

PETITION FOR CHANGE  
(WATER CODE 1700)

DIV. OF WATER RIGHTS  
SACRAMENTO

Point of Diversion, \_\_\_\_\_ Point of Rediversion, X Place of Use, X Purpose of Use  
Application 20557 Permit 13615 License 8077 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 No change  
Proposed No change

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

Present See attachment  
Proposed \_\_\_\_\_

**Purpose of Use**

Present Irrigation, recreation 8/12/09 PW  
Proposed Irrigation, frost protection, recreation 8/12/09 PW

Does the proposed use serve to preserve or enhance wetlands habitat, fish and wildlife resources, or recreation in or on the water (See WC 1707)? No  
(yes/no)

- GIVE REASON FOR PROPOSED CHANGE: To accurately describe the project as it is being operated.
- WILL THE OLD POINT OF DIVERSION OR PLACE OF USE BE ABANDONED? Yes - The Licensed Place of Use  
(yes/no) will be abandoned.
- WATER WILL BE USED FOR Irrigation, frost protection PURPOSES.

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

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.

See files of State Water Resources Control Board

**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 6/5, 2009 at Sacramento, California  
Paula J. Whealen Signature(s) Wagner & Bonsignore Engineers Telephone No. (916) 441-6850

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.

Rec'd  
\$1,011.70  
\$850.00 DFR  
6/12/09

STATE WATER RESOURCES CONTROL BOARD  
 Attachment to Accompany Petition for Change  
 Silverado Sonoma Vineyards, LLC – Windsor Hills Ranch #78  
 License 8077 (Application 20557)  
 DIV. OF WATER RIGHTS SACRAMENTO

2009 JUN 12 PM 1:46

**Point of Diversion or Rediversion**

As Licensed:

<u>Map Point</u>	<u>Description</u>
1.	South 1,400' and West 700' from the NE corner of Projected Section 2, T8N, R9W, MDB&M. Being within the SE ¼ of NE ¼ of Projected Section 2.

As Requested: No Change in Point of Diversion, updated using NAD 83 datum

<u>Map Point</u>	<u>Description</u>
1.	<u>Point of Diversion by Collection to Storage:</u> Location N.1,971,600 and E.6,327,439 of California Coordinate System, Zone 2, NAD83. Being within the NE¼ of the NE¼ of Projected Section 2, T8N, R9W, MDB&M.

**Place of Use**

As Licensed:

<u>Use Within</u>	<u>Section</u>	<u>Township</u>	<u>Range</u>	<u>B. &amp; M.</u>	<u>Acres</u>	<u>Previously Cultivated</u>
SE¼ of NE¼	2	T8N	R9W	M.D.	5	Yes
				Total	5	

As Requested:

<u>Use Within</u>	<u>Section</u>	<u>Township</u>	<u>Range</u>	<u>B. &amp; M.</u>	<u>Acres</u>	<u>Previously Cultivated</u>
NW¼ of NW¼	1	T8N	R9W	M.D.	16	Yes
SW¼ of NW¼	1	T8N	R9W	M.D.	7	Yes
NW¼ of NE¼	2	T8N	R9W	M.D.	6	Yes
NE¼ of NE¼	2	T8N	R9W	M.D.	35	Yes
SW¼ of NE¼	2	T8N	R9W	M.D.	1	Yes
SE¼ of NE¼	2	T8N	R9W	M.D.	13	Yes
				Total	78	

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

ENVIRONMENTAL INFORMATION FOR PETITIONS

Petition for Change

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.

1. 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.

Multiple horizontal lines for writing the description of proposed changes or work remaining to be completed.

See Attachment No. 1

ENVIRONMENTAL INFORMATION FOR PETITIONS

**2. COUNTY PERMITS**

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

Person contacted: \_\_\_\_\_ Date of contact: May 8, 2009

Department: Permit & Resource Management Department Telephone: (\_\_\_\_) \_\_\_\_\_

County Zoning Designation: 86-170-034-RRDWA B6 40 SR VOH & 86-180-001-LIA B6 40 Z SR VOH

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.

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: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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: \_\_\_\_\_

**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? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

\*Petitioner believes this Petition for Change will be exempt from CEQA. See Attachment #1.

ENVIRONMENTAL INFORMATION FOR PETITIONS

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

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

**7. ENVIRONMENTAL SETTING**

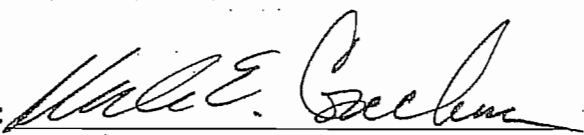
Attach **three complete sets of color photographs**, clearly dated and labeled, showing the vegetation that exists at the below-listed three locations. For time extension petitions, the photographs should document only those areas of the project that will be impacted during the requested extension period.

- 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.

**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: 5-19-09

Signature: 

Attachment to Accompany  
Environmental Information Form  
Petition for Change  
Silverado Sonoma Vineyards, LLC – Windsor Hills Ranch #76

License 8077 (Application 20557)

Attachment #1

3. Project Description

Petitioner has recently purchased the property and proposes to increase the place of use to the 78 acres of existing vineyards on the Windsor Hills Ranch. Petitioner also seeks to add frost protection as a purpose of use. The 78 acre vineyard was developed prior to 1993 and the previous owner has irrigated and frost protected the vineyard from the reservoir for over 16 years. The Licensed place of use is located on an adjacent parcel not owned by the Petitioner. No water from the reservoir is currently used on those lands or is contemplated in the future. The amount of water to be used on the requested 78 acre place of use will not exceed the 49 acre-feet authorized by the License.

The entire project, including the requested place of use, reservoir, and water distribution system are existing and fully developed (see attached aerial photograph). No further development is requested pursuant to this Petition.

The proposed project involves no changes relative to historical conditions (see aerial photograph dated July 11, 1993). Accordingly, this Petition qualifies for a Categorical Exemption under Title 14, California Code of Regulations, Section 15301, Existing Facilities, which states the following:

*“Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.”*

Based on the foregoing, we are requesting that the State Water Board grant a Categorical Exemption to this Petition and proceed with further processing as necessary for issuance of an amended License.

