

**PETITION FOR EXTENSION OF TIME** PM 12:10

WATER USERS:

Application 29637 Permit 20665

DIV. OF WATER RIGHTS  
SACRAMENTO

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 (State Water Board), 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 State Water Board 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 State Water Board'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.  
\_\_\_\_\_  
\_\_\_\_\_

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 See Attachment - year extension of time is requested to complete construction work and/or beneficial use of water. (Must be consistent with the time frame allowed in California Code of Regulations sections 840 through 844)
5. How much water has been used? 94 acre-feet/year \_\_\_\_\_ cfs
6. How many acres have been irrigated? 143
7. How many houses or people have been served water? DNA
8. Extent of past use of water for any other purpose. DNA
9. What construction work has been completed during the last extension? See Attachment
10. Approximate amount spent on project during last extension period. Approximately \$700,000
11. Estimate date construction work will be completed. 2017
12. Estimated year in which water will be fully used. 2017
13. Reasons why construction and/or use of water were not completed within time previously allowed. See Attachment

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?  
DNA
15. How much water is being conserved or is it feasible to conserve using these conservation measures?  
DNA acre-feet per annum.
16. How much water per capita is used during the maximum 30-day period? DNA 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: APRIL 30, 2008, at NOVATO, California

[Signature] Signature(s) 415.899.1011x.403 Telephone No.

MATTHEW H. FLEUMER, 3000 SCARUS POINT Rd, SONOMA CA 95476  
PLEASE PRINT YOUR NAME AND ADDRESS

NOTE: A \$1,000 filing fee, for each Application listed, 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.

**ATTACHMENT TO  
PETITION FOR EXTENSION OF TIME  
PERMIT 20665 (APPLICATION 29637)**

*4. Time extension requested to complete construction and beneficial use of water.*

Permit 20665 (Application 29637) was issued on May 18, 1993. State Water Resources Control Board (Board) Order dated March 2, 1999 extended the time to complete construction to December 31, 2003 and time to complete beneficial use to December 31, 2007. During the first extension of time, the Permittee constructed Reservoir No.1 and completed development of approximately 143 acres of vineyard. To accurately reflect planned project operations, the Permittee filed a Petition for Change and a Petition for Redistribution Storage (Petitions) on March 3, 2003. These Petitions have not yet been processed by the State Water Resources Control Board (Board). In the interim, the Permittee has developed plans to construct a winery and tasting room facility within the place of use.

The Permittee is requesting an additional 10 year extension of time to December 31, 2017 to complete construction of the place of use and to complete beneficial use.

*9. What Construction work has been complete during the last extension?*

In 2002, Reservoir No. 1 was constructed with an approximate capacity of 100 acre-feet. A net area of 143 acres within a gross area of 244 acres has been developed to vineyard. The Permittee additionally plans to construct a winery and tasting room facility within the place of use.

*13. Reasons why construction and or/use of water were not completed within time previously allowed?*

The Permittee did not have authority to complete beneficial use prior to issuance of a Board Order authorizing the Petition for Change and Petition for Redistribution of Storage submitted in 2003. After submitting the 2003 Petitions, the Permittee developed additional plans to construct a winery and tasting room facility within the gross place of use, and has submitted new Petitions for Change and Redistribution of Storage together with this Petition for Extension of Time. The Permittee requires additional time within which to complete construction and beneficial use requested pursuant to the new Petitions.

California Environmental Protection Agency

STATE WATER RESOURCES CONTROL BOARD

State Water Resources Control Board

DIVISION OF WATER RIGHTS

MAY 14 PM 12:10

P.O. Box 2000, Sacramento, CA 95812-2000

Info: (916) 341-5300, FAX: (916) 341-5400, Web: <http://www.waterrights.ca.gov>

DIVISION OF WATER RIGHTS SACRAMENTO

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.

