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

S002876

2006, 2007, 2008

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FORM

Owner(s) of Record:
R L LADUKE

Notifying the Division of Water Rights of ownership or address changes is the responsibility of the claimant

Please Complete and Return This Form by JULY 1, 2009

Primary Contact:
~~R L LADUKE~~ Willard E. Gerhard
1904 SCHOOL ST
CALISTOGA, CA 94515

Phone No. ~~707-942-4082~~ 707-942-0551
Fax No.
E-mail Address: bgerhard@sbcglobal.net

Agent:
Address:

Phone No.
Fax No.
E-mail Address:

STATE WATER RESOURCES CONTROL BOARD
2009 JUN 11 AM 11:21
DIV OF WATER RIGHTS SACRAMENTO

Source Name: CYRUS CREEK
Tributary To:
County: Napa
Diversion within: SE 1/4 of SW 1/4 Section 36, T 9 N, R 7 W, MDB&M

Year of First Use: 1958
Name of Diversion works:
Assessor Parcel Number of the Diversion site:

A. **Water is Used Under:** Riparian claim ___ Pre-1914 claim ___ Court Decree No.: _____ Other (explain): _____

B. **Year of First Use:** (Please provide if missing in the Division of Rights database (ewrims)) _____

C. **Rate of Diversion:** The rate of diversion of water for each month used and entered in the table below is shown in units of:
Gallons per minute (gpm) _____ Gallons per day (gpd) 1000 Cubic feet per second (cfs) _____

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Average Rate
2006				✓	✓	✓	✓	✓	✓	✓			
2007													
2008													

D. **Quantity of Water Used:** The quantity of water used each month and entered in the table below is shown in units of:
Gallons _____ Million Gallons (MG) _____ Acre-feet (AF) 1/2

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
2006				✓	✓	✓	✓	✓	✓	✓			
2007				✓	✓	✓	✓	✓	✓	✓			
2008				✓	✓	✓	✓	✓	✓	✓			

E. **Purpose of Use** – Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 3/4 acres; Stockwatering _____; Domestic _____;
Other (specify) Vineyard Fruit Trees Vegetable garden
Parcel Number(s) of Place of Use: _____

F. **Changes in Method of Diversion** – Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

G. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? (YES) ___ NO ___
Describe any water conservation efforts you have initiated: Drip System

b. If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved:

Reduction in Diversions:
Year ____ _____ (AF/MG) Year ____ _____ (AF/MG) Year ____ _____ (AF/MG)

EWRIMS/CM 10/21/09

Reduction in consumptive use:
Year _____ _____ (AF/MG) Year _____ _____ (AF/MG) Year _____ _____ (AF/MG)

I have data to support the above surface water use reductions due to conservation efforts. YES _____ NO ✓

2. Water quality and wastewater reclamation

   a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES _____ NO ✓.

   b. If you are claiming credit due to the substitution of reclaimed water, desalinated water or polluted water in lieu of a claimed pre-1914 appropriative right under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of substitute water supply used:

   Amount of reduced diversion:
   Year _____ _____ (AF/MG) Year _____ _____ (AF/MG) Year _____ _____ (AF/MG)

   State the type of substitute water supply: _____

   Amount of substitute water supply used:
   Year _____ _____ (AF/MG) Year _____ _____ (AF/MG) Year _____ _____ (AF/MG)
   I have data to support the above surface water use reductions due to the use of a substitute water supply. YES _____ NO _____.

3. Conjunctive use of surface water and groundwater

   a. Are you now using groundwater in lieu of surface water? YES _____ NO _____.

   b. If you are claiming credit due to the substitution of groundwater for a claimed pre-1914 appropriative right under section 1011.5 of the Water Code, please show the amounts of groundwater used:
   Year _____ _____ (AF/MG) Year _____ _____ (AF/MG) Year _____ _____ (AF/MG)
   I have data to support the above surface water use reductions due to the use of groundwater. YES _____ NO _____.

I understand that it may be necessary to document the water savings claimed in "F" above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: 5-24, 2009 at 1904 School St Calistoga, California

SIGNATURE: Willard E Gerhard

PRINTED NAME: Willard E Gerhard
(first name) (middle initial) (last name)

COMPANY NAME: _____

If there is insufficient space for your answers, please use the space provided below or add an attachment sheet.

