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MINIMUM FILING FEE: \$100.00  
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TYPE OR PRINT IN BLACK INK  
(For explanation of entries required, see  
booklet "How to File an Application to  
Appropriate Water in California")

STATE OF CALIFORNIA  
State Water Resources Control Board  
DIVISION OF WATER RIGHTS  
901 P Street, Sacramento  
P. O. Box 2000, Sacramento, CA 95812-2000

APPLICATION TO APPROPRIATE WATER BY PERMIT

Application No. \_\_\_\_\_  
(Leave blank)

1. APPLICANT

Thomas N. and Elizabeth S. Hastings  
(Name of applicant)

(805) 237 - 4040  
(Telephone number where you may be reached  
between 8 a. m. and 5 p. m. - include area code)

1111 Riverside Avenue

Paso Robles, CA 93446  
(Mailing address) (City or town) (State) (Zip code)

2. SOURCE

Unnamed Stream trib. Las Tablas Creek thence Sacramento River thence Salinas River  
#3 - Unnamed Stream trib. San Marcos Creek thence Salinas River  
a. The name of the source at the point of diversion is Unnamed Streams  
(if unnamed, state that it is an unnamed stream, spring, etc.)

tributary to 1) Las Tablas Creek 2) San Marcos Creek

b. In a normal year does the stream dry up at any point downstream from your project? YES  NO  If yes, during what months is it usually dry? From June to October

What alternate sources are available to your project should a portion of your requested direct diversion season be excluded because of a dry stream or nonavailability of water? \_\_\_\_\_

3. POINTS of DIVERSION and REDIVERSION

a. The point(s) of diversion will be in the County of San Luis Obispo

b.	List all points giving coordinate distances from section corner or other tie as allowed by Board regulations i. e. California Coordinate System	Point is within (40-acre subdivision)	Section	Township	Range	Base and Meridian
<u>Pod #1</u>	<u>CCS N796,600 E1,159,850</u>	<u>SE 1/4 of NW 1/4</u>	<u>19</u>	<u>26S</u>	<u>11E</u>	<u>MD</u>
<u>Pod #2</u>	<u>CCS N797,300 E1,161,850</u>	<u>SE 1/4 of NE 1/4</u>	<u>19</u>	<u>26S</u>	<u>11E</u>	<u>MD</u>
<u>Pod #3</u>	<u>CCS N797,750 E1,161,700</u>	<u>NE 1/4 of NE 1/4</u>	<u>19</u>	<u>26S</u>	<u>11E</u>	<u>MD</u>

c. Does applicant own the land at the point of diversion? YES  NO

d. If applicant does not own the land at point of diversion, state name and address of owner and what steps have been taken to obtain right of access: \_\_\_\_\_

**4. PURPOSE of USE, AMOUNT and SEASON**

a. In the table below, state the purpose(s) for which water is to be appropriated, the quantities of water for each purpose, and the dates between which diversions will be made. Use gallons per day if rate is less than 0.025 cubic foot per second (approximately 16,000 gallons per day). Purpose must only be "Domestic" for registration of small domestic use.\*

PURPOSE OF USE (Irrigation, Domestic, etc.)	DIRECT DIVERSION				STORAGE		
	QUANTITY		SEASON OF DIVERSION		AMOUNT	COLLECTION SEASON	
	RATE (Cubic feet per second or gallons per day)	AMOUNT (Acre-feet per year)	Beginning Date (Mo. & Day)	Ending Date (Mo. & Day)	Acre-feet per annum	Beginning Date (Mo. & Day)	Ending Date (Mo. & Day)
Irrigation					40	Oct. 1	May 31
					40		

see CR  
7/18/03  
BR  
see CR  
3/24/03

b. Total combined amount taken by direct diversion and storage during any one year will be 40 acre-feet.  
\*Not to exceed 4,500 gallons per day by direct diversion or 10 acre-feet per annum by storage.

**5. JUSTIFICATION OF AMOUNT**

a. IRRIGATION: Maximum area to be irrigated in any one year is 50 acres.

