully substantiated, the SWRCB may set the matter for hearing to determine the facts upon which to base formal action relating to the permit. Formal action may involve:

1. Revoking the permit for failure to proceed with due diligence in completing the project.
2. Issuing a license for the amount of water heretofore placed to beneficial use under the terms of the permit.
3. Granting a reasonable extension of time to complete construction work and/or full beneficial use of water.

The time previously allowed in your permit within which to complete construction work and/or use of water has either expired or will expire shortly.

Please check below the action you wish taken on this permit.

- The project has been abandoned and I request revocation of the permit.

Signature
- Full use of water has been made, both as to amount and season, and I request license be issued.

Signature
- The project is not yet complete. I request the SWRCB's consideration of the following petition for an extension of time.

**PETITION FOR EXTENSION OF TIME
If START of construction has been delayed**

Complete items 1, 2, and 3.

1. What has been done since permit was issued toward commencing construction?

2. Estimate date construction work will begin. _____
3. Reasons why construction work was not begun within the time allowed by the permit.

\$ 850
\$ 1000
6-7-04
(RE)

PETITION FOR EXTENSION OF TIME
If construction work is proceeding

If construction work and/or use of water is proceeding but is not complete, an extension of time may be petitioned by completing items 4 through 16. Statements must be restricted to construction or use of water only under this permit.

4. A 6 - year extension of time is requested to complete construction work and/or beneficial use of water (Indicate number of years).
5. How much water has been used? 24 acre-feet/year _____ cfs
6. How many acres have been irrigated? 80
7. How many houses or people have been served water? NA
8. Extent of past use of water for any other purpose. NA
9. What construction work has been completed during the last extension? All construction is complete
10. Approximate amount spent on project during last extension period. \$ unknown
11. Estimate date construction work will be completed. complete
12. Estimated year in which water will be fully used. 2000
13. Reasons why construction and/or use of water were not completed within time previously allowed. Petition for extension of time is being filed to include year of maximum use for licensing. Project was constructed within the time allowed under the permit, but maximum use occurred in 2001 (after the permit expired).

If the use of water is for municipal (including industrial) and irrigation supplies and is provided or regulated by public agencies and use of the water has commenced, but additional time is needed to reach full use contemplated, the following information must be provided.

14. What water conservation measures are in effect or feasible within the place of use?

15. How much water is being conserved or is it feasible to conserve using these conservation measures?
_____ acre-feet per annum.
16. How much water per capita is used during the maximum 30-day period? _____ gpd.

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

Dated: 6/2/2004, 20____, at St. Helena, California
Timothy J. Rodgers Signature(s) 707-258-1500 Telephone No. EXT 125

NOTE: A \$50 FEE MADE PAYABLE TO THE State Water Resources Control Board must accompany a petition for an extension of time. An \$850 fee made payable to the Department of Fish and Game must accompany all but the first petition for an extension of time.

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**ENVIRONMENTAL INFORMATION
 FOR PETITIONS**

(THIS IS NOT A CEQA DOCUMENT)

APPLICATION NO. 24305B

PERMIT NO. 17720B

LICENSE NO.

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

DISCRIPTION OF CHANGES TO PROJECT

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

The petition for extension of time is being filed to cover the year of maximum use under the permit. Project construction and vineyard development was completed within the time allowed under the permit, but maximum use occurred in 2001 after the permit had expired. This petition is only to allow licensing of the 2001 water use, and does not involve any additional construction, vineyard development, or changes of any kind to the existing legal project.

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:
- Person contacted not required Date of contact _____
 Department _____ Telephone () _____
 - Assessor's Parcel No. _____
 - County Zoning Designation Ag watershed
 - Are any county permits required for your proposed changes? no changes
 If yes, check appropriate space below:
 _____ Grading Permit, _____ Use Permit, _____ Watercourse
 Obstruction Permit, _____ Change of Zoning, _____ General Plan
 Change, Other (explain): _____
 - Have you obtained any of the required permits described above? _____
 If yes, provide a complete copy of each permit obtained.
3. Are any additional state or federal permits required for your proposed changes? no change (i.e., from Federal Energy Regulatory Commission, U.S. Forest Service, Bureau of Land Management, Soil Conservation Service, Department of Water Resources (Division of Safety of Dams), Reclamation Board, Coastal Commission, State Lands Commission, etc.) For each agency from which a permit is required provide the following information:
- Permit type _____
- Person (s) contacted _____ Agency _____
- Date of contact _____ Telephone () _____
4. Has any public agency prepared an environmental document for any aspect of your proposed changes? no changes

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

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: no changes proposed

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? _____
 Person contacted _____ Date of contact _____
 What method of treatment and disposal will be used? _____

- 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: no changes to the legal project are proposed

ENVIRONMENTAL SETTING

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

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

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

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

Tree Dominated Communities

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

Shrub Dominated Communities

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

Herbaceous Dominated Communities

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

Aquatic Communities

Riverine
 Lacustrine
 Estuarine
 Marine

Developed Communities

Cropland
~~Orchard-Vineyard~~
 Urban

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

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

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

All facilities and vineyard are existing. No changes to the legal project are proposed.

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 changes are proposed. No impact to fish species.

- 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 changes are proposed. No impact to wildlife species.

***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 changes

If so, explain: _____

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 6/2/2004

Signature Timothy Rogers