WATER USERS: Magoon Estates Ltd.
Application 24297  Permit 16861

Water Code section 1396 requires an applicant to exercise due diligence in developing a water supply for beneficial use. The State Water Resources Control Board (SWRCB), in considering requests for extension of time, will review the facts presented to determine whether there is good cause for granting an extension of time to complete the project. Where diligence in completing the project is not fully substantiated, the SWRCB may set the matter for hearing to determine the facts upon which to base formal action relating to the permit. Formal action may involve:

1. Revoking the permit for failure to proceed with due diligence in completing the project.
2. Issuing a license for the amount of water heretofore placed to beneficial use under the terms of the permit.
3. Granting a reasonable extension of time to complete construction work and/or full beneficial use of water.

The time previously allowed in your permit within which to complete construction work and/or use of water has either expired or will expire shortly.

Please check below the action you wish taken on this permit.

☐ ☐ The project has been abandoned and I request revocation of the permit.

Signature

☐ ☐ Full use of water has been made, both as to amount and season, and I request license be issued.

Signature

☒ ☐ The project is not yet complete. I request the SWRCB’s consideration of the following petition for an extension of time.

PETITION FOR EXTENSION OF TIME
If START of construction has been delayed

Complete items 1, 2, and 3.

1. What has been done since permit was issued toward commencing construction?

Environmental Documents have been initiated by MOU executed on 6/21/02

2. Estimate date construction work will begin.

3. Reasons why construction work was not begun within the time allowed by the permit.

"The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demands and cut your energy costs, see our web-site at: http://wattrights.ca.gov/"

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

PET-EXT (3-01) Continued on next page

2005 OCT 17 PM 1:11
DIV OF WATER RIGHTS SACRAMENTO
PETITION FOR EXTENSION OF TIME
If construction work is proceeding

If construction work and/or use of water is proceeding but is not complete, an extension of time may be petitioned by completing items 4 through 16. Statements must be restricted to construction or use of water only under this permit.

4. A **See attached** -year extension of time is requested to complete construction work and/or beneficial use of water. (Indicate a period of time less than or equal to 10 years. Must be consistent with the time frame allowed in (California Code of Regulations sections 840 through 844)

5. How much water has been used? **475** acre-feet/year **cfs**

6. How many acres have been irrigated? **1538**

7. How many houses or people have been served water? **DNA**

8. Extent of past use of water for any other purpose. **DNA**

9. What construction work has been completed during the last extension? **Construction of Cassidy Res.**

10. Approximate amount spent on project during last extension period. $**350,000**.

11. Estimate date construction work will be completed. **See attached**

12. Estimated year in which water will be fully used. **December 31, 2015**

13. Reasons why construction and/or use of water were not completed within time previously allowed. **See attached**

If the use of water is for municipal (including industrial) and irrigation supplies and is provided or regulated by public agencies and use of the water has commenced, but additional time is needed to reach full use contemplated, the following information must be provided.

14. What water conservation measures are in effect or feasible within the place of use?

15. How much water is being conserved or is it feasible to conserve using these conservation measures?

16. How much water per capita is used during the maximum 30-day period? ______ gpd.

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

Dated: **October 17, 2005**, at **Sacramento**, California

Jesse W. Barton, Law Offices of Daniel F. Gallery
926 J Street, Suite 505, Sacramento, CA 95814

Telephone No. **(916) 444-2880**

NOTE: A **$1,000** filing fee, for each Application listed, made payable to the State Water Resources Control Board must accompany a petition for an extension of time. An **$850** fee made payable to the Department of Fish and Game must accompany all but the first petition for an extension of time.

PET-EXT (3-01) -2-
ATTACHMENT TO
PETITION FOR EXTENSION OF TIME
PERMIT 16861 (APPLICATION 24297)