CROP	ACRES	METHOD OF IRRIGATION (Sprinklers, flooding, etc.)	ACRE-FEET PER YEAR	NORMAL SEASON	
				Beginning Date	Ending Date
Wine Grapes	50	Drip	40	6/1	9/31

b. DOMESTIC: Number of residences to be served is \_\_\_\_\_ . Separately owned? YES  NO   
Total number of people to be served is \_\_\_\_\_ . Estimated daily use per person is \_\_\_\_\_ (Gallons per day)  
Total area of domestic lawns and gardens is \_\_\_\_\_ square feet.  
Incidental domestic uses are \_\_\_\_\_  
(Dust control area, number and kind of domestic animals, etc.)

c. STOCKWATERING: Kind of stock \_\_\_\_\_ Maximum number \_\_\_\_\_  
Describe type of operation: \_\_\_\_\_  
(Feed lot, dairy, range, etc.)

d. RECREATIONAL: Type of recreation: Fishing  Swimming  Boating  Other

e. MUNICIPAL: (Estimated projected use)

POPULATION 5-Year periods until use is completed		MAXIMUM MONTH		ANNUAL USE		
PERIOD	POP.	Average daily use (gal. per capita)	Rate of diversion (cfs)	Average daily use (gal. per capita)	Acre-foot (per capita)	Total acre-feet
Present						

Month of maximum use during year is \_\_\_\_\_ . Month of minimum use during year is \_\_\_\_\_ .

- f. **HEAT CONTROL:** The total area to be heat protected is \_\_\_\_\_ net acres.  
 Type of crop protected is \_\_\_\_\_  
 Rate at which water is applied to use is \_\_\_\_\_ gpm per acre.  
 The heat protection season will begin about \_\_\_\_\_ and end about \_\_\_\_\_  
 (Date) (Date)
- g. **FROST PROTECTION:** The total area to be frost protected is \_\_\_\_\_ net acres.  
 Type of crop protected is \_\_\_\_\_  
 Rate at which water is applied to use is \_\_\_\_\_ gpm per acre.  
 The frost protection season will begin about \_\_\_\_\_ and end about \_\_\_\_\_  
 (Date) (Date)
- h. **INDUSTRIAL:** Type of industry is \_\_\_\_\_  
 Basis for determination of amount of water needed is \_\_\_\_\_
- i. **MINING:** The name of the claim is \_\_\_\_\_ . Patented  Unpatented   
 The nature of the mine is \_\_\_\_\_ . Mineral to be mined is \_\_\_\_\_  
 Type of milling or processing is \_\_\_\_\_  
 After use, the water will be discharged into \_\_\_\_\_  
 (Name of stream)  
 in \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of Section \_\_\_\_\_ , T \_\_\_\_\_ , R \_\_\_\_\_ , \_\_\_\_\_ B. & M.  
 (40-acre subdivision)
- j. **POWER:** The total fall to be utilized is \_\_\_\_\_ feet. The maximum amount of water to be used through the penstock  
 is \_\_\_\_\_ cubic feet per second. The maximum theoretical horsepower capable of being generated by the  
 works is \_\_\_\_\_ . Electrical capacity is \_\_\_\_\_ kilowatts at \_\_\_\_\_ % efficiency.  
 (Cubic feet per second x fall + 8.8) (Hp x 0.746 x efficiency)  
 After use, the water will be discharged into \_\_\_\_\_  
 (Name of stream)  
 in \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of Section \_\_\_\_\_ , T \_\_\_\_\_ , R \_\_\_\_\_ , \_\_\_\_\_ B. & M. FERC No. \_\_\_\_\_  
 (40-acre subdivision)
- k. **FISH AND WILDLIFE PRESERVATION AND/OR ENHANCEMENT:** YES  NO  If yes, list specific species  
 and habitat type that will be preserved or enhanced in item 17 of Environmental Information form WR 1-2.
- l. **OTHER:** Describe use: \_\_\_\_\_ . Basis for determination of amount of water needed is \_\_\_\_\_

## 6. PLACE OF USE

- a. Does applicant own the land where the water will be used? YES  NO  Is land in joint ownership? YES  NO   
 (All joint owners should include their names as applicants and sign the application.)  
 If applicant does not own land where the water will be used, give name and address of owner and state what arrangements  
 have been made with the owner. \_\_\_\_\_

b.

