

STATE OF CALIFORNIA
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

In the Matter of Riparian Diversion Statements 15199, 15200, 15201, and 15202

Beckstoffer Vineyards XIV

ORDER APPROVING INSTREAM FLOW DEDICATION

SOURCE: Russian River and Russian River Underflow thence Pacific Ocean

COUNTY: Mendocino

WHEREAS:

1. Beckstoffer Vineyards XIV (Petitioner) filed a petition pursuant to Water Code section 1707 with the State Water Resources Control Board (State Water Board), Division of Water Rights (Division) on January 18, 2011. The petition was filed for the riparian right described in Statements of Water Diversion and Use (Statements) 15199, 15200, 15201, and 15202.
2. The Petitioner has requested that:
 - a. Downstream portions of the Russian River flow from the point of diversion (POD) #5 identified under Statement 15202 (see petition map, dated January 18, 2011, on file with the State Water Board) to the mouth of the Russian River be added to the description of the place of use;
 - b. Recreation, and preservation and enhancement of fish and wildlife resources be added as purposes of use; and
 - c. The pumping capacity be modified at PODs #2, #3, #4, and #5 such that the rate of diversion will be reduced to a maximum of 9.875 cubic feet per second (cfs). Approximately 20.125 cfs of the combined instantaneous rate of diversion between POD #2 and POD #5 will be dedicated to instream use.
3. The action requested in the petition is part of a larger project that is categorically exempt from the requirement for the preparation of environmental documents under California Environmental Quality Act (CEQA) in accordance with the criteria for Class 1 (Existing Facilities), Class 4 (Minor Alterations to Land), Class 7, and Class 8 (Action by Regulatory agencies for Protection of Natural Resources and the Environment) exemptions identified in Title 14, California Code of Regulations, sections 15301, 15304, 15307, and 15308, respectively.
4. The State Water Board finds that the petition will neither increase the amount of water that the Petitioner is entitled to use nor unreasonably affect any legal user of water, and otherwise meets the requirements of Division 2 of the Water Code. (Wat. Code, § 1707.) These findings are based on the "Memo to File", dated April 21, 2014, prepared by Division staff. An accounting of the volume or rate of flow of the riparian right dedicated to instream use may be relied upon for purposes of curtailment or other limitation on the diversion of water only if prior notice of the

accounting was provided to the legal users of water subject to such limitation. Accordingly, the petition is approved subject to the conditions imposed herein.

5. The amount of water dedicated to instream use under this Order is limited to a correlative share of the natural flow of the Russian River. This Order does not adjudicate the riparian right described in Statements 15199, 15200, 15201, and 15202.
6. Pursuant to Resolution No. 2012-0029, the State Water Board has delegated authority to the Deputy Director for Water Rights, and authorized redelegation, to act on change petitions and take related actions to comply with CEQA. This authority has been so redelegated.

NOW, THEREFORE, IT IS ORDERED THAT:

1. The description of the place of use is modified to include the portion of the Russian River flow from POD #5 to the mouth of the Russian River for that portion of the riparian right dedicated to instream use.
2. The purposes of use are modified to include recreation, preservation, and enhancement of fish and wildlife resources.
3. From the period of March 15 to May 15 of each year, the Petitioner shall dedicate up to 20.125 cfs to instream use. The combined instantaneous rate of diversion for beneficial use at the place of use shall not exceed 9.875 cfs at the following PODs:
 - a. POD #2 – operated under Statement 15200 located at North 2,123,075 feet and East 6,247,075 feet by California Coordinate System of 1983, Zone 2, being within SW¼ of NE¼ of projected Section 18, T13N, R11W, MDB&M;
 - b. POD #3 – operated under Statement 15199 and License 9434 located at North 2,121,260 feet and East 6,247,035 feet by California Coordinate System of 1983, Zone 2, being within SW¼ of SE¼ of projected Section 18, T13N, R11W, MDB&M;
 - c. POD #4 – operated under Statement 15201 located at North 2,119,105 feet and East 6,246,620 feet by California Coordinate System of 1983, Zone 2, being within NW¼ of NE¼ of projected Section 19, T13N, R11W, MDB&M; and
 - d. POD #5 – operated under Statement 15202 and License 8627 located at North 2,118,360 feet and East 6,246,280 feet by California Coordinate System of 1983, Zone 2, being within SW¼ of NE¼ of projected Section 19, T13N, R11W, MDB&M.
4. The Petitioner shall continue to submit the Supplemental Statements of Water Diversion and Use in accordance with Water Code section 5104 and shall include the following: (a) the total quantity diverted under Statements 15199, 15200, 15201, and 15202; (b) the quantity consumptively used; and (c) the quantity dedicated to instream flow resources pursuant to this order. No credit shall be given for instream flow dedication pursuant to Water Code section 1707 unless the required documentation is timely submitted and whenever requested by the Division of Water Rights.
5. If the Petitioner submits Supplemental Statements of Water Diversions and Use that includes the quantity dedicated to instream flow resources pursuant to this order, then the Petitioner shall include documentation with supplemental statements to show that natural flow was available at the PODs at the time of dedication and water would have been used under the riparian claim

absent the project modifications. This documentation may include but is not limited to, gage readings from USGS Gage 11461000 (Russian River near Ukiah), Lake Mendocino release data, temperature, and estimated frost demand information.