4. The last extension of time for Permit 16861 (Application 24297) expired on 12/31/94 and 12/31/95, to complete construction and beneficial use, respectively. A petition for a 10-year extension of time was subsequently filed on 6/17/96. The 1996 petition would have extended the time to complete construction and beneficial use to 12/31/04 and 12/31/05, respectively. The portion of the 1996 petition relating to construction expired on 12/31/04. The portion of the 1996 petition relating to beneficial use is pending and is expected to expire on 12/31/05 without being acted upon. In May 2000, a petition to change Permit 16861 was filed (to enlarge the place of use of water stored pursuant to Permit 16861). The 2000 petition to change is currently undergoing environmental review by the Division, but no action has been taken on it. Because the 2000 petition to change has not been granted, and the period of time within which to complete construction expired on 12/31/04, and the period of time to complete beneficial use will expire on 12/31/05, another petition for extension of time was filed on 2/10/05. The 2005 petition sought an undetermined period of time for the Board to act on the petition for extension of time and the pending petition for change, plus 8 years. The Division rejected the 2005 petition as incomplete. This amended petition for extension of time seeks an 11-year extension of time to complete construction for the period 12/31/04 to 12/31/05, a 10-year extension of time to complete beneficial use for the period 12/31/95 to 12/31/05, plus two years (which is the estimated time it will take the Division to act on this petition for extension of time and the pending petition for change), plus an additional 8 years within which to complete the proposed project and the application of the water to beneficial use. Put differently, this petition seeks an extension of time to from 12/31/94 and 12/31/95 until 12/31/15.

11. Construction of the storage reservoirs is complete. Construction of the additional place of use is awaiting Division action on the pending petition for change.

13. Detert Reservoir was enlarged in 1979 to its present capacity of 3,220 acre-feet. All of this storage is covered by licenses 2141, 2142, 10421, 10422, and permit 16861. Permit 16861 authorizes the storage of 985 acre-feet in Detert Reservoir. However, as of 12/31/95, the entire 985 acre-feet of water stored pursuant to permit 16861 had not been put to beneficial use. The Permittee filed a petition to change permit 16861 in May 2000 (to enlarge the place of use for the water stored pursuant to permit 16861) so that the Permittee can complete beneficial use; however, this petition for change is currently under environmental review by the Division and has not been acted upon by the Division. Therefore, Permittee has no authorization to begin beneficial use until the petition to change is granted by the Division. Additional information on these petitions is contained in the February 17, 2004, letter/binder from this office to Victoria Whitney.
California Environmental Protection Agency

State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. Box 2000, Sacramento, CA 95812-2000
Info: (916) 341-5500, FAX: (916) 341-5400, Web: http://www.waterrights.ca.gov

ENVIRONMENTAL INFORMATION
FOR PETITIONS

☐ Petition for Change    ✅ Petition for Extension of Time

Before the State Water Resources Control Board (SWRCB) can approve a petition to change your water right permit or a petition for extension of time to complete use, the SWRCB 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, a determination must be made of who is responsible for its preparation. As the petitioner, you are responsible for all costs associated with the environmental evaluation and preparation of the required CEQA documents. Please answer the following questions to the best of your ability and submit any studies that have been conducted regarding the environmental evaluation of your project. If you need more space to completely answer the questions, please number and attach additional sheets.

1. DESCRIPTION OF PROPOSED CHANGES OR WORK REMAINING TO BE COMPLETED
For a petition to change, provide a description of the proposed changes to your project including, but not limited to, type of construction activity, structures existing or to be built, area to be graded or excavated, increase in water diversion and use (up to the amount authorized by the permit), changes in land use, and project operational changes, including changes in how the water will be used. For a petition for extension of time, provide a description of what work has been completed and what remains to be done. Include in your description any of the above elements that will occur during the requested extension period.

Please see the draft EIR submitted on December 20, 2004. The draft EIR covers all aspects of the environmental matters involved with this project.
Please see August 17, 2005, letter from Steve Herrera accepting the draft EIR as compliance with completion of the environmental request form.

☐ See Attachment No. ___
2. COUNTY PERMITS
   a. Contact your county planning or public works department and provide the following information:
      
      Person contacted: Date of contact: ____________________________
      Department: ____________________________ Telephone: (____) ________
      County Zoning Designation: ____________________________
      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):

   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. __

3. 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 □ Bureau of Land Management
      □ Soil Conservation Service □ Dept. of Water Resources (Div. of Safety of Dams) □ Reclamation Board
      □ Coastal Commission □ State Lands Commission □ 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 or bank of any stream or lake? □ YES □ NO
      If YES, explain: ________________________________________________________________
      ________________________________________________________________
      ________________________________________________________________
      ________________________________________________________________
      ________________________________________________________________
      ________________________________________________________________
      ________________________________________________________________
      ________________________________________________________________
      ________________________________________________________________

