

TYPE OR PRINT
IN BLACK INK
(For instructions, see
booklet: "How to File an
Application to
Appropriate Water in
California")



California Environmental Protection Agency

State Water Resources Control Board
Division of Water Rights

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

Tel: (916) 341-5300 Fax: (916) 341-5400

www.waterrights.ca.gov

STATE WATER RESOURCES
CONTROL BOARD

2015 JAN 31 AM 10:14

DIV OF WATER RIGHTS
SACRAMENTO

APPLICATION NO. 032007

APPLICATION TO APPROPRIATE WATER

1. APPLICANT/AGENT

	APPLICANT	ASSIGNED AGENT (if any)
Name	Jackson Family Investments	Drew L. Aspegren, P.E.
	c/o Deborah Hunt	Napa Valley Vineyard Engineering, Inc.
Mailing Address	1190 Kityhawk Blvd.	176 Main St. Suite B
City, State & Zip	Santa Rosa, CA 95403	St. Helena, CA 94574
Telephone	(707) 836-2057	(707) 963-4927
Fax		
E-mail	Deborah.Hunt@kmail.com	nvedla@covad.net

2. OWNERSHIP INFORMATION (Please check type of ownership.)

- Sole Owner Limited Liability Company (LLC) General Partnership*
 Limited Partnership* Business Trust Husband/Wife Co-Ownership
 Corporation Joint Venture Other _____

*Please identify the names, addresses and phone numbers of all partners.

3. PROJECT DESCRIPTION (Provide a detailed description of your project, including, but not limited to, type of construction activity, area to be graded or excavated, and how the water will be used.) Add additional pages if needed and check box below and label as an attachment.

This project is an existing onstream water storage reservoir with a capacity of ±17.5 AF. Department of Fish and Game has identified the reservoir as habitat for the Northwest Pond Turtle and the application seeks to authorize the continued existence of this habitat. Water stored in the reservoir will not be used for any other purpose and the only diversion will be to offset evaporative losses. To avoid potential changes to the habitat the application seeks a year round diversion season.

For continuation, see Attachment No. ____

4. PURPOSE OF USE, DIVERSION/STORAGE AMOUNT AND SEASON

a. PURPOSE OF USE (irrigation, domestic, etc.)	DIRECT DIVERSION				STORAGE		
	AMOUNT		SEASON OF DIVERSION		AMOUNT	SEASON OF COLLECTION	
	Rate (cfs or gpd)*	Acre-feet per annum	Beginning date (month & day)	Ending date (month & day)	Acre-feet per annum	Beginning date (month & day)	Ending date (month & day)
Habitat Preservation					±17.5	Jan. 1	Dec. 31
	Total afa		Total afa		±17.5		

See Attachment No. ____ * If rate is less than 0.025 cubic feet per second (cfs), use gallons per day (gpd).

b. Total combined amount taken by direct diversion and storage during any one year will be 17.5 acre-feet.

c. Reservoir storage is: onstream offstream underground (If underground storage, attach Underground Storage Form.)

d. County in which diversion is located: Sonoma County in which water will be used: Sonoma

5. SOURCES AND POINTS OF DIVERSION/REDIVERSION

a. Sources and Points of Diversion (POD)/Points of Rediversion (PORD):

- POD / PORD # Unnamed Stream tributary to Unnamed Stream thence Petaluma River
- POD / PORD # _____ tributary to _____ thence _____
- POD / PORD # _____ tributary to _____ thence _____
- POD / PORD # _____ tributary to _____ thence _____

If needed, attach additional pages, check box below and label attachment

See Attachment No. ____

b. State Planar and Public Land Survey Coordinate Description:

POD/PORD #	CALIFORNIA COORDINATES (NAD 83)	ZONE	POINT IS WITHIN (40-acre subdivision)	SECTION	TOWNSHIP	RANGE	BASE AND MERIDIAN
1	N 1,850,318 E 6,400,238	2	NW ¼ of NE ¼	31(p)	5N	7W	MD
	N 1,850,106 E 6,400,150		¼ of ¼				
			¼ of ¼				
			¼ of ¼				

Q 19-13
JDM

If needed, attach additional pages, check box below and label attachment

See Attachment No. ____

c. Name of the post office most often used by those living near the proposed point(s) of diversion: Petaluma

6. WATER AVAILABILITY

- a. Have you attached a water availability analysis for this project? YES NO
 If NO, provide sufficient information to demonstrate that there is reasonable likelihood that unappropriated water is available for the proposed appropriation: If needed, attach additional pages, check box below and label attachment.