6. The State Water Board may supervise diversion and use of water under this order for the protection of lawful users of water and instream beneficial uses and for compliance with the conditions. The Petitioner shall allow representatives of the State Water Board and other parties, as may be authorized from time to time by the State Water Board, reasonable access to project works to determine compliance with the terms of this order.
7. The conditions of this order apply to the riparian right described in Statements 15199, 15200, 15201, and 15202, and shall apply to and bind all successors and assigns of that right. This order shall be recorded by the Petitioner in the County of Mendocino within 30 days of the date of this order.

STATE WATER RESOURCES CONTROL BOARD

ORIGINAL SIGNED BY:
JOHN O' HAGAN (FOR)

*Barbara Evoy, Deputy Director
Division of Water Rights*

Dated: MAR 14 2016

State of California, State Water Resources Control Board

Division of Water Rights
 P.O. Box 2000, Sacramento, CA 95812-2000
 Info: (916) 341-5300, Web: http://www.waterboards.ca.gov/waterrights

S015200
 2007, 2008, 2009

2010 APR -5 PM 12:16

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FORM

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

Owner(s) of Record:
 ANNE I THOMAS

DIV. OF WATER RIGHTS
 SACRAMENTO

Complete and Return This Form by JULY 1, 2010

Primary Contact:
 JOHN HALL THOMAS
 PO BOX 748
 UKIAH, CA 95482

Agent:
 Address:

Milovina # 2
Use in conjunction
with Permit #

Phone No. 707-621-1357
 Fax No.
 E-mail Address:

Phone No.
 Fax No.
 E-mail Address:

S015201
See For Details

Source Name:
 Tributary To:
 County:
 Diversion within:

Year of First Use: 1980
 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 (required by Water Code section 5104):** 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) 8000 Gallons per day (GPD) ___ Cubic feet per second (CFS) ___

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Average Rate
2007	0	0	8000	8000	0	0	0	0	0	0	0	0	8000
2008	0	0	8000	8000	0	0	0	0	0	0	0	0	8000
2009	0	0	0	0	0	0	0	0	0	0	0	0	0

- 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) ___

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
2007	0	0	37	52	0	0	0	0	0	0	0	0	89
2008	0	0	37	52	0	0	0	0	0	0	0	0	89
2009	0	0	0	0	0	0	0	0	0	0	0	0	0

- E. **Purpose of Use** - Specify number of acres irrigated, stock watered, persons served, etc.
 Irrigation 160 acres; Stockwatering ___; Domestic ___;
 Other (specify) Frost Protection
 Parcel Number(s) of Place of Use: Milovina Ranch

- 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.)
Good Ranch in 2009

- 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:
Soil moisture meter and Daily weather monitoring.
- 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)
- 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 under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATE: 3-30, 2010 at Ukiah, Mendocino County, California

SIGNATURE: [Handwritten Signature]

PRINTED NAME: John H. Thomas
 (first name) (middle initial) (last name)

COMPANY NAME: _____

ITEM _____ If there is insufficient space for your answers, please use the space provided below or add an attachment sheet.
 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 diverters 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. Informational documents regarding (1) Statements of Water Diversion and Use, and (2) Information Pertaining to Water Rights in California are available at http://www.waterboards.ca.gov/waterrights/publications_forms/forms/index.shtml.

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://waterrights.ca.gov>

S015200
2004, 2005, 2006

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, 2007**

Primary Owner: **ANNE I THOMAS**

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING
JOHN HALL THOMAS
PO BOX 748
UKIAH, CA 95482

STATEMENT NO.: **S015200**
CONTACT PHONE NO.: **(707) 462 - 4716**

Source Name: **RUSSIAN RIVER**
Tributary To: **PACIFIC OCEAN**
County: **Mendocino**
Diversion Within: **SW¼ of NE¼ Section 18 T13N, R11W, MB&M**

Year of First Use:
Parcel Number:

2007 APR 30 PM 3:02
STATEMENT NO. S015200
FILED

A. **Water is Used Under:** Riparian claim Pre-1914 right _____ Other (explain) _____

B. **Year of First Use:** (Please provide if missing above) 1980

C. **Amount of Use:** Enter the amount (or the approximate amount) of water used each month, using the table below.

Amounts below are in: Gallons _____ Million Gallons (MG) _____ Acre-feet (AF) Other _____

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
2004			X	X	X								
2005			X	X	X								
2006			-	-	X								

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

Irrigation _____ acres; Stockwatering _____; Domestic _____;

Other (specify) Front Centered - 168 acres

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:
no water and low pressure sprinklers
and crop management

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)

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



S015200%S%2003

2001, 2002, 2003

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 August 1, 2004. 2004 SEP 25 10:36

*If the mail recipient's name, address or phone No. is wrong or missing, please correct.