      □ See Attachment No. __
d. Have you contacted the California Department of Fish and Game concerning your project?  □ YES □ NO
   If YES, name and telephone number of contact: ________________________________

4. ENVIRONMENTAL DOCUMENTS
   a. Has any California public agency prepared an environmental document for your project?  □ YES □ NO
      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: ________________________________
   b. If NO, check the appropriate box and explain below, if necessary:
      □ The petitioner is a California public agency and will be preparing the environmental document.*
      □ I expect that the SWRCB will be preparing the environmental document.**
      □ I expect that a California public agency other than the State Water Resources Control 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 SWRCB, Division of Water Rights. Processing of your petition
cannot proceed until these documents are submitted.

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

5. 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. __________

6. 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
ENVIRONMENTAL INFORMATION FOR PETITIONS

If YES, explain:

☐ See Attachment No.

7. ENVIRONMENTAL SETTING
   Attach three complete sets of color photographs, clearly dated and labeled, showing the vegetation that exists at
   the below-listed three locations. For time extension petitions, the photographs should document only those areas of
   the project that will be impacted during the requested extension period.
   ☐ 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.

8. CERTIFICATION
   I hereby certify that the statements I have furnished above and in the attachments 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: 10-17-05  Signature: [Signature]

PET-ENV (10-04)
STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

914 P Street • Sacramento, California 95814 • (916) 657-0765
Mailing Address: P.O. Box 2000 • Sacramento, California • 95812-2000
FAX (916) 657-1485 • Web Site Address: http://www.swrcb.ca.gov
Division of Water Rights: http://www.waterrights.ca.gov

PETITION FOR CHANGE IN DISTRIBUTION OF STORAGE
Change in Point of Diversion for a Portion of the Water
(WATER CODE 1700)

Application 24297B  Permit 16861B  License
Statement or Other: Amended March 2000

I (we) request permission to change the amounts to be stored in each reservoir as set forth in Paragraph 4 of this permit or license to amounts in each reservoir as follows:

<table>
<thead>
<tr>
<th>Reservoir No. 1</th>
<th>935 acre-feet in Detert Reservoir (POD #1)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reservoir No. 2</td>
<td>805 acre-feet in Buckhorn Flat Reservoir (POD #25)</td>
</tr>
<tr>
<td>Reservoir No. 4</td>
<td>This Permit was inspected for license by SWRCB staff in 1996. It is our understanding that Permit 16861A will be issued and 560 acre-feet will be licensed, and that 1,790 acre-feet will remain under Continuation Permit 16861B.</td>
</tr>
</tbody>
</table>

- WILL ANY RESERVOIR NAMED IN THE ORIGINAL APPLICATION BE ABANDONED? Yes (yes/no)
- WILL THE CHANGE IN DISTRIBUTION OF STORAGE INVOLVE A CHANGE IN PURPOSE OF USE? No (yes/no)
- If so, does the proposed use serve to preserve or enhance wetlands habitat, fish and wildlife resources, or recreation in or on the water (See WC 1707)? (yes/no)

I (we) have access to the additional land to be flooded by virtue of ownership (ownership, lease verbal or written agreement)

If by lease or agreement, state the name and address of party(s) from whom access has been obtained.

<table>
<thead>
<tr>
<th>N/A</th>
</tr>
</thead>
</table>

Give name and address of any person(s) taking water from the stream between the upper and lower reservoirs.

<table>
<thead>
<tr>
<th>N/A</th>
</tr>
</thead>
</table>

THIS CHANGE DOES NOT INVOLVE AN INCREASE IN THE AMOUNT OF THE APPROPRIATION

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

Dated: 5/17/00 at Sacramento, California

By: James C. Hanson, Civil Engineer, A Corp.