See Attachment No.

- b. Is your project located on a stream system declared to be fully appropriated by the State Water Resources Control Board (State Water Board) during your proposed season of diversion?
 YES NO

- c. In an average year, does the stream dry up at any point downstream of your project? YES NO
 If YES, during which months? Jan Feb Mar Apr May Jun Jul Aug Sep Oct
 Nov Dec

- d. What alternate sources of water are available if a portion of your requested diversion season must be excluded because water is not available for appropriation? (e.g., percolating groundwater, purchased water, etc.) If needed, attach additional pages, check box below and label attachment

See Attachment No.

7. PLACE OF USE *Non-consumptive use at reservoir.*

a.

USE IS WITHIN (40-acre subdivision)	SECTION*	TOWNSHIP	RANGE	BASE & MERIDIAN	IF IRRIGATED	
					Acres	Presently cultivated?
NW ¼ of NE ¼	31 (p)	5N	7W	MD		<input type="checkbox"/> YES <input type="checkbox"/> NO
¼ of ¼						<input type="checkbox"/> YES <input type="checkbox"/> NO
¼ of ¼						<input type="checkbox"/> YES <input type="checkbox"/> NO
¼ of ¼						<input type="checkbox"/> YES <input type="checkbox"/> NO
¼ of ¼						<input type="checkbox"/> YES <input type="checkbox"/> NO
¼ of ¼						<input type="checkbox"/> YES <input type="checkbox"/> NO
¼ of ¼						<input type="checkbox"/> YES <input type="checkbox"/> NO
¼ of ¼						<input type="checkbox"/> YES <input type="checkbox"/> NO
Total Acres:						

*Please indicate if section is projected with a "(P)" following the section number.

See Attachment No. Please provide the Assessor's Parcel Number(s) for the place of use:

068-010-012

8. PROJECT SCHEDULE

- a. Project is: proposed. Year construction will begin: _____
 partially complete. Extent of completion: _____

complete. Year completed: _____

- b. Year of first use: Pre 1978 Year water will be used to the full extent intended: complete

9. JUSTIFICATION OF AMOUNTS REQUESTED

- a. IRRIGATION: Maximum area to be irrigated in any one year: _____ acres.

CROP	ACRES	METHOD OF IRRIGATION (sprinklers, flooding, etc.)	WATER USE (Acre-foot/Yr.)	SEASON OF WATER USE	
				Beginning date (month & day)	Ending date (month & day)

See Attachment No. ____

b. DOMESTIC: Number of residences to be served: _____ Separately owned?
 YES NO Number of people to be served: _____ Estimated daily use per person is:
 _____ gallons per day Area of domestic lawns and gardens: _____ square feet
 Incidental domestic uses:

_____ (dust control area, number and kind of domestic animals, etc.)

c. STOCKWATERING: Kind of stock: _____ Maximum number: _____
 Describe type of operation: _____
 (feedlot, dairy, range, etc.)

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

e. MUNICIPAL:

POPULATION List for 5-year periods until use is completed		MAXIMUM MONTH		ANNUAL USE		
Period	Population	Average daily use (gallons per capita)	Rate of diversion (cfs)	Average daily use (gallons per capita)	Acre-foot (per capita)	Total (acre-feet)
Present						

See Attachment No. ____

Month of maximum use during year: _____
 Month of minimum use during year: _____

f. HEAT CONTROL: Area to be heat controlled: _____ net acres
 Type of crops protected: _____
 Rate at which water is applied to use: _____ gpm per acre
 Heat protection season will begin _____ and end _____
 (month and day) (month and day)

g. FROST PROTECTION: Area to be frost protected: _____ net acres
 Type of crops protected: _____
 Rate at which water is applied to use: _____ gpm per acre
 The frost protection season will begin _____ and end _____
 (month & day) (month & day)

h. INDUSTRIAL: Type of industry: _____
 Basis for determination of amount of water needed: _____

i. MINING: Name of the claim: _____ Patented Unpatented

Nature of the mine: _____ Mineral(s) to be mined: _____

Type of milling or processing: _____

After use, the water will be discharged into _____ (watercourse)
 in _____ ¼ of _____ ¼ of Section _____, T _____, R _____, _____ B. & M.