USE IS WITHIN (40-acre subdivision)	SECTION	TOWNSHIP	RANGE	BASE & MERIDIAN	IF IRRIGATED	
					Number of acres	Presently cultivated (Y/N)
NE 1/4 of NW 1/4	19	26S	11E	MD	1	Y
SE 1/4 of NW 1/4	19	26S	11E	MD	9	Y
NW 1/4 of NE 1/4	19	26S	11E	MD	7	Y
SW 1/4 of NE 1/4	19	26S	11E	MD	32	Y
SE 1/4 of NE 1/4	19	26S	11E	MD	1	Y
1/4 of 1/4						

(If area is unsurveyed, state the location as if lines of the public land survey were projected, or contact the Division of Water Rights. If space does not permit listing all 40-acre tracts, include on another sheet or state sections, townships and ranges, and show detail on map.)

## 7. DIVERSION WORKS

a. Diversion will be by gravity by means of Dam  
(Dam, pipe in unobstructed channel, pipe through dam, siphon, weir, gate, etc.)

b. Diversion will be by pumping from \_\_\_\_\_ Pump discharge rate \_\_\_\_\_ Horsepower \_\_\_\_\_  
(Sump, offset well, channel, reservoir, etc.) (cfs or gpd)

c. Conduit from diversion point to first lateral or to offstream storage reservoir:

CONDUIT (Pipe or channel)	MATERIAL (Type of pipe or channel lining) (Indicate if pipe is buried or not)	CROSS SECTIONAL DIMENSION (Pipe diameter or ditch depth and top and bottom width)	LENGTH (Feet)	TOTAL LIFT OR FALL		CAPACITY (Estimate)
				Feet	+ or -	
<b>Onstream Reservoirs</b>						

d. Storage reservoirs: (For underground storage, complete Supplement 1 to WR1, available upon request.)

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 (ft.)
Hastings	15	earth	160	1.5	3.5	30	18
Pond #2	15	earth	80	1.5	.8	5	12
Pond #3	15	earth	100	1.5	.5	5	15

e. Outlet pipe: (For storage reservoirs having a capacity of 10 acre-feet or more.)

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)
<b>Existing Facilities - No Outlet Pipe</b>				

f. If water will be stored and the reservoir is not at the point of diversion, the maximum rate of diversion to offstream storage will be \_\_\_\_\_ cfs. Diversion to offstream storage will be made by:  Pumping  Gravity

## 8. COMPLETION SCHEDULE

a. Year work will start complete b. Year work will be completed \_\_\_\_\_

c. Year water will be used to the full extent intended \_\_\_\_\_ d. If completed, year of first use 1955

## 9. GENERAL

a. Name of the post office most used by those living near the proposed point of diversion is Paso Robles

b. Does any part of the place of use comprise a subdivision on file with the State Department of Real Estate? YES  NO

If yes, state name of the subdivision \_\_\_\_\_

If no, is subdivision of these lands contemplated? YES  NO

Is it planned to individually meter each service connection? YES  NO  If yes, When? \_\_\_\_\_

c. List the names and addresses of diverters of water from the source of supply downstream from the proposed point of diversion: \_\_\_\_\_

Names and addresses unknown

d. Is the source used for navigation, including use by pleasure boats, for a significant part of each year at the point of diversion, or does the source substantially contribute to a waterway which is used for navigation, including use by pleasure boats? YES  NO  If yes, explain: \_\_\_\_\_

**10. EXISTING WATER RIGHT**

Do you claim an existing right for the use of all or part of the water sought by this application? YES  NO

If yes, complete table below:

Nature of Right (riparian, appropriative, groundwater.)	Year of First Use	Purpose of use made in recent years including amount, if known	Season of Use	Source	Location of Point of Diversion
License 6352	1955	stockwatering	all	same	same

**11. AUTHORIZED AGENT (Optional)**

With respect to  all matters concerning this water right application  those matters designated as follows:

Napa Valley Vineyard Engineering, Inc.

Drew L. Aspegren, P.E.

( 707 ) 963 - 4927

(Name of agent)

(Telephone number of agent between 8 a. m. and 5 p. m.)

176 Main St. Suite B St. Helena CA

94574

(Mailing address)

(City or town)

(State)

(Zip code)

is authorized to act on my behalf as my agent.