Telephone No. 016-448-2821

Note: A $100 filing fee made payable to the State Water Resources Control Board (SWRCB) and a $850 fee made payable to the Department of Fish and Game (DFG) must accompany a petition for change. Upon filing this petition with the SWRCB, Water Code Section 1703 requires you to also notify the DFG in writing of your proposed change. A copy sent to the DFG will normally fulfill this requirement.
State Water Resources Control Board

Division of Water Rights
901 P Street • Sacramento, California 95814 • (916) 657-0765
Mailing Address: P.O. Box 2000 • Sacramento, California • 95812-2000
FAX (916) 657-1485 • Web Site Address http://www.swrbc.ca.gov
Division of Water Rights: http://www.waterrights.ca.gov

Winston H. Hickox
Secretary for
Environmental Protection

Gray Davis
Governor

PETITION FOR CHANGE
(WATER CODE 1700)

Amended March 2000

Point of Diversion, Point of Rediversion, Place of Use, Purpose of Use
Application 24297B  Permit 16861E  License Statement or Other

I (we) hereby petition for change(s) noted above and shown on the accompanying map and described as follows:

Point of Diversion or Rediversion (Give coordinate distances from section corner or other ties as allowed by Cal CR 715, and the 40-acre subdivision in which the present & proposed points lie.)

Present
Proposed

Place of Use (If irrigation then state number of acres to be irrigated within each 40-acre tract.)

Present See Attachment
Proposed

Purpose of Use

Present
Proposed

Does the proposed use serve to preserve or enhance wetlands habitat, fish and wildlife resources, or recreation in or on the water (See WC 1707)? Yes

GIVE REASON FOR PROPOSED CHANGE: See Attachment

WILL THE OLD POINT OF DIVERSION OR PLACE OF USE BE ABANDONED? No

WATER WILL BE USED FOR Irrigation, Frost Protection, Heat Control, PURPOSES.

Domestic, Industrial, Recreation & Fire Protection

I(we) have access to the proposed point of diversion or control the proposed place of use by virtue of? Ownership

(ownership, lease, verbal or written agreement)

Are there any persons taking water from the stream between the old point of return flow and the new point of return flow? No

If by lease or agreement, state the name and address of party(s) from whom access has been obtained.

Give name and address of any person(s) taking water from the stream between the present point of diversion or rediversion and the proposed point of diversion or rediversion, as well as any other person(s) known to you who may be affected by the proposed change.

N/A

THIS CHANGE DOES NOT INVOLVE AN INCREASE IN THE AMOUNT OF THE APPROPRIATION OR SEASON OF USE.

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

Dated 5/17/00 at Sacramento, California 2000

James C. Hanson, Consulting Civil Engineer, A Corp.

Telephone No (916) 448-2821

NOTE: A $100 filing fee made payable to the State Water Resources Control Board and a $850 fee made payable to the Department of Fish and Game must accompany a petition for change.
ATTACHMENT TO PETITION FOR CHANGE PERMIT 16861B (APPLICATION 24297B) OF MAGOON ESTATE, LIMITED

AMENDED MARCH 2000

POINT OF DIVERSION

<table>
<thead>
<tr>
<th>Present</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>#1</td>
<td>Detert Dam - North 1,875 feet and West 850 feet from the SE corner of projected Section 9, T10N, R6W, MDB&amp;M, being within the NE¼ of the SE¼ of said Section 9.</td>
</tr>
<tr>
<td>#13</td>
<td>Cassidy Dam - Expected to be licensed pursuant to a split of this Permit as Permit 16861A.</td>
</tr>
<tr>
<td>#14</td>
<td>Cassidy Transfer Pump - Expected to be abandoned pursuant to a split of this Permit.</td>
</tr>
<tr>
<td>#15</td>
<td>Bucksnort Creek Pump - North 1,500 feet and West 2,250 feet from SE corner of Section 36, T11N, R6W, MDB&amp;M, being within the NW¼ of the SE¼ of said Section 36.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Proposed</th>
<th>Points of Diversion</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>#1</td>
<td>Point of Diversion by Collection to Storage</td>
<td>Detert Dam - North 1,700 feet and West 600 feet from SE corner of projected Section 9, T10N, R6W, MDB&amp;M, being within the NE¼ of the SE¼ of said Section 9.</td>
</tr>
<tr>
<td>#15</td>
<td>Point of Diversion to Offstream Storage at Point #25</td>
<td>(Relocated) Bucksnort Creek Pump - North 350 feet and West 2,175 feet from SE corner of Section 36, T11N, R6W, MDB&amp;M, being within the SW¼ of the SE¼ of said Section 36; also described by California Coordinate System Zone 2, N 396,650 and E 1,865,800.</td>
</tr>
<tr>
<td>#25</td>
<td>Point of Diversion by Collection to Storage and Point of Rediversion for water diverted at Point #15</td>
<td>Buckhorn Flat Reservoir - South 550 feet and West 1,500 feet from NE corner of Section 1, T10N, R6W, MDB&amp;M, being within the NW¼ of the NE¼ of said Section 1; also described by California Coordinate System Zone 2, N 395,740 and E 1,866,400.</td>
</tr>
</tbody>
</table>