ITEM	CONTINUATION
_____	_____
_____	_____
_____	_____

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. After the formation of the California Water Commission back on December 19, 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

State of California
State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. Box 2000, Sacramento, CA 95812-2000
Info: (916) 657-2170, FAX: (916) 657-1485, Web: http://www.waterrights.ca.gov

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.
Notify this office if ownership or address changes occur during the coming year.

PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 2000

OWNER OF RECORD: R L LADUKE

R L LADUKE
1904 SCHOOL ST
CALISTOGA, CA 94515

STATEMENT NO: S002876

S 0 0 2 8 7 6

SOURCE: CYRUS CREEK
TRIBUTARY TO: NAPA RIVER
COUNTY: NAPA
DIVERSION
WITHIN: SE¼ OF SW¼ SECTION 36, T9N, R7W, MB&M.

TELEPHONE NUMBER:
(707) 942-4082
YEAR OF FIRST USE: 1958
PARCEL NO:

A. Water is used under: Riparian claim _____ Pre 1914 right _____ Other (explain); _____

B. Year of first use (Please provide if missing above) _____

C. Amount of Use – Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used. .

Amounts below are: Gallons _____ Acre-feet _____ Other _____

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
1997													
1998													
1999													

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation _____ acres; Stockwatering _____; Domestic _____;

Other (specify) _____

E. Changes in Method of Diversion – Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

_____

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water
   a. Are you now employing water conservation efforts? YES ___ NO ___
   Describe any water conservation efforts you have initiated: _____

   b. If credit toward beneficial use of water under claimed pre 1914 appropriative water right for water not used due to a conservation effort is claimed under section 1011 of the Water Code, please show the amounts of water conserved:

   Reductions in Diversions:

   19____ _____ (af/mg) 19____ _____ (af/mg) 19____ _____ (af/mg)

   Reductions in consumptive use:

   19____ _____ (af/mg) 19____ _____ (af/mg) 19____ _____ (af/mg)

   I have data to support the above surface water use reductions due to conservation efforts. YES ___ NO ___

2. Water quality and wastewater reclamation

   a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES _____ NO _____.

   b. If credit toward use under a claimed pre 1914 appropriative water right through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of reclaimed water used:

   19_____ _____ (af/mg) 19_____ _____ (af/mg) 19_____ _____ (af/mg)
   I have data to support the above surface water use reductions due to wastewater reclamation. YES ___ NO ___

3. Conjunctive use of surface water and groundwater

   a. Are you now using groundwater in lieu of surface water? YES _____ NO _____.

   b. If credit toward use under a claimed pre 1914 appropriative right through substitution of groundwater in lieu of appropriated water is claimed under section 1011.5 of the Water Code, please show the amounts of groundwater used:

   19_____ _____ (af/mg) 19_____ _____ (af/mg) 19_____ _____ (af/mg)
   I have data to support the above surface water use reductions due to conjunctive use efforts. YES ___ NO ___

I understand that it may be necessary to document the water savings claimed in "F." above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE:_____, 20_____ at _____, California

SIGNATURE: _____

PRINTED NAME:_____
(first name) (middle init.) (last name)

COMPANY NAME:_____

If there is insufficient space for your answers, please use the space provided below.

ITEM CONTINUATION

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

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An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriate rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre 1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

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STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95812-2000
901 P ST. SACRAMENTO, CA 95814
(916) 322-4503
(916) 324-5676

STATE WATER RESOURCES CONTROL BOARD
JAN 28 PM 12:56
DIV. OF WATER RIGHTS SACRAMENTO

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERTER OF RECORD: STATEMENT NO: 002876

GORDON LADUKE (Atty - Deceased
1904 SCHOOL STREET
CALISTOGA, CA 94515

TELEPHONE NUMBER:
(707) 942-4082

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: CYRUS CREEK

TRIBUTARY TO: NAPA RIVER

COUNTY: NAPA

DIVERSION WITHIN: 1/4 OF 1/4 SECTION , T00 , R , B&M.

INSTRUCTIONS: Please complete Items A. B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1991. (Additional information on reverse side of this form.)