**12. SIGNATURE OF APPLICANT**

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

Dated X NOV 18 2002, at PASO ROBLES, California

Ms.  Mr. Neula Asstyp  
 Miss.  Mrs. \_\_\_\_\_  
 \_\_\_\_\_  
 (Signature of applicant)

(If there is more than one owner of the project, please indicate their relationship.)

Ms. Mr.

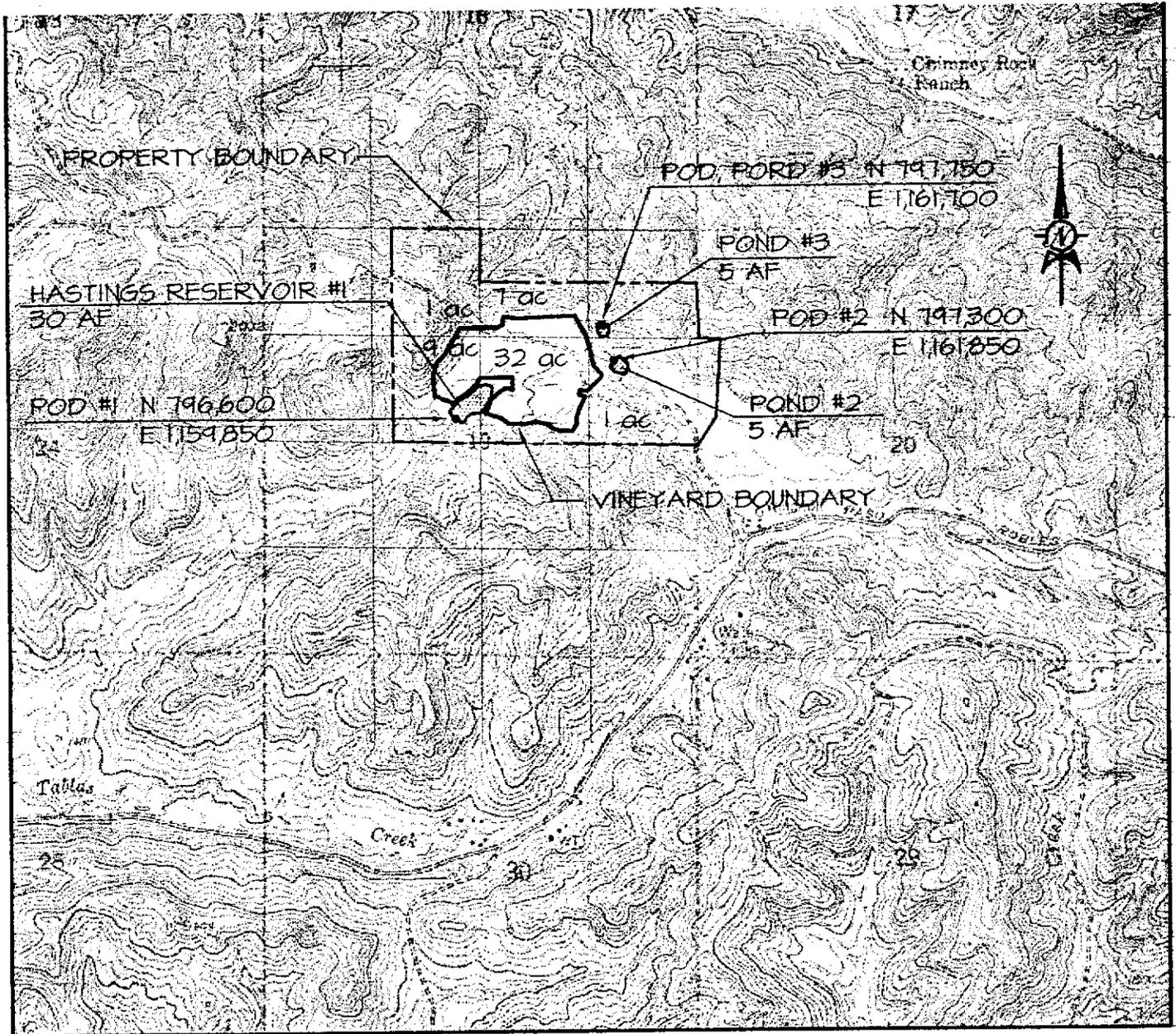
Miss. Mrs. \_\_\_\_\_

(Signature of applicant)

Additional information needed for preparation of this application may be found in the Instruction Booklet entitled "HOW TO FILE AN APPLICATION TO APPROPRIATE WATER IN CALIFORNIA". If there is insufficient space for answers in this form, attach extra sheets. Please cross-reference all remarks to the numbered item of the application to which they may refer. Send original application and one copy to the STATE WATER RESOURCES CONTROL BOARD, DIVISION OF WATER RIGHTS, P. O. Box 2000, Sacramento, CA 95812-2000, with \$100 minimum filing fee.

