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POD# 57802  
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State of California  
State Water Resources Control Board  
**DIVISION OF WATER RIGHTS**  
1001 I Street, 14<sup>th</sup> Floor, Sacramento, CA 95814  
P.O. Box 2000, Sacramento, CA 95812-2000  
Info: (916) 341-5300, Fax: (916) 341-5431, www.waterboards.ca.gov/waterrights

**INITIAL STATEMENT OF WATER DIVERSION AND USE**

**NOTE: A Statement is not a Water Right**

This Statement should be typewritten or legibly written in ink and submitted to the address above.  
A separate statement must be filed for each point of diversion.

An (\*) indicates a required section. Required sections must be completed for the Statement to be accepted.

**\*A. Claimant/Agent Information**

Claimant/Owner: <u>Diablo Vineyards</u>	Agent:
<u>cl/ Bradford A. Lange</u>	
Mailing Address	Mailing Address
<u>1298 W Jahant Rd</u>	
<u>Acampo CA 95220</u>	
Phone No. <u>209/339 4055</u>	Phone No.
Fax No. <u>209/339-9014</u>	Fax No.
E-mail Address: <u>brad@langetwins.com</u>	E-mail Address:

**\*B. Water is diverted and used under the claim of:** Riparian claim  Pre 1914 claim  Court Decree No \_\_\_\_\_

Other (explain): Reclamation District 999

**\*C. Name of the body of water at the point of diversion** Duck Slough

Tributary to Sacramento River - Bay Delta

**\*D. Point of diversion is located within** Yolo County on Assessor's Parcel No. 43-040-01-1, 43-040-02-1

being within the \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of Section \_\_\_\_\_, of Township \_\_\_\_\_, Range \_\_\_\_\_, \_\_\_\_\_ B&M.

Provide the location of the point of diversion using the California Coordinate System (NAD 1983) or Latitude / Longitude measurements.

Provided

**Identify the point of diversion and outline the place of use on a United States Geological Survey (USGS) topographic map and submit the map with the Statement.**

Name of the diversion works is \_\_\_\_\_ Related Water Right(s) Riparian

**E. Do you own the land at the point of diversion?** Yes  No  If No, please provide the name and address of the land owner at the point of diversion: \_\_\_\_\_

**\*F. Capacity of diversion works** 2000 (cfs, gpm, or gpd) Capacity of storage tanks or reservoir N/A (gallons or acre-feet)

Type of diversion facility: Gravity \_\_\_\_\_ Creek Pump  Well Pump \_\_\_\_\_

Method of measurement: Weir \_\_\_\_\_ Flume \_\_\_\_\_ In line flow meter \_\_\_\_\_ Electric Meter \_\_\_\_\_ Estimate

**NOTE: \* Monthly report below is optional until January 1, 2012, at which time the information becomes mandatory.**

\*Provide the maximum rate of diversion achieved in each month in the table below as measured in: cfs \_\_\_\_\_, gpm \_\_\_\_\_, or gpd \_\_\_\_\_

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

Additional copies of this form and water right information can be obtained at www.waterboards.ca.gov/waterrights.

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\*G. Provide the quantity of water diverted each month in the table below as measured in: Gallons \_\_\_ Million gallons \_\_\_ Acre-feet \_\_\_

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

H. Annual water use in recent years: Maximum \_\_\_\_\_ (gallons or acre-feet) Minimum \_\_\_\_\_ (gallons or acre-feet)

State the year of first use at diversion site or storage facility being researched

\*I. Beneficial water use is for: (example, number of acres and type of crop irrigated, average number of persons served, number of stock watered, etc.)

450 Acres using grapes

\*J. General description and location of the place of use shall be identified using a USGS topographic map, or if assigned, may be provided using the public land description to the nearest 40 acre parcel accompanied by the County Assessor's parcel map.

