
State Water Resources Control Board

NOTICE OF APPLICATION 31877

COUNTY: Mendocino

STREAM SYSTEM: Russian River

On February 22, 2011, Fetzer Vineyards (Applicant) filed an application to appropriate water by permit at Hopland Ranch. The purpose of this project is to modify existing operations in a manner that is beneficial to the environment and public trust resources. The goals are to 1) develop an offstream storage project which will serve to reapportion water diversions under existing water right licenses and riparian claims to periods of high flow, and 2) reduce the total instantaneous rate of water diverted during periods of peak demand. Consistent with the principles of the *Policy for Maintaining Instream Flows in Northern California Coastal Streams* (Policy), Application 31877 requests water diversion to offstream storage from December 15 of each year to March 31 of the succeeding year for the purposes of irrigation, frost protection, heat control, recreation, and fire protection. During frost events, the Applicant proposes to use water stored in the offstream reservoirs to meet a portion of the demand for frost protection, and thereby avoid additional contribution to the instantaneous draw down of the Russian River during peak demand periods.

The Applicant has agreed to specific terms and conditions designed for the protection of fish, wildlife, instream uses, and other legal users of water. A copy of the draft permit detailing the specific terms and conditions is available on the State Water Resources Control Board (State Water Board) website at:

http://www.waterboards.ca.gov/waterrights/water_issues/programs/applications/appropriations/2011.shtml

Additional terms and conditions or modification to the proposed terms and conditions may be incorporated into the draft permit in order to comply with the prerequisites identified in Water Code section 1375 and the State Water Board's independent obligation to consider the effect of the proposed project on public trust resources and to protect those resources where feasible.

The implementation of this project will allow 1) the ability for diversion to offstream storage to occur when streamflows are generally high; 2) the avoidance and reduction of diversions during peak demand periods; and 3) a reduction of the existing maximum instantaneous rate of diversion under all existing water right licenses, riparian claims, and pending application 31877 by a total of 19.6 cubic feet per second. These factors are consistent with Division of Water Rights' Criteria for Prioritization of the Processing of Applications to Appropriate Water and Change Petitions, and the conditions for expedited processing identified in Section 3.3.2.5 of the Policy.

Any correspondence directed to the Applicant should be mailed to Fetzer Vineyards at Hopland Ranch, care of Holly Killion, P.O. Box 611, Hopland, CA 95449, or by email at Holly.Killion@Fetzer.com.

Summary of Application 31877

Source:	Russian River tributary to the Pacific Ocean
Point of diversion (POD):	POD 1 within NE $\frac{1}{4}$ of NE $\frac{1}{4}$, POD 2 and POD 3 within NE $\frac{1}{4}$ of SE $\frac{1}{4}$, and POD 4 within SE $\frac{1}{4}$ of SE $\frac{1}{4}$, all within projected Section 18, T13N, R11W, MDB&M. All diversion facilities currently exist under claims of riparian right and appropriative water right licenses.
Amount:	67.9 acre-feet by diversion to storage in three existing offstream reservoirs at a maximum rate of 11.2 cubic feet per second
Season:	December 15 through March 31 of the succeeding year
Purpose of use:	Irrigation, Frost Protection, Heat Control, Recreation, and Fire Protection
Place of use:	366 total acres: 79 acres within NE $\frac{1}{4}$ and SE $\frac{1}{4}$ of projected Section 7, 20 acres within NW $\frac{1}{4}$ and SW $\frac{1}{4}$ of projected Section 8, 151 acres within NW $\frac{1}{4}$, NE $\frac{1}{4}$, SW $\frac{1}{4}$, and SE $\frac{1}{4}$ of projected Section 17, 65 acres within NE $\frac{1}{4}$ and SE $\frac{1}{4}$ of projected Section 18, 50 acres within NE $\frac{1}{4}$ of projected Section 19, and 1 acre within NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 20, all within T13N, R11W, MDB&M. Of the total 366 acres, 331 acres was previously cultivated under riparian claims of right and existing licenses, and 35 acres was previously operated as rangeland. 238 acres are currently irrigated under appropriative water right licenses.

Project information, procedures for protesting, protest forms, and a copy of the draft permit are available at:

http://www.waterboards.ca.gov/waterrights/water_issues/programs/applications/appropriations/2011.shtml

The Division of Water Rights' Criteria for Prioritization of the Processing of Applications to Appropriate Water and Change Petitions can be found at:

http://www.waterboards.ca.gov/waterrights/water_issues/programs/applications/priority_criteria.shtml

A copy of the Policy for Maintaining Instream Flows in Northern California Coastal Streams is available at:

http://www.waterboards.ca.gov/waterrights/water_issues/programs/instream_flows/docs/ab2121_0210/adopted050410instreamflowpolicy.pdf

The contact person for this application is Darren Tran and can be reached at (916) 341-5388, or by e-mail at DTTran@waterboards.ca.gov.

Protests must be received by the Division of Water Rights by **4:30 p.m. on November 14, 2011**. Written correspondence should be addressed as follows: State Water Resources Control Board, Division of Water Rights, Attn: Darren Tran, P.O. Box 2000, Sacramento, CA 95812-2000.

Date of Notice: September **13**, 2011