**NOTE:**

If this application is approved for a permit, a minimum permit fee of \$100 will be required before the permit is issued. There is no additional fee for registration of small domestic.



## APPLICATION TO APPROPRIATE WATER

APPLICANT: Thomas N. and Elizabeth S. Hastings

SOURCE: Unnamed Stream tributary to Las Tablas Creek  
 thence Naclminto Reservoir, Unnamed Stream  
 tributary to San Marcos Creek thence Salinas River

COUNTY: San Luis Obispo

USGS QUADRANGLE: Adelaida

PODs: Within the N 1/2 of Section 19, T26S, R11E, MDBM

SCALE: 1" = 2000'

NVVE 11-02

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>

**APPLICATION TO APPROPRIATE WATER BY PERMIT  
ENVIRONMENTAL INFORMATION**

(THIS IS NOT A CEQA DOCUMENT)

APPLICATION NO.

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

PROJECT DISCRPTION

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

This application seeks to bring an existing vineyard operation into compliance. The project consists of an existing spring fed reservoir (Hastings Reservoir) which was originally constructed in 1955 as a stock pond pursuant to Application 16948 (License 6352), and two small existing ponds located on an unnamed stream tributary to San Marcos Creek. The Hastings reservoir was constructed with a capacity of 6 AF, but has been enlarged to approximately 30 AF. This application seeks storage and consumptive use of the full 30 AF. The small ponds are both approximately 5 AF. The water collected in the small ponds can be transferred to the Hastings reservoir during the irrigation season. The total amount of storage under application is 40 AF. The water is used for irrigation of an existing 50 acre vineyard. All facilities are existing.

GOVERNMENTAL REQUIREMENTS

Before a final decision can be made on your water right application, we must consider the information contained in an environmental document prepared in compliance with the requirements of CEQA. If an environmental document has been prepared, a determination must be made as to who is responsible for the preparation of the environmental document for your project. The following questions are designed to aid us in that determination.

2. Contact your county planning or public works department for the following information:

- a. Person contacted not required Date of contact \_\_\_\_\_  
Department \_\_\_\_\_ Telephone ( ) \_\_\_\_\_
- b. Assessor's Parcel No. 26-221-006, 033, 034
- c. County Zoning Designation Agriculture
- d. Are any county permits required for your project? no  
If yes, check appropriate space below:  
\_\_\_\_\_ Grading Permit, \_\_\_\_\_ Use Permit, \_\_\_\_\_ Watercourse  
Obstruction Permit, \_\_\_\_\_ Change of Zoning, \_\_\_\_\_ General Plan  
Change, Other (explain):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- e. Have you obtained any of the required permits described above? \_\_\_\_\_  
If yes, provide a complete copy of each permit obtained.

3. Are any additional state or federal permits required for your project? no (i.e., from Federal Energy Regulatory Commission, U.S. Forest Service, Bureau of Land Management, Soil Conservation Service, Department of Water Resources (Division of Safety of Dams), Reclamation Board, Coastal Commission, State Lands Commission, etc.) For each agency from which a permit is required provide the following information:

Permit type \_\_\_\_\_  
Person (s) contacted \_\_\_\_\_ Agency \_\_\_\_\_  
Date of contact \_\_\_\_\_ Telephone ( ) \_\_\_\_\_

4. Has any public agency prepared an environmental document for any aspect of your project?  
no

If so, please submit a copy of the latest environmental document (s) prepared, including a copy of the notice of determination adopted by the public agency. If not, explain below whether you expect that a public agency other than the State Water Resources Control Board will be preparing

an environmental document for your application or whether the applicant, if it is a California public agency, will be preparing the environmental document for your project:

Swrcb will act as lead agency in the environmental review.