Provided

K. Please answer only those questions below that are applicable to your project.

1. Conservation of water

a. Describe any water conservation efforts you have in place

Drip Irrigation

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 that unreasonably affects such water for other beneficial uses? YES \_\_\_ NO

3. Conjunctive use of surface water and groundwater

a. Are you using groundwater in lieu of surface water? 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: 6/28/10 at Agampo, California

\*SIGNATURE: Bradford A. Lange

\*PRINTED NAME: Bradford A. Lange  
(first name) (middle initial) (last name)

COMPANY NAME: Doble Vineyards

#### GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

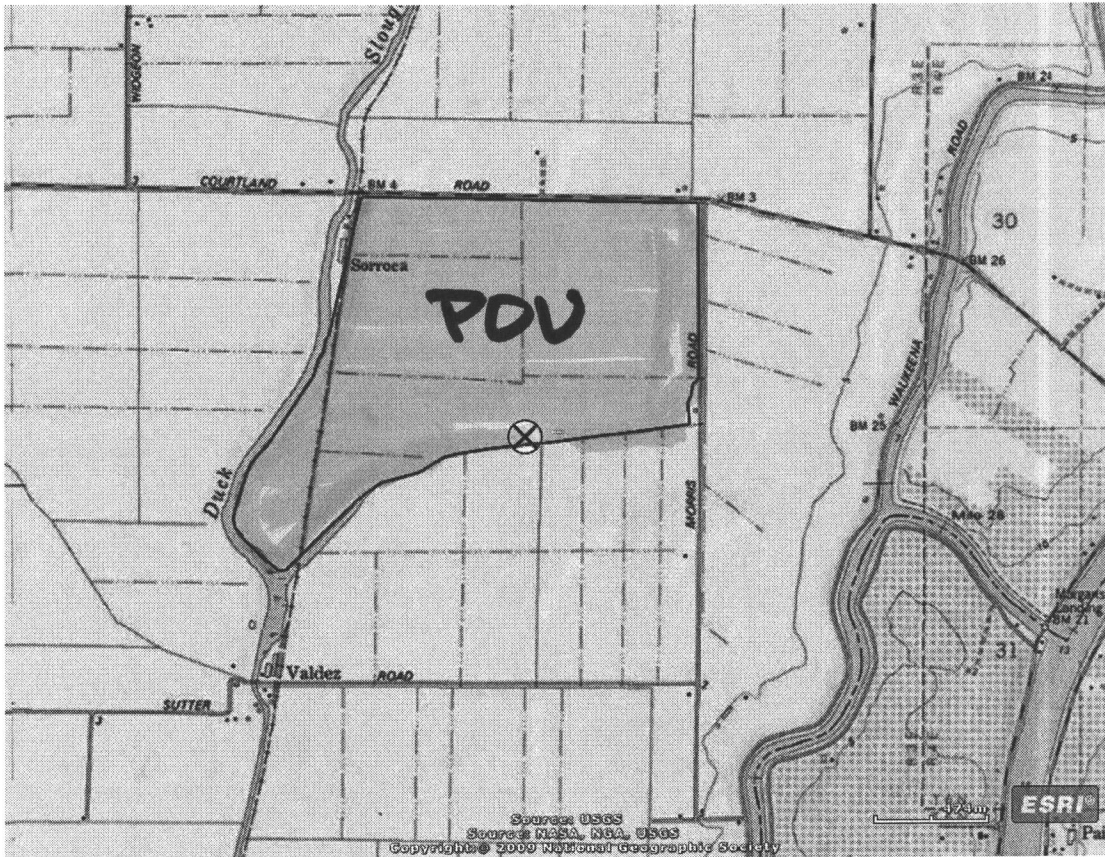
There are two principal types of surface water rights in California. They are riparian and appropriative rights.

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 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 in December 1914, new appropriators have been required to obtain a permit or license from the State.

Statements of Water Diversion and Use must be filed by a riparian and/or pre-1914 appropriative water user. 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 in determining if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please visit the website [http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/diversion\\_use/](http://www.waterboards.ca.gov/waterrights/water_issues/programs/diversion_use/), or write to this office.



⊗ Approximate Intake Point  
 ■ Approximate Parcel Boundary / **POU**

Claimant: \_\_\_\_\_ *Diablo Vineyards*  
 Parcel Number: \_\_\_\_\_  
 Location: 38°20'06"N 121°36'05"W  
 \_\_\_\_\_

*38.334*

*-121.6*

**S021435**

**BSK**  
 Associates  
 Engineers & Laboratories



# State Water Resources Control Board



**Linda S. Adams**  
Acting Secretary for  
Environmental Protection

**Division of Water Rights**  
1001 I Street, 14<sup>th</sup> Floor ♦ Sacramento, California 95814 ♦ 916.341.5300  
P.O. Box 2000 ♦ Sacramento, California 95812-2000 ♦ Fax 916.341.5400  
♦ www.waterboards.ca.gov/waterrights ♦