j. POWER: Total head to be utilized: _____ feet
 Maximum flow through the penstock: _____ cfs Maximum theoretical horsepower capable of
 being generated by the works (cfs x fall ÷ 8.8): _____
 Electrical capacity (hp x 0.746 x efficiency): _____ kilowatts at: _____% efficiency
 After use, the water will be discharged into _____ (watercourse)
 in _____ ¼ of _____ ¼ of Section _____, T _____, R _____, _____ B&M. FERC No.: _____

k. FISH AND WILDLIFE PRESERVATION AND/OR ENHANCEMENT: List specific species and
 habitat type that will be preserved or enhanced: Preservation of Northwest Pond Turtle habitat

l. OTHER: Describe use: _____
 Basis for determination of amount of water needed: _____

10. DIVERSION AND DISTRIBUTION METHOD

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: _____
 (sump, offset well, channel, reservoir, etc)

Pump discharge rate: _____ cfs or gpd Horsepower: _____

Pump Efficiency: _____

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

CONDUIT (pipe or channel)	MATERIAL (type of pipe or channel lining; indicate if pipe is buried or not)	CROSS-SECTION (pipe diameter, or ditch depth and top and bottom width) (inches or feet)	LENGTH (feet)	TOTAL LIFT OR FALL		CAPACITY (cfs, gpd or gpm)
				feet	+ or -	

See Attachment No. _____

d. Storage reservoirs: (For underground storage, complete and attach underground storage form)

RESERVOIR NAME OR NUMBER	DAM				RESERVOIR		
	Vertical height from downstream toe of slope to spillway level (feet)	Construction material	Length (feet)	Freeboard: dam height above spillway crest (feet)	Surface area when full (acres)	Capacity (acre-feet)	Maximum water depth (feet)
<u>Brown's Lane</u>	<u>±15'</u>	<u>Earth</u>	<u>±150'</u>	<u>±5'</u>	<u>2.4</u>	<u>17.5</u>	<u>17</u>

See Attachment No. _____

e. Outlet pipe: Complete for storage reservoirs having a capacity of 10 acre-feet or more.

RESERVOIR NAME OR NUMBER	OUTLET PIPE				
	Diameter in inches	Length in feet	Fall: Vertical distance between entrance and exit of outlet pipe in feet	Head: Vertical distance from spillway to entrance of outlet pipe in feet	Dead Storage: Storage below entrance of outlet pipe in acre-feet
	Existing	facility	no outlet pipe		

See Attachment No. ____

e. If water will be stored and the reservoir is not at the point of diversion, the maximum rate of diversion to off-stream storage will be _____ cfs. Diversion to offstream storage will be made by:
 Pumping Gravity

11. CONSERVATION AND MONITORING

a. What methods will you use to conserve water? Explain.

Non-consumptive-habitat preservation only.

b. How will you monitor your diversion to be sure you are within the limits of your water right and you are not wasting water? Weir Meter Periodic sampling Other (describe)

A staff gage will be installed to track diversions to offset evaporation.

12. RIGHT OF ACCESS

a. Does the applicant own all the land where the water will be diverted, transported and used?

YES NO

If NO, I do do not have a recorded easement or written authorization allowing me access.

b. List the names and mailing addresses of all affected landowners and state what steps are being taken to obtain access:

See Attachment No. ____

13. EXISTING WATER RIGHTS AND RELATED FILINGS

a. Do you claim an existing right for the use of all or part of the water sought by this application?

YES NO

If YES, please specify: Riparian Pre-1914 Registration Permit License

Percolating groundwater Adjudicated Other (specify) _____

b. For each existing right claimed, state the source, year of first use, purpose, season and location of the point of diversion (to within quarter-quarter section). Include number of registration, permit, license, or statement of water diversion and use, if applicable.

See Attachment No. ____

c. List any related applications, registrations, permits, or licenses located in the proposed place of use or that utilize the same point(s) of diversion.

See Attachment No. _____

14. OTHER SOURCES OF WATER

Are you presently using, or do you intend to use, purchased water or water supplied by contract in connection with this project? Yes No If yes, please explain: _____

15. MAP REQUIREMENTS

The Division cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the quarter/quarter, section, township, range, and meridian of (1) the proposed points of diversion and (2) the place of use. A copy of a U.S.G.S. quadrangle/topographic map of your project area is preferred, and can be obtained from sporting goods stores or through the Internet at <http://topomaps.usgs.gov>. A certified engineering map is required when (1) appropriating more than three cubic feet per second by direct diversion, (2) constructing a dam which will be under the jurisdiction of the Division of Safety of Dams, (3) creating a reservoir with a surface area in excess of ten acres or (4) appropriating more than 1,000 acre-feet per annum by underground storage. See the instruction booklet for more information.