Owner of Record: ANNE I THOMAS;

STATEMENT NO.: S015200
 CONTACT PHONE NO.: (707)462-4716

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:

JOHN HALL THOMAS
 PO BOX 748
 UKIAH, CA 95482

Source Name: RUSSIAN RIVER
 Tributary To: PACIFIC OCEAN
 County: Mendocino
 Diversion Within: SW1/4 of NE1/4 Section 18, T13N, R11W, MB&M

Year of First Use:
 Parcel Number:

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

B. Year of first use (Please provide if missing above) 1980 ✓

C. Amount of Use - Enter the amount (or the approximate amount) of water used each month.

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

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
2001			X	X	X								
2002			X	X	X								
2003			X	X	X								

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

Irrigation _____ acres; Stockwatering _____; Domestic _____

Other (specify) Frost Control - 168 acres

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:

low pressure nozzles and sprinklers and even crop management.

b. If credit toward beneficial use of water under claimed pre 1914 appropriate 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:

yr _____ (af/mg) yr _____ (af/mg) yr _____ (af/mg)

Reductions in consumptive use:

yr _____ (af/mg) yr _____ (af/mg) yr _____ (af/mg)

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

SEP 2 2004

milovina

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:

yr _____ (af/mg) yr _____ (af/mg) yr _____ (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:

yr _____ (af/mg) yr _____ (af/mg) yr _____ (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: 7-15, 2004 at Ukiah, Mendocino County, California

SIGNATURE: *John H. Thomas*

PRINTED NAME: John H. Thomas
(first name) (middle init.) (last name)

COMPANY NAME: Thomas Brothers

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

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 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 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. 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.

"The energy challenge facing California is real. Every California needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>"



State Water Resources Control Board

SURNAME



Gray Davis
Governor

Division of Water Rights

1001 I Street, 14th Floor • Sacramento, California 95814 • (916) 341-5300
Mailing Address: P.O. Box 2000 • Sacramento, California • 95812-2000
FAX (916) 341-5400 • Web Site Address: <http://www.swrcb.ca.gov>
Division of Water Rights <http://www.waterrights.ca.gov>

Winston H. Hickox
Secretary for
Environmental
Protection

MAR 27 2002

In Reply Refer
to:331:KSN:S015200,
S15201

Anne I. Thomas
c/o John Thomas
P.O. Box 748
Ukiah, CA 95482

Dear Mr. John Thomas:

STATEMENT OF WATER DIVERSION AND USE, STATEMENT NUMBERS 15200 AND 15201

Your statements of water diversion and use have been received and assigned the above numbers. You should refer to these numbers in any future correspondence to this office regarding the statements.

Copies of the statements are enclosed for your records.

Please notify us of any change in address or change in ownership.

The law requires that supplemental statements be filed at three-year intervals. The forms are automatically sent to you by the State Water Resources Control Board at the close of the period.

Thank you for your cooperation. If you have any questions or concerns, please telephone me at (916) 341-5366.

Sincerely,

ORIGINAL SIGNED BY:

Koso Nodohara
Sanitary Engineering Associate
Application Acceptance and Noticing Unit

Enclosures

KSNodohara:ksn/itziar:3-26-02
u:\ksn\AnneThomasS015200andS015201letter

"The energy challenge facing California is real. Every California needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>"

ST-TRANS-LTR (11-00)

SURNAME

KSN 3.27.2002

S015200

STATEMENT OF WATER DIVERSION & USE

CLAIMANT: Anne T Thomas

FILE NUMBER: S015200 NAME INDX(S): _____

CLAIM(S) RECEIVED BY: MAIL OC _____ DATE REC'D: OCT 21 2001

ACCEPT: OK WSA RETURN: _____ STREAM CODE: 100500000

QUAD MAP CODE: G006 QUAD MAP NAME: Hopland

CALIF COORD: ZONE 2 N 0483400 E 1685700

REMARKS: 1875 cfs

421.8 AF/YR

Related to A 23926B

S015200

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>

STATEMENT OF WATER DIVERSION AND USE

(This is not a Water Right)

This Statement should be typewritten or legibly written in ink and submitted to the address above.
A separate statement should be filed for each point of diversion. A duplicate copy will be returned for your file.