See attachment

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

ENVIRONMENTAL INFORMATION FOR PETITIONS

**2. COUNTY PERMITS**

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

Person contacted: Sonoma County Date of contact: 2008

Department: Planning Department Telephone: (707) 565-1900

County Zoning Designation: A-1; Primary Agricultural (B-6), (F-2)

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: Reservoir #2B currently has a capacity less than 49 acre feet.

If enlarged to 49 acre feet, it would require significant earthwork. All such work would be limited to the existing reservoir footprint.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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** See attached

- 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

ENVIRONMENTAL INFORMATION FOR PETITIONS

If YES, explain: See attached

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: 30 APRIL 2008

Signature: 

**ATTACHMENT TO ENVIRONMENTAL INFORMATION**  
**for**  
**PETITION FOR EXTENSION OF TIME**  
**PERMIT 20665 (APPLICATION 29637)**

*1. Description of Proposed Changes or Work Remaining To Be Completed*

The Petitioner is requesting a ten year Extension of Time pursuant to Permit 20665. The time within which to complete construction and beneficial use under Permit 20665 ended December 31, 2007. During the permitted time within which to complete construction, the Permittee constructed a 100 acre-foot capacity reservoir and completed construction of 143 acres of vineyards.

In 2003, the Permittee filed a Petition for Change and a Petition for Redistribution of Storage to accurately reflect planned project operations. Subsequently, the Permittee developed plans to construct a winery and tasting room facility within the gross place of use, and is submitting Petitions for Change and Redistribution of Storage together with this Petition for Extension of Time. The Petitioner has completed development of the vineyard area but requires additional time to construct the planned winery and tasting room facility.

The Permittee is requesting a ten year Extension of Time to December 31, 2017 to develop the place of use and complete beneficial use under Permit 20665.

*6. Archeology*

- (a) Yes, Archaeological Services prepared a report on January 25, 1983.
- (b) No
- (c) Site CA-SON-207 is a shell midden, which has been disturbed by cattle and rodent activity. A permit term was included within Permit 20665 to avoid potential impacts to the site.



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

2008 MAY 14 PM 12:10

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

DIV. OF WATER RIGHTS SACRAMENTO

Point of Diversion,  Point of Rediversion,  Place of Use,  Purpose of Use  
Application 29637 Permit 20665 License \_\_\_\_\_ 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 See attachment  
Proposed See attachment

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

Present \_\_\_\_\_  
Proposed \_\_\_\_\_

**Purpose of Use**

Present Irrigation, heat control, frost protection and recreation  
Proposed Irrigation, heat control, frost protection, recreation, domestic & industrial.

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 proposed project operations.

• WILL THE OLD POINT OF DIVERSION OR PLACE OF USE BE ABANDONED? No

(yes/no)

• WATER WILL BE USED FOR irrigation, heat control, frost protection, domestic and industrial 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.

**THIS CHANGE DOES NOT INVOLVE AN INCREASE IN THE AMOUNT OF THE APPROPRIATION OR SEASON OF USE.**

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

Dated APRIL 30, 2008 at NOVATO, California

Signature(s)

Telephone No. 415 899 1011 x 405

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.

*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>.*

PET-CHG (5-01)

Additional copies of this form and water right information can be obtained at [www.waterrights.ca.gov](http://www.waterrights.ca.gov)

Rec'd \$1,000.00 \$850.00 5/14/08  
MJ

**ATTACHMENT TO PETITION FOR CHANGE  
PERMIT 20665 (APPLICATION 29637) BY  
PARADISE VINEYARDS, LLC**

**RE: POINTS OF DIVERSION**

**Existing:**

<u>Map Pt</u>	<u>Description</u>
1	Point of Diversion by Collection to Storage and Point of Rediversion for Water Diverted at Point 3: Located by California Coordinate System, Zone 2, North 174,200 feet and East 1,872,150 feet, being within the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of projected Section 31, T4N, R5W, MDB&M.
2A	Continuous Point of Diversion to Offstream Storage: Located by California Coordinate System, Zone 2, North 173,700 feet and East 1,870,000 feet, being within the NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of projected Section 6, T3N, R5W, MDB&M.
2B	Continuous Point of Diversion to Offstream Storage: Located by California Coordinate System, Zone 2, North 172,150 feet and East 1,871,600 feet, being within the SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of projected Section 6, T3N, R5W, MDB&M.
3	Point of Diversion to Offstream Storage: Located by California Coordinate System, Zone 2, North 176,300 feet and East 1,871,700 feet, being within the NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of projected Section 31, T4N, R5W, MDB&M.