A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☐ Acre-feet ☐ _____ (other)

No rain - and no water to use

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1988													
1989													
1990													

B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation _____

Stockwatering _____

Domestic _____

Other (specify) _____

C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

_____

_____

_____

D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

_____

_____

_____

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: Jan 25, 1991, at Calistoga, California

Signature: K L Laduke

WR 40-I (2/90)

0950 1990

STATE WATER RESOURCES
CONTROL BOARD
1991 JAN 28 PM 12: 50
DIV. OF WATER RIGHTS
SACRAMENTO

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

No rights necessary - as there is no water.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the source of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

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Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

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"Statements of Water Diversion and Use"
"Information Pertaining to Water Rights in California"
"Water Rights for Stockponds Constructed Prior to 1969"
"Appropriation of Water in California"

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

P.O. BOX 2000 SACRAMENTO, CA 95812-2000
(916) 657-1875

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERTER OF RECORD: STATEMENT NO: 002876

R L LADUKE
1904 SCHOOL STREET
CALISTOGA, CA 94515

TELEPHONE NUMBER:
(707) 942-4082

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: CYRUS CREEK

TRIBUTARY TO: NAPA RIVER

COUNTY: NAPA YEAR OF FIRST USE: 1958

DIVERSION
WITHIN: SE1/4 OF SW1/4 SECTION 36, T09N, R07W, MDB&M.

COMPLETE AND RETURN THIS FORM BY JULY 1, 1994.

A. Water is used under: Riparian claim _____; Pre 1914 right _____; Other (explain) _____

B. Year of first use (Please provide if missing above) _____.

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☒ Gallons ☐ Acre-feet ☐ (other) Ø

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.	TOTAL ANNUAL
1991													
1992													
1993													

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.
Irrigation _____acres; Stockwatering _____; Domestic _____
Other (specify) _____

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

NO LONGER DIVERTED
NO WATER USAGE IN FUTURE
NO WATER USED

F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

_____

_____

STATE WATER RESOURCES
DIV. OF WATER RIGHTS
SACRAMENTO

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: J, 5, 19 94, at CALISTOGA, California

Signature: Rachel L Laduke

WR 40-I (1/94)
FOR0127R2

0984 1993

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

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Statements of water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

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"Appropriation of Water in California"

STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RIGHTS BOARD

STATEMENT OF WATER DIVERSION AND USE

S 2876

This statement should be typewritten or legibly written in ink.

A. Name of person diverting water GORDON LADUKE
Address ~~1904 School Street~~ P. O. Box 435 ~~Calistoga, Calif.~~ 94515

B. Name of body of water at point of diversion CYRUS CREEK
Tributary to NAPA RIVER

C. Place of diversion ____ ¼ ____ ¼ Section ____, Township ____, Range ____, ____ B&M, NAPA County, or locate it on sketch of section grid on reverse side with regard to section lines or prominent local landmarks.

D. Name of works

E. Capacity of diversion works ____ cubic feet per second / gallons per minute
Capacity of storage reservoir ____ gallons / acre-feet
State quantity of water used each month in gallons or acre-feet

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
													2 ACRE FEET

If monthly and annual use are not known, check months in which water was used. State extent of use in units, such as acres of each crop irrigated, average number of persons served, number of stock watered, etc. 2 ACRES

Maximum annual water use in recent years 2 ACRE FEET gallons / acre-feet
Minimum annual water use in recent years 1 " " gallons / acre-feet
Type of diversion facility: gravity ____, pump ✓
Method of measurement: weir ____, flume ____, electric power meter ____, water meter ____, estimate ✓

F. Purpose of use (what water is being used for) IRRIGATION

G. General description or location of place of use (use sketch of section grid on reverse side if you desire) 400 FT FROM NAPA RIVER AND ENCLOSING MAP v LOCATION

H. Year of first use as nearly as known 1958

I. Name of person filing statement
Position OWNER Organization
Address 1904 SCHOOL ST CALISTOGA

I certify that the foregoing statements are true and correct to the best of my knowledge and belief.

Date signed JULY 11-1967 Signature Gordon Laduke

See Instructions on Reverse Side

SWRB 40 8-66

2-309-77