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.waterboards.ca.gov/waterrights

APPLICATION TO APPROPRIATE WATER

1. APPLICANT/AGENT

<table>
<thead>
<tr>
<th>Name</th>
<th>Marietta Cellars</th>
<th>Wagner &amp; Bonsignore, CCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mailing Address</td>
<td>PO Box 800</td>
<td>2151 River Plaza Dr. Ste. 100</td>
</tr>
<tr>
<td>City, State &amp; Zip</td>
<td>Geyerville, CA 95441</td>
<td>Sacramento, CA 95833</td>
</tr>
<tr>
<td>Telephone</td>
<td>(707) 433-2747</td>
<td>(916) 441-6850</td>
</tr>
<tr>
<td>Fax</td>
<td></td>
<td>(916) 448-3866</td>
</tr>
<tr>
<td>E-mail</td>
<td></td>
<td><a href="mailto:rstolfus@wbecorp.com">rstolfus@wbecorp.com</a></td>
</tr>
</tbody>
</table>

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.

For continuation, see Attachment No. 1
4. PURPOSE OF USE, DIVERSION/STORAGE AMOUNT AND SEASON

<table>
<thead>
<tr>
<th></th>
<th>DIRECT DIVERSION</th>
<th>STORAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>AMOUNT</td>
<td>SEASON OF DIVERSION</td>
</tr>
<tr>
<td></td>
<td>Rate (cfs or gpd)*</td>
<td>Acre-feet per annum</td>
</tr>
<tr>
<td>Irrigation</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Frost Protection</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Heat Control</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stockwatering</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total afa</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

- See Attachment No. __________ * If rate is less than 0.025 cubic feet per second (cfs), use gallons per day (gpd).
- Total combined amount taken by direct diversion and storage during any one year will be __________ acre-feet.
- Reservoir storage is: ☑ onstream ☐ offstream ☐ underground (If underground storage, attach Underground Storage Form.)
- County in which diversion is located: __________ County in which water will be used: __________

5. SOURCES AND POINTS OF DIVERSION/REDIVERSION

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

- ☑ POD / ☑ PORD # 1 Unnamed Stream
- ☑ POD / ☑ PORD # 2 Unnamed Stream
- ☑ POD / ☑ PORD # 3 Unnamed Stream
- ☑ POD / ☑ PORD # 4 Unnamed Stream

- tributary to
- thence Lake Sonoma
- thence Lake Sonoma
- thence Lake Sonoma
- thence Lake Sonoma

b. State Planar and Public Land Survey Coordinate Description:

<table>
<thead>
<tr>
<th>POD/PORD #</th>
<th>CALIFORNIA COORDINATES (NAD 83)</th>
<th>ZONE</th>
<th>POINT IS WITHIN (40-acre subdivision)</th>
<th>SECTION</th>
<th>TOWNSHIP</th>
<th>RANGE</th>
<th>BASE AND MERIDIAN</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>N. 2,087,080 E. 6,231,129</td>
<td>2</td>
<td>NW ¼ of SE ¼</td>
<td>14</td>
<td>12N</td>
<td>12W</td>
<td>MD</td>
</tr>
<tr>
<td>2</td>
<td>N. 2,092,915 E. 6,231,978</td>
<td>2</td>
<td>NE ¼ of SE ¼</td>
<td>11</td>
<td>12N</td>
<td>12W</td>
<td>MD</td>
</tr>
<tr>
<td>3</td>
<td>N. 2,091,339 E. 6,231,660</td>
<td>2</td>
<td>SE ¼ of SE ¼</td>
<td>11</td>
<td>12N</td>
<td>12W</td>
<td>MD</td>
</tr>
</tbody>
</table>

Name of the post office most often used by those living near the proposed point(s) of diversion: Cloverdale
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. 2

   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
      Groundwater: Well

      ☐ See Attachment No. ___

7. PLACE OF USE
   a. USE IS WITHIN (40-acre subdivision) SECTION* TOWNSHIP RANGE BASE & MERIDIAN IF IRRIGATED
      Acres Presently cultivated?
      ☐ YES ☐ NO

      ¼ of ¼ ☐ YES ☐ NO
      ¼ of ¼ ☐ YES ☐ NO
      ¼ of ¼ ☐ YES ☐ NO
      ¼ of ¼ ☐ YES ☐ NO
      ¼ of ¼ ☐ YES ☐ NO
      ¼ of ¼ ☐ YES ☐ NO
      ¼ of ¼ ☐ YES ☐ NO
      ¼ of ¼ ☐ YES ☐ NO
      ¼ of ¼ ☐ YES ☐ NO

      Total Acres: ☐ YES ☐ NO

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

☐ See Attachment No. 3. Please provide the Assessor’s Parcel Number(s) for the place of use:
049-300-04 & 033

8. PROJECT SCHEDULE
   Project is: ☑ proposed, ☐ partially complete or ☐ complete (Year completed - ________________).

   Extent of completion: Reservoirs and 31 acres of place of use are developed.

   Estimated amount of time in years it will take for construction to be completed: 5 years after issuance of Permit

   Estimated amount of time in years it will take for water to be put to full beneficial use: 10 years
9. JUSTIFICATION OF AMOUNTS REQUESTED

a. ☑ IRRIGATION: Maximum area to be irrigated in any one year: 115 acres.

<table>
<thead>
<tr>
<th>CROP</th>
<th>ACRES</th>
<th>METHOD OF IRRIGATION (sprinklers, flooding, etc.)</th>
<th>WATER USE (Acre-feet/Yr.)</th>
<th>SEASON OF WATER USE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vineyard</td>
<td>115</td>
<td>Drip</td>
<td>59</td>
<td>5-1 10-31</td>
</tr>
</tbody>
</table>

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.)

a. ☑ STOCKWATERING: Kind of stock: Sheep __________ Maximum number: 125 __________
   Describe type of operation: Range __________
   (feedlot, dairy, range, etc.)