STATE WATER RESOURCES CONTROL DIVISION
2001 OCT 29 PM 3:38
DIVISION OF WATER RIGHTS
SACRAMENTO

A. Name of person diverting water Anne J. Thomas
Address c/o John Thomas, P.O. Box 208 Ukiah, Cal. 95482
Telephone: 707 462-4716

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

C. Name of the body of water at the point of diversion Russian River
Tributary to Pacific Ocean

D. Point of diversion is located within Mendocino County on Assessors Parcel # _____, being within the SW 1/4 of NE 1/4 of Section 18, of Township 13N, Range 11W, 7MD B&M.
Name of works Milovina Ranch #1

E. Do you own the land at the point of diversion? Yes NO _____ The name and address of the owner of the land is: (same as above)

F. Capacity of diversion works 2700 (cfs, gpm, or gpd) Capacity of storage tanks or reservoir none (gallons or acre-feet)
Type of diversion facility: Gravity _____ Pump
Method of measurement: Weir _____ Flume _____ Electric Meter _____ Estimate

G. Enter the amount (or approximate amount) of water used each month.
Amounts below are shown in: Gallons _____ Acre-feet Other _____

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
			X	X	X								

H. Annual water use in recent years: Maximum _____ (gallons or acre-feet) Minimum _____ (gallons or acre-feet)
Year of first use (nearly as known) 1980

I. Purpose of use: What is the water being used for: (example, number of acres and type of crop irrigated, average number of persons served, number of stock watered, etc.) Frost Protection - Bartlett Pears

J. General description or location of place of use. (example: 40 acres of pasture located 3 miles from Happyville on Alpha Road) 1 mile east of Ay 101 North of Hopland 1 mile east to Russian River

K. Map: Please locate the point of diversion and place of use on a print of a USGS quad map, or make a sketch on the section grid provided on the reverse side of this form. The sketch should identify the section lines, prominent local landmarks and roads, your point of diversion, and your place of use (your house, acreage irrigated, etc).

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.

Milovina

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

1. Conservation of water

a. Describe any water conservation efforts you may have started: Use low-pressure nozzles in Frost and Frigigation Systems.

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

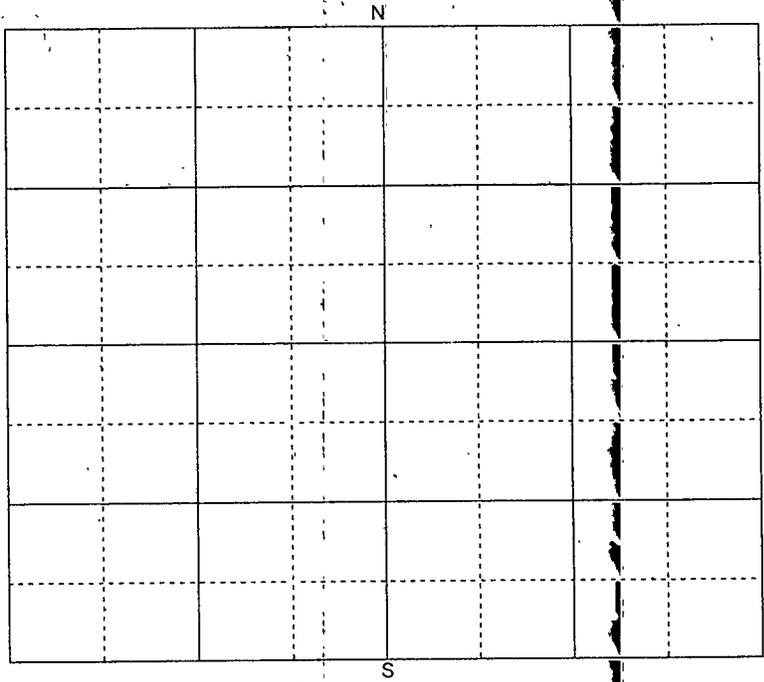
I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATE: 8-29-01 at UKitch, Mendocino County, California

SIGNATURE: John H. Thomas

PRINTED NAME: John H. Thomas
(first name) (middle init.) (last name)

COMPANY NAME: Thomas Brothers



Please see license # 01106B and or application # A023926B.

The location of the diversion point and the place of use may be sketched on the section grid provided. If it is used, please enter the section(s), township, range and the base & meridian below. Also, show any streams or other landmarks that will assist in identifying the area.

Section(s) _____
Township _____
Range _____
_____ B&M

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 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 1) store water for later use 2) divert water which originates in a different watershed 3) divert water released from storage, or 4) divert return flows from groundwater use.

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.

Statements of Water Diversion and Use must be filed by a riparian and per-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.

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 Right in California and (3) Appropriation of Water in California