**Edmund G. Brown Jr.**  
Governor

June 24, 2011

In Reply Refer to:  
kgarver:DEF266

Diablo Vineyards c/o Bradford A. Lange  
1298 W. Jahant Rd.  
Acampo, CA 95220

## DEFICIENCY IN STATEMENT(S) OF WATER DIVERSION AND USE

**CLAIMANT:** Diablo Vineyards  
**DIVERSION(S) FROM:** Duck & Steamboat Sloughs  
**DIVERSION WORKS NAME(S):** Not defined

The State Water Resources Control Board, Division of Water Rights (Division), received your Statement(s) of Water Diversion and Use [Statement(s)] on 6/29/2010. Your Statement(s) have not been assigned identification number(s) because of incomplete information.

Division staff reviewed the content of your Statement(s) and found the following item(s) inadequate to address statutory requirements. Please provide the required information on the enclosed copy of your original Statement(s) and resubmit to the Division. **IMPORTANT: To ensure proper processing of your claim, please return this deficiency letter with your completed Statement(s).**

DIVISION OF WATER RIGHTS  
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	The proper form was not used. Please complete and submit the enclosed Statement form.
	<b>NAME AND ADDRESS:</b> Provide the name, mailing address, and telephone number of the diverter and of the person filing the Statement if different than the diverter.
	<b>SOURCE:</b> Identify the name of the stream or other source from which water is diverted, and the name of the next major stream or other body of water to which the source is tributary.
	<b>POINT OF DIVERSION (POD):</b> <input type="checkbox"/> Identify the quarter-quarter section, Section, Township, and Range of your POD. Provide the Assessor's Parcel Number if known. <input type="checkbox"/> Provide the location of the POD using: (1) the California Coordinate System (NAD 1983) <b>OR</b> (2) Latitude/Longitude measurements <b>OR</b> (3) identify the POD on a United States Geological Survey (USGS) topographic map. Attach the map to the Statement and return. The same map may also be used to outline your place of use. <input type="checkbox"/> Only one POD is allowed per Statement; the Statement submitted contains multiple PODs. Please submit a separate Statement of Diversion and Use for each POD.
X	<b>PLACE OF USE (POU):</b> Describe the location of the place of water use.
X	<b>MAP:</b> <input type="checkbox"/> The location of the POU must be outlined on a USGS map <sup>1</sup> as described in the Water Code section 5103 (c). <b>Attach the map to the Statement and return.</b> <input checked="" type="checkbox"/> The map submitted is inadequate for the purposes of identifying the POU. Highlight the POU on a USGS topographic map or a public land description parcel map and <b>attach the map to the Statement and return.</b>

	CAPACITY OF DIVERSION: List the rate of diversion in cubic feet per second, gallons per minute, or gallons per day. Describe your diversion and identify whether water is pumped or flows by gravity. If you have a pre-1914 claim and have a storage reservoir, specify the capacity.
	BENEFICIAL WATER USE: Identify the type of water use whether for domestic, irrigation, stockwatering or other purposes. If water is used for domestic or municipal purposes, identify the population served. If water is used for irrigation, provide the acreage. If water is used for stockwatering, identify the type and number of stock.
X	SIGNATURE AND DATE: <input checked="" type="checkbox"/> The form was not signed and/or dated. Complete and return the enclosed form with a signature and/or date. <input checked="" type="checkbox"/> Submitted forms must contain original signatures. Fax or electronic copies will not be accepted. Please sign and return the enclosed form with a signature and date.
	OTHER:

The items on your Statement(s), as identified above, must be clarified and/or amended and submitted to the Division for proper processing of your Statement(s). If the Division does not receive the requested information within 60 days from the date of this letter, your Statement(s) will be considered incomplete.

Failure to file a complete statement for each diversion that occurred after January 1, 2009 may be subject to civil liabilities that carry a maximum fine of \$1,000 plus \$500 for each day the violation continues after 30 days of the State Water Board notification of the violation.

If you have questions, please contact Kelli Garver at (916) 341-5448, or at [kgarver@waterboards.ca.gov](mailto:kgarver@waterboards.ca.gov).

Sincerely,



Robert Rinker, Manager  
Fee and Data Management Unit

<sup>1</sup> USGS topographic maps are available through a mapping service at: <http://www.topozone.com>, and at the Division.