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

e. ☑ MUNICIPAL:

<table>
<thead>
<tr>
<th>POPULATION</th>
<th>MAXIMUM MONTH</th>
<th>ANNUAL USE</th>
</tr>
</thead>
<tbody>
<tr>
<td>List for 5-year periods until use is completed</td>
<td>Average daily use (gallons per capita)</td>
<td>Rate of diversion (cfs)</td>
</tr>
<tr>
<td>Period</td>
<td>Population</td>
<td></td>
</tr>
<tr>
<td>Present</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

See Attachment No. __________

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

f. ☑ HEAT CONTROL: Area to be heat controlled: 115 net acres
   Type of crops protected: __________
   Rate at which water is applied to use: 35 gpm per acre
   Heat protection season will begin 7-1 (month and day) and end 9-30 (month and day).

g. ☑ FROST PROTECTION: Area to be frost protected: 115 net acres
   Type of crops protected: __________
   Rate at which water is applied to use: 55 gpm per acre
   The frost protection season will begin 3-15 (month & day) and end 5-31 (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:

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: #1 & #3: Dam #2: Weir
   (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:

<table>
<thead>
<tr>
<th>CONDUIT (pipe or channel)</th>
<th>MATERIAL (type of pipe or channel lining; indicate if pipe is buried or not)</th>
<th>CROSS-SECTION (pipe diameter, or ditch depth and top and bottom width) (inches or feet)</th>
<th>LENGTH (feet)</th>
<th>TOTAL LIFT OR FALL</th>
<th>CAPACITY (cfs, gpd or gpm)</th>
</tr>
</thead>
<tbody>
<tr>
<td>POD #2 to A</td>
<td>Pipe PVC</td>
<td>4&quot;</td>
<td>300'</td>
<td>20</td>
<td>1.0</td>
</tr>
</tbody>
</table>

□ See Attachment No. __________

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

<table>
<thead>
<tr>
<th>RESERVOIR NAME OR NUMBER</th>
<th>Vertical height from downstream toe of slope to spillway level (feet)</th>
<th>Construction material</th>
<th>Length (feet)</th>
<th>Freeboard: dam height above spillway crest (feet)</th>
<th>Surface area when full (acres)</th>
<th>Capacity (acre-feet)</th>
<th>Maximum water depth (feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>24.9</td>
<td>Earth</td>
<td>230'</td>
<td>3'</td>
<td>5.5</td>
<td>49</td>
<td>28</td>
</tr>
<tr>
<td>A</td>
<td>24</td>
<td>Earth</td>
<td>400'</td>
<td>2'</td>
<td>1</td>
<td>9</td>
<td>10</td>
</tr>
<tr>
<td>3</td>
<td>15</td>
<td>Earth</td>
<td>100'</td>
<td>1'</td>
<td>0.1</td>
<td>1</td>
<td>5</td>
</tr>
</tbody>
</table>

□ See Attachment No. __________
e. Outlet pipe: Complete for storage reservoirs having a capacity of 10 acre-feet or more.

<table>
<thead>
<tr>
<th>RESERVOIR NAME OR NUMBER</th>
<th>Diameter in inches</th>
<th>Length in feet</th>
<th>Fall: Vertical distance between entrance and exit of outlet pipe in feet</th>
<th>Head: Vertical distance from spillway to entrance of outlet pipe in feet</th>
<th>Dead Storage: Storage below entrance of outlet pipe in acre-feet</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

☐ See Attachment No. 4

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.
   Drip irrigation.
   _____________________________________________________________
   _____________________________________________________________
   _____________________________________________________________
   _____________________________________________________________
   _____________________________________________________________

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)
   Flow meters and staff gages.
   _____________________________________________________________
   _____________________________________________________________
   _____________________________________________________________
   _____________________________________________________________
   _____________________________________________________________

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. 5

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: www.co.mendocino.ca.us/planning  Date of contact: 4/22/11
Department: Planning and Building  Telephone: (707) 463-4281
County Zoning Designation:
049-300-04 & 33 - RL160

Are any county permits required for your project? ☐ YES ☒ NO  If YES, check appropriate box below:
☐ Grading permit  ☐ Use permit  ☐ Watercourse  ☐ Obstruction permit  ☐ Change of zoning
☐ General plan change  ☐ Other (explain):

All reservoirs have been constructed, and all permits were obtained prior to construction.

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
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
   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:

<table>
<thead>
<tr>
<th>AGENCY</th>
<th>PERMIT TYPE</th>
<th>PERSON(S) CONTACTED</th>
<th>CONTACT DATE</th>
<th>TELEPHONE NO.</th>
</tr>
</thead>
<tbody>
<tr>
<td>DFG</td>
<td>LSAA</td>
<td>Fish and Game Code 1600</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

☐ See Attachment No.

For the above-listed permits, have you been informed of the requirement for a Certificate of Compliance?
☐ YES ☐ NO

If YES, explain:
Existing Reservoirs #1 and #3 are on-stream; however, significance has not been established.

☐ See Attachment No.

b. Have you contacted the California Department of Fish and Game concerning your project?
☐ YES ☐ NO If YES, name, telephone number and date of contact:

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:

   ☐ 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. 6

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.

[Signature of Applicant] [Signature of Co-Applicant (if any)]

[Title or Relationship] [Title or Relationship]

[Date] [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