**Proposed:**

<u>Map Pt</u>	<u>Description</u>
1	Point of Diversion by Collection to Storage and Point of Rediversion to storage for water diverted at Points 2A, 2B, 3 and 5: ( <i>Corrected Description</i> ) Located by California Coordinate System, Zone 2, North 174,250 feet and East 1,871,800 feet, being within the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of projected Section 31, T4N, R5W, MDB&M.
2A	Point of Diversion by collection to Storage and Point of Rediversion to Storage at Reservoir 1, 2B and 5: Located by California Coordinate System, Zone 2, North 172,900 feet and East 1,870,300 feet, being within the NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of projected Section 6, T3N, R5W, MDB&M.
2B	Point of Diversion by collection to storage and Point of Rediversion to storage for water diverted at Point 1, 2A, 3 and 5: Located by California Coordinate System, Zone 2, North 172,150 feet and East 1,871,600 feet, being within the SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of projected Section 6, T3N, R5W, MDB&M.

NOTE: Continuous Point of Diversion between point 2A and 2B has been abandoned.

**ATTACHMENT TO PETITION FOR CHANGE - CONTINUED**  
**PERMIT 20665 (APPLICATION 29637)**  
**BY**  
**PARADISE VINEYARDS, LLC**

**RE: POINTS OF DIVERSION CONT.**

<u>Map Pt</u>	<u>Description</u>
3	Point of Diversion to Storage and Point of Rediversion to Storage at Reservoir 1 and 5: Located by California Coordinate System, Zone 2, North 176,300 feet and East 1,871,700 feet, being within the NE¼ of SE¼ of projected Section 31, T4N, R5W, MDB&M.
5	Point of Diversion by Collection to Storage and Point of Rediversion for Water Diverted at Point 1, 2A, 2B and 3: Located by California Coordinate System, Zone 2, North 174,650 feet and East 1,872,550 feet, being within the SW¼ of SW¼ of projected Section 32, T4N, R5W, MDB&M.
6	Point of Diversion by Collection to Storage: Located by California Coordinate System, Zone 2, North 174,020 feet and East 1,870,000 feet, being within the SW¼ of the SE¼ of projected Section 31, T4N, R5W, MDB&M.

**Re: DIVERSION WORKS (Storage Reservoirs)**

Name or Number of Reservoir, if any	DAM				RESERVOIR		
	Vertical height From downstream Toe of slope to Spillway level (ft.)	Construction Material	Dam length (ft.)	Freeboard Dam height Above spillway Crest (ft.)	Approximate surface area when full (acres)	Approximate capacity (acre-feet)	Maximum water depth
1	39'	Earth	500'	4	5.0	100	35'
2A	6'	Earth	55'	--	0.2	1	4'
2B	24'	Earth	400'	4	2.9'	49	20'
3	6'	Earth	100'	--	0.5	2	4'
5	16'	Earth	1,000'	2	5.0	70	14'
6	13'	Earth	500'	--	0.5	5	10'