(Continued on next page)
ATTACHMENT TO PETITION FOR CHANGE
PERMIT 16861B (APPLICATION 24297B)
OF
MAGOON ESTATE, LIMITED

(Continued from previous page)

<table>
<thead>
<tr>
<th>Points of Rediversion</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>#7</td>
<td>Putah Creek Pump No. 1 - South 300 feet and East 2,500 from NW corner of Section 4, T10N, R5W, MDB&amp;M, being within Lot 5 of said Section 4.</td>
</tr>
<tr>
<td>#8</td>
<td>Putah Creek Pump No. 2 - South 1,100 feet and West 800 feet from NE corner of Section 4, T10N, R5W, MDB&amp;M, being within Lot 3 of said Section 4.</td>
</tr>
</tbody>
</table>

PLACE OF USE

Present
A net acreage of 2,760 acres, including 281 acres which are specified in Permit 16860A (Application 24296A) and 314 acres which are specified in Permit 16860B (Application 24296B), all within a gross area of 23,000 acres within:

Sections 2 - 12 inclusive, 14 & 18, T10N, R5W, MDB&M.
Sections 1 - 5 inclusive, 8 - 17 inclusive, & 22, T10N, R6W, MDB&M.
Sections 19, 27, 28, 30, and 31 - 35 inclusive, T11N, R5W, MDB&M.
Sections 24 - 27 inclusive, and 33 - 36 inclusive, T11N, R6W, MDB&M.

Proposed
6,847 acres as described in Exhibit A and as shown on the attached map.

GIVE REASON FOR PROPOSED CHANGE

The Permittee proposes to construct a 2,500 acre-foot Buckhorn Flat Reservoir at the requested point of diversion (POD#25). This Permit will provide 805 acre-feet of storage in Buckhorn Flat Reservoir. The Petitioner is also filing a Petition for Change under Permit 16860C (Application 24296C) in conjunction with this project for the additional 1,695 acre-feet of storage in Buckhorn Flat Reservoir. The remaining 985 acre-feet under this right will be allocated to the existing Detert Reservoir (POD #1) to provide for excess storage capacity that was not covered by prior perfected appropriative rights.

See below for proposed specifications of Buckhorn Flat Reservoir.
PROPOSED BUCKHORN FLAT RESERVOIR

Storage Reservoir

Name: Buckhorn Flat Reservoir
Vertical height from downstream toe of slope to spillway level: 91 feet
Construction material: Earth
Dam length: 1,100 feet
Freeboard Dam height above spillway crest: 6 feet
Approximate surface area when full: 144 acres
Approximate capacity: 2,500 acre-feet
Maximum water depth: 75 feet

Outlet Pipe

Diameter: 36 inches
Length of outlet pipe: 475 feet
Fall (Vertical distance between entrance and exit of outlet pipe): 15 feet
Head (Vertical distance from spillway to outlet pipe in reservoir): 91 feet
Estimated storage below outlet pipe entrance (Dead storage): 25 acre-feet
## EXHIBIT A

**PROPOSED PLACE OF USE**

<table>
<thead>
<tr>
<th>Township</th>
<th>Range</th>
<th>Section</th>
<th>Acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>11N</td>
<td>6W</td>
<td>24</td>
<td>31</td>
</tr>
<tr>
<td>11N</td>
<td>6W</td>
<td>25</td>
<td>211</td>
</tr>
<tr>
<td>11N</td>
<td>6W</td>
<td>26</td>
<td>104</td>
</tr>
<tr>
<td>11N</td>
<td>6W</td>
<td>26 projected</td>
<td>10</td>
</tr>
<tr>
<td>11N</td>
<td>6W</td>
<td>34 projected</td>
<td>153</td>
</tr>
<tr>
<td>11N</td>
<td>6W</td>
<td>35</td>
<td>41</td>
</tr>
<tr>
<td>11N</td>
<td>6W</td>
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</tr>
<tr>
<td>11N</td>
<td>6W</td>
<td>36</td>
<td>264</td>
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<td>11N</td>
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<td>6W</td>
<td>1</td>
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</tr>
<tr>
<td>10N</td>
<td>6W</td>
<td>1 projected</td>
<td>3</td>
</tr>
<tr>
<td>10N</td>
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<tr>
<td>10N</td>
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<tr>
<td>10N</td>
<td>6W</td>
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<td>71</td>
</tr>
<tr>
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<td>6W</td>
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**Total** 6,847
STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
901 P Street, Sacramento
P. O. Box 2000, Sacramento, CA 95812-2000