See Attachment No. 2

ENVIRONMENTAL INFORMATION

Note: Before a water right permit may be issued for your project, the State Water Board 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 for your project, a determination must be made of who is responsible for its preparation. If the State Water Board is determined to be responsible for preparing the CEQA document, the applicant will be required to pay all costs associated with the environmental evaluation and preparation of the required documents. Please answer the following questions to the best of your ability and submit with this application any studies that have been conducted regarding the environmental evaluation of your project.

16. COUNTY PERMITS

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

Person contacted: N/A Date of contact: _____

Department: _____ Telephone: (____) _____

County Zoning Designation: LEA B6 60 SR V04

Land EXTENSIVE Ag. 60 AC. DENSITY, SCENIC RESOURCE, VALLEY OAK

Are any county permits required for your project? YES NO If YES, check appropriate box HABITAT
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. _____

17. STATE/FEDERAL PERMITS AND REQUIREMENTS *none required*

- a. Check any additional state or federal permits required for your project:
 Federal Energy Regulatory Commission U.S. Forest Service U.S. Bureau of Land Management U.S. Corps of Engineers U.S. Natural Res. Conservation Service Calif. Dept. of Fish and Game State Lands Commission Calif. Dept. of Water Resources (Div. of Safety of Dams) Calif. Coastal Commission State Reclamation Board 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, bank, or riparian habitat of any stream or lake? YES NO

If YES, explain:

The reservoir, which was constructed prior to 1978 and prior to applicant's acquisition of the property, altered the bed and banks of the unnamed stream.

See Attachment No. _____

- d. Have you contacted the California Department of Fish and Game concerning your project?

YES NO If YES, name, telephone number and date of contact:

Adam McKannay (707) 944-5534 5-12-12

18. ENVIRONMENTAL DOCUMENT

- a. Has any California public agency prepared an environmental document for your project?

YES NO

- b. 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:

- c. If NO, check the appropriate box and explain below, if necessary:

The applicant is a California public agency and will be preparing the environmental document.*

I expect that the State Water Board will be preparing the environmental document.**

I expect that a California public agency other than the State Water 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 State Water Board, Division of Water Rights and proof of payment of the State Clearinghouse filing fee. Processing of your application cannot be completed until these documents are submitted.

** **Note:** CEQA requires that the State Water Board, as Lead Agency, prepare the environmental document. The information contained in the environmental document must be developed by the applicant and at the applicant's expense under the direction of the State Water Board, Division of Water Rights.

19. 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. ____

20. 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 If YES, explain:

See Attachment No. ____

21. ENVIRONMENTAL SETTING

Attach two complete sets of color photographs, clearly dated and labeled, showing the vegetation that exists at the following three locations:

- 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.
- See Attachment No. 3

SUBMITTAL FEES

Calculate your application filing fee using the "Water Right Fee Schedule Summary" that was enclosed in the application packet. The "Water Right Fee Schedule Summary" can also be viewed at the Division of Water Rights' website (www.waterrights.ca.gov).

A check for the application filing fee, payable to the "Division of Water Rights" and an \$850 check for the Streamflow Protection Standards review fee [Pub. Resources Code § 10005(a)], payable to the "California Department of Fish and Game," must accompany this application. All applicable fees are required at the time of filing. If the application fees are not received, your application will not be accepted and will be returned to you. Please check the fee schedule for any fee changes prior to submitting the application.

DECLARATION AND SIGNATURE

I declare under penalty of perjury that all information provided is true and correct to the best of my knowledge and belief. I authorize my agent, if I have designated one above, to act on my behalf regarding this water right application.

<i>Barbara Bobb</i>	<i>owner</i>	<i>January 14, 2013</i>
Signature of Applicant	Title or Relationship	Date
Signature of Co-Applicant (if any)	Title or Relationship	Date

Applications that are not completely filled out and/or do not have the appropriate fees will not be accepted. In the event that the Division has to return the application because it is incomplete, a portion of the application submittal fee will be charged for the initial review.