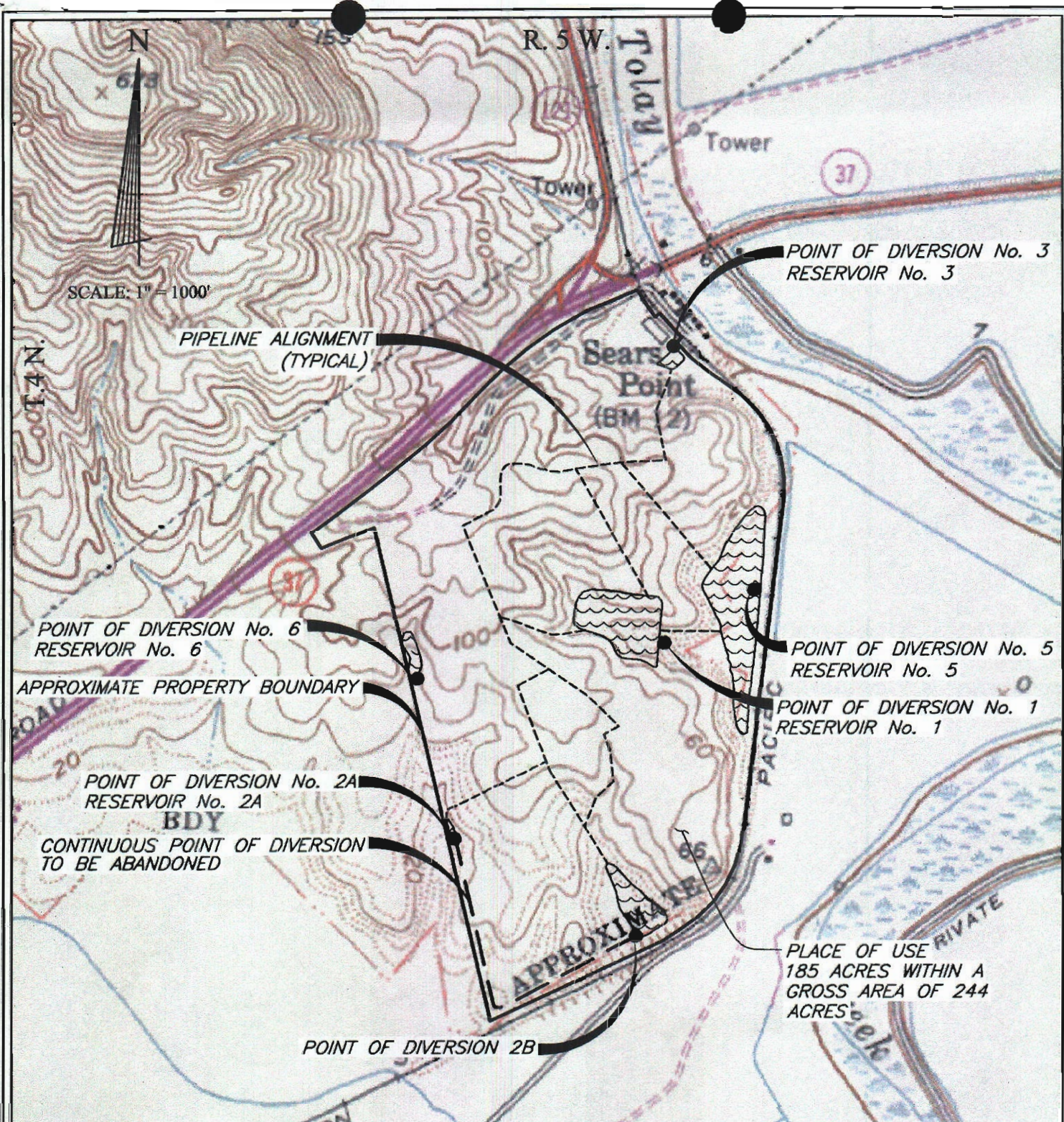
**Re: DIVERSION WORKS (Outlet Pipe)**

Reservoir #	Diameter of Outlet pipe (inches)	Length of Outlet pipe (feet)	FALL (Vertical distance between entrance and exit of outlet pipe in feet)	HEAD (Vertical distance from spillway to outlet pipe in reservoir in feet)	Estimated storage below outlet pipe entrance (dead storage)
#1	18"	285'	5'	11'	6.4 acre-feet
#2A	**	--	--	--	--
#2B	8"	120'	1'	19'	1 acre-foot
#3	**	--	--	--	--
#5	8"	90'	1'	13	1 acre-foot
#6	**	--	--	--	--