Note: When completed, please submit a copy of the final environmental document (including notice of determination) or notice of exemption to the State Water Resources Control Board. Processing of your application cannot proceed until such documents are submitted.

5. Will your project, during construction or operation, generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or cause erosion, turbidity or sedimentation? NA If so, explain: \_\_\_\_\_

If yes or you are unsure of your answer, contact your local Regional Water Quality Control Board for the following information (See attachment for address and telephone number):

Will a waste discharge permit be required for your project? \_\_\_\_\_

Person contacted \_\_\_\_\_ Date of contact \_\_\_\_\_

What method of treatment and disposal will be used? \_\_\_\_\_

6. Have any archeological reports been prepared on this project, or will you be preparing an archeological report to satisfy another public agency? no

Do you know of any archeological or historic sites located within the general project area?

no If so, explain: \_\_\_\_\_

ENVIRONMENTAL SETTING

7. Attach **THREE COMPLETE SETS** of color photographs, clearly dated and labeled, showing the vegetation currently existing at the following locations:
- a. Along the stream channel immediately downstream from the proposed point(s) of diversion
  - b. Along the stream channel immediately upstream from the proposed point(s) of diversion
  - c. At the place(s) where the water is to be used
- Note: It is very important that you submit no less than **three complete sets of photographs** as required above. If less than three sets are submitted, processing of your application will be delayed until you furnish the remaining sets!

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

Tree Dominated Communities

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

Shrub Dominated Communities

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

Herbaceous Dominated Communities

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

Aquatic Communities

- Riverine
- Lacustrine
- Estuarine
- Marine

Developed Communities

- Cropland
- Orchard-Vineyard
- Urban

Literature source: Mayer, K.E., and W.F. Laudenslayer, Jr., (eds). 1988. A Guide to Wildlife Habitats of California. California Department of Forestry and Fire Protection, Sacramento. 166 pp. (Note: You may view a copy of this document at our public counter at the address given at the top of this form or you may purchase a copy by calling the California Department of Fish and Game, Wildlife Habitat Relationships (WHR) Program at (916) 653-7203).

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

All facilities are existing. No vegetation will be removed as a result of this application.

#### FISH AND WILDLIFE CONCERNS

10. Identify the typical species of fish which occur in the source(s) from which you propose to divert water and discuss whether or not any of these fish species or their habitat has been or would be affected by your proposed changes. (Note: See footnote denoted by \* under Question 11 below):

No fish species occur in the unnamed streams. Las Tablas Creek and San Marcos Creek may support some game and nongame fish species. The Hastings reservoir is upstream from Nacimiento Reservoir, which is a fish barrier.

11. Identify the typical species of riparian and terrestrial wildlife in the project area and discuss whether or not any of these species and/or their habitat has been or would be affected by your project through construction of water diversion and distribution works and/or changes in the place of water use. (Note: See footnote denoted by \* below):

Wildlife is typical to vineyard areas surrounded by woodlands.

The project is existing and will have no impact on wildlife.

\*Note: The purposes of Question 10 and 11 are to provide a preliminary assessment of the presence of typical plant and animal species in the area and whether these species might be affected by your project. Detailed site surveys to quantify populations of specific species or determine the presence of rare or endangered species may be required at a later date. It is very important that you answer these questions accurately. If you are unable to obtain appropriate answers from your local California Department of Fish and Game biologists (See attachment for address and telephone number) or you do not have adequate information or expertise to complete your answers, you should hire a fishery consultant and/or a wildlife consultant to review your project and prepare suitable answers for you. For information on available qualified fishery or wildlife consultants near you, consult your local telephone directory yellow pages under Environmental and Ecological Services, or call the California Environmental Protection Agency, Registered Environmental Assessor (REA) Program, at (916) 324-6881 or the University of California, Cooperative Extension Service (See your local telephone directory white pages).

12. Does your proposed project involve any construction or grading-related activity which has significantly altered or would significantly alter the bed or bank of any stream or lake? no

If so, explain:

### CERTIFICATION

I hereby certify that the statements I have furnished above and in the attached exhibits are complete to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge.

Date 12.10.02

Signature

*David A. Wilson*