"APPLICATION TO APPROPRIATE WATER" CHECKLIST

Before you submit your application, be sure to:

- Answer each question completely.**
- Number, label and include all necessary attachments.**
- Include a legible map that meets the requirements discussed in the instruction booklet.**
- Include the Water Availability Analysis or sufficient information to demonstrate that there is reasonable likelihood that unappropriated water is available for the proposed appropriation.**
- Include two complete sets of color photographs of the project site.**
- Enclose a check for the required fee, payable to the Division of Water Rights.**
- Enclose an \$850 check for the Streamflow Protection Standards review fee, payable to the Department of Fish and Game.**
- Sign and date the application.**

Send the original and one copy of the entire application to:

**State Water Resources Control Board
 Division of Water Rights
 P.O. Box 2000
 Sacramento, CA 95812-2000**

ATTACHMENT 1
Water Availability

To demonstrate the reasonable likelihood that unappropriated water is available for diversion, streamflow during the requested diversion season is estimated at the POD by prorating USGS streamflow data at the gage on Petaluma River at Petaluma (USGS 11459000). Gage data for 15 years of record is shown on Table 1. For purposes of this preliminary analysis it is assumed that precipitation above the POD and gage are equal. The following formula is used:

$$Q_2 = Q_1 \times (A_2/A_1)$$

Where Q_2 = Seasonal Flow (AF) @ POD

Q_1 = Seasonal Flow (AF) @ gage

A_2 = Watershed area (acres) above POD

A_1 = Watershed area (acres) above gage

Seasonal Unimpaired Flow @ POD:

$$Q_1 = 13,299.4 \text{ AF}$$

$$A_2 = 160 \text{ ac.}$$

$$A_1 = 19,776 \text{ ac.}$$

$$Q_2 = 13,299.4 (160/19,776)$$

$$= 107.6 \text{ AF}$$

There are no other diversions in the watershed above the POD, and the application seeks 17.5 AF of storage with annual diversion being limited to the amount necessary to offset evaporation (± 6 AF). It is reasonable to conclude that unappropriated water is available for diversion.

TABLE 1

Discharge @ USGS 11459000 PETALUMA R A PETALUMA CA (cfs)
Mean of daily mean values for 15 years of record
(1948-10-01 to 1963-09-30)
Seasonal Supply December 15 Through March 31

Day	January	February	March	April	May	June	July	August	September	November	December
1	22	63	10	54	1.1	0.07	0	0	0	0.01	22
2	13	58	16	53	0.8	0.06	0	0	0	0.01	12
3	7.9	41	14	45	0.73	0.06	0	0	0	0.01	102
4	5.9	128	19	49	1.7	0.06	0	0	0	0.01	49
5	8.2	94	37	28	1.5	0.05	0	0	0	0.01	21
6	31	79	68	65	1	0.05	0	0	0	0.01	27
7	62	59	41	27	0.68	0.06	0	0	0	0.01	82
8	50	63	20	8.7	0.52	0.07	0	0	0	0.01	23
9	39	55	19	6.2	0.49	0.07	0	0	0	0.01	20
10	47	55	40	5.4	0.39	0.07	0	0	0	0.01	13
11	49	51	51	3.8	0.39	0.07	0	0	0	0.01	11
12	63	88	19	2.8	0.31	0.05	0	0	0	0.74	6
13	47	105	9.2	2.8	0.22	0.06	0	0	0	19	538
14	146	65	29	17	0.19	0.05	0	0	0	5.8	42
15	120	68	45	13	0.16	0.04	0	0	0	0.74	24
16	81	81	20	3.6	0.14	0.02	0	0	0.01	0.25	8.3
17	128	64	16	2.3	0.12	0.02	0	0	0	0.11	15
18	89	75	16	2.1	0.23	0.01	0	0	0	0.05	16
19	57	102	47	7.2	0.99	0.01	0	0	0	0.03	101
20	52	92	29	3	0.54	0.01	0	0	0	0.02	66
21	49	31	67	5.5	0.79	0.02	0	0	0	0.02	24
22	73	64	37	3.5	0.63	0.01	0	0	0	0.01	103
23	33	48	27	1.8	0.35	0	0	0	0	0.81	84
24	98	60	26	1.2	0.35	0	0	0	0	1.3	20
25	97	68	16	1.5	0.24	0	0	0	0.01	0.24	6.4
26	72	22	8.3	5.5	0.17	0	0	0.01	0.01	0.15	93
27	38	16	30	19	0.1	0	0	0	0	0.11	60
28	41	11	37	6.6	0.09	0	0	0	0	0.09	28
29	24	17	16	3.2	0.09	0	0	0	0	0.07	16
30	75		36	2	0.09	0	0	0	0	0.05	37
31	103		13		0.08	0	0	0	0	0.05	30
Total	1821.00	1823.00	878.50	448.70	15.18	0.99	0.00	0.00	0.03	29.75	1699.70

Total = 6716.9
 6716.9cfs(1.98) 13299.4
 Average Seasonal Unimpaired Runoff @ Gage = 13,299.4 AF