**\*\*NOTE:** Reservoirs 2A, 3 and 6 do not have outlet structures. Water is pumped out when required.

**Re: DIVERSION WORKS (Conduit from diversion point to offstream storage reservoir)**

	Conduit	Material	Cross Section	Length	Total Lift or Fall		Capacity
					Feet	+ or -	
POD #2A to Res #2B	Pipe	Steel Pipe	6"	1,400'	20	-	6 cfs
POD #2B to Res #1	Pipe	Steel Pipe	6"	3,000'	80	+	6 cfs
POD #5 to Res #1	Pipe	Steel Pipe	18"	350'	45	+	20 cfs
POD #3 to Res #1	Pipe	Steel Pipe	24"	2,000'	60	+	20 cfs



MAP TO ACCOMPANY  
 PERMIT 20665 (APPLICATION 29637)  
 PETITION FOR CHANGE IN DISTRIBUTION OF STORAGE

by  
 PARADISE VINEYARDS, LLC

Sonoma County, California



STATE WATER RESOURCES CONTROL BOARD  
 APR 30 2008 12:10

**PETITION FOR CHANGE IN DISTRIBUTION OF STORAGE**  
 Change in Point of Diversion for a Portion of the Water  
 (WATER CODE 1700)

Application 29637 Permit 20665 License \_\_\_\_\_ Statement or Other \_\_\_\_\_

I (we) request permission to change the amounts to be stored in each reservoir as set forth in paragraph 4 of this permit or license to amounts in each reservoir as follows:

- Reservoir No. 1 See attached.
- Reservoir No. 2 \_\_\_\_\_
- Reservoir No. 3 \_\_\_\_\_
- Reservoir No. 4 \_\_\_\_\_

- WILL ANY RESERVOIR NAMED IN THE ORIGINAL APPLICATION BE ABANDONED? No  
 (yes/no)
- WILL THE CHANGE IN DISTRIBUTION OF STORAGE INVOLVE A CHANGE IN PURPOSE OF USE? Yes  
 (yes/no?)
- If so, 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?)

I (we) have access to the additional land to be flooded by virtue of Ownership  
 (ownership, lease verbal or written agreement)

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 upper and lower reservoirs...  
 \_\_\_\_\_  
 \_\_\_\_\_

THIS CHANGE DOES NOT INVOLVE AN INCREASE IN THE AMOUNT OF THE APPROPRIATION

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

Dated: APRIL 30, 2008 at NOVATO, California

[Signature]  
 Signature(s)

(415) 899-1011 x145  
 Telephone No.

**NOTE:** A \$1,000 filing fee, for 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.

*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>. Additional copies of this form and water right information can be obtained at [www.waterrights.ca.gov](http://www.waterrights.ca.gov).*

Rec'd  
 \$1000.00  
 5/14/08  
 MJ

**ATTACHMENT TO PETITION FOR CHANGE IN DISTRIBUTION OF STORAGE  
PERMIT 20665 (APPLICATION 29637)  
BY  
PARADISE VINEYARDS, LLC**

<u>Reservoir</u>	<u>Existing</u> (acre-feet)	<u>Proposed</u> (acre-feet)
1	370	100
2A		1
2B		49
3		2
5		70
6		5
<b>TOTAL:</b>	<b>370</b>	<b>227</b>





ENVIRONMENTAL INFORMATION FOR PETITIONS

**2. COUNTY PERMITS**

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

Person contacted: Sonoma County Date of contact: 2008  
 Department: Planning Department Telephone: (707) 565-1900  
 County Zoning Designation: A-1; Primary Agricultural (B-6), (F-2)

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: Reservoir #2B currently has a capacity less than 49 acre feet.

If enlarged to 49 acre feet, it would require significant earthwork. All such work would be limited to the existing reservoir footprint.

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

ENVIRONMENTAL INFORMATION FOR PETITIONS

If YES, explain: Archaeological services prepared a report dated January 25, 1983.  
Site CA-SON-207 is a shell midden which has been disturbed by cattle and  
rodent activity. A permit term was included within Permit 20665 to avoid  
potential impacts to the site.

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: APRIL 30, 2008

Signature: 

**ATTACHMENT TO ENVIRONMENTAL INFORMATION**  
**for**  
**PETITION FOR CHANGE**  
**and**  
**PETITION FOR REDISTRIBUTION OF STORAGE**  
**PERMIT 20665 (APPLICATION 29637)**

***1. Description of Proposed Changes or Work Remaining To Be Completed***

The Petitions for Change and Redistribution of Storage are requesting redistribution of storage from Reservoir 1 at Point of Diversion (POD) 1 to provide for storage in six existing onstream reservoirs.

Reservoir 1 was constructed in 2002 and has a capacity of 100 acre-feet. Proposed Reservoir 2A is located at proposed POD 2A, which falls within the continuous point of diversion described in Permit 20665. Proposed Reservoir 2B is located at POD 2B named in Permit 20665. The continuous point of diversion between points 2A and 2B named in Permit 20665 will be abandoned pursuant to this Petition. Proposed Reservoir 3 is located at POD 3 named in Permit 20665. Proposed Reservoir 5 is located downstream of Reservoir 1 at proposed POD 5. Proposed Reservoir 6 is located west of Reservoir 1 at proposed POD 6. Reservoir 6 is composed of two small ponds adjacent to one another which may be joined to form one Reservoir.

Water is currently being diverted at PODs 1, 2A, 2B, 3, 5 and 6. An existing pipeline system makes it possible to transfer water from Reservoirs 2A, 2B, 3 and 5 to Reservoir 1 for irrigation purposes (see attached map). Water diverted to storage at POD 6 is used on the surrounding vineyard area and does not enter the pipeline systems conveying water to Reservoir 1. All reservoirs except Reservoir 1 were constructed by previous landowners.

The total amount of water under this permit will be reduced from 370 acre-feet to 227 acre-feet. The maximum rate of diversion from POD 3 to storage will remain about 20 cfs. Water will be used for irrigation, frost protection and heat control of 145 acres of vineyard as well as recreation, industrial and domestic uses.

No other changes are being requested as a result of these Petitions.

**ATTACHMENT TO ENVIRONMENTAL INFORMATION  
PERMIT 20665 (APPLICATION 29637)**

Downstream of Point of Diversion No. 2A



Upstream of Point of Diversion No. 2A



Photographs dated 4/8/08

**ATTACHMENT - CONTINUED**

Reservoir No. 2B – Looking Southeast



Reservoir No. 2B – Looking South



Photos taken 9/9/02. Area above reservoir is developed place of use. Water enters via drop inlet/culvert. Reservoir outfall is via manmade ditch to pump station on adjoining property that returns water to San Pablo Bay.

ATTACHMENT - CONTINUED

Upstream of Point of Diversion No. 3



Downstream of Point of Diversion No. 3



Photographs dated 4/8/08

ATTACHMENT - CONTINUED

Reservoir No. 5 – Looking Northeast



Reservoir No. 5 – Looking North



Photos taken 9/9/02. Area upstream from reservoir is developed place of use. Original water course entering reservoir is now piped spillway discharge from Reservoir No. 1. Outfall from Reservoir No. 5 is manmade channel to Reservoir No. 2B



**ATTACHMENT - CONTINUED**

Upstream of Point of Diversion No. 6 (Upper Reservoir)



Downstream of Point of Diversion No. 6 (Upper Reservoir)



Photographs dated 4/8/08