PETITION FOR CHANGE
ENVIRONMENTAL INFORMATION

(THESE ARE NOT A CEQA DOCUMENT)

AMENDED MARCH 2000

APPLICATION NO. 24297B  PERMIT NO. 16861B  LICENSE NO. 

The following information will aid in the environmental review of your petition as required by the California Environmental Quality Act (CEQA). IN ORDER FOR YOUR PETITION TO BE ACCEPTED AS COMPLETE, ANSWERS TO THE QUESTIONS LISTED BELOW MUST BE COMPLETED TO THE BEST OF YOUR ABILITY. Failure to answer all questions may result in your petition 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. If form WR 1-2 was completed during the application process describe the differences between those conditions and the present conditions.

DESCRIPTION OF CHANGES TO PROJECT

1. Provide a brief description of the proposed changes to your project (CHANGES), including but not limited to type of construction activity, structures existing or to be built, area to be graded or excavated and operational changes.

This permit was inspected for license by SWRCB staff in 1996. It is our understanding that Permit 16861A will be issued a License and that 560 acre-feet has been perfected under this right, and that Continuation Permit 16861B will be issued for 1,790 acre-feet.

The purpose of these Petitions is to provide for the construction of the proposed Buckhorn Flat Reservoir. The proposed capacity of Buckhorn Flat Reservoir is 2,500 acre-feet of which 805 acre-feet will be appropriated under this filing and 1,695 acre-feet under Permit 16860C (Application 24296C).

The Permit presently authorizes storage in Detert Reservoir and the proposed Ink Reservoir. The Ink Reservoir will be abandoned under this right. The remaining 985 acre-feet under this Permit will be allocated to the existing Detert Reservoir to provide for excess storage capacity.

The place of use will increase from 2,760 acres to 6,847 acres pursuant to this Petition (see location on attached map). Of this area, 1,819 acres has been developed in vineyard and irrigated pasture for more than 30 years under other licensed rights. The remaining lands consist of rangeland, oak woodland and grassland and will be planted to vineyard pursuant to the project.

WR 1-4 (10/90)
GOVERNMENTAL REQUIREMENTS

Before a final decision can be made on your petition for change, 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 for your CHANGES by another agency, we must consider it. If one has not been prepared, a determination must be made as to who is responsible for the preparation of the environmental document for your CHANGES. The following questions are to aid us in that determination.

2. Contact your county planning or public works department for the following information:
   (a) Assessor's Parcel No. __________________________
   (b) County Zoning Designation ___ RL- Rural Lands
   (c) Will the county have to issue any permits or approvals for your CHANGES? Yes ___ If yes, check appropriate spaces below:
      ___ Grading Permit, ___ Use Permit, ___ Watercourse Obstruction Permit, ___ Change of Zoning, ___ General Plan Change, ___ Other:
   (d) If any permits have been obtained list permit type and permit number: __________________________
   (e) Person contacted __________________________ Date of contact __________________
       Department Lake Co. Planning Dept Telephone (707) 263-2221
       Napa County Planning Dept (707) 253-4416

3. Are any additional state or federal permits required for your CHANGES? (i.e., Federal Energy Regulatory Commission, U.S. Forest Service, Bureau of Land Management, Soil Conservation Service, Department of Water Resources, Division of Dam Safety, Reclamation Board, Coastal Commission, State Land Commission, etc.) For each agency from which a permit is required provide the following information:
   Permit type ___ Approval of Plans and Specifications
   Person(s) contacted __________________________ Agency ___ Division of Safety of Dams
   Date of contact __________________________ Telephone ( )

4. Have you (if you are a public agency) or any permitting agency prepared any environmental documents for your CHANGES? Yes ___ No
   If so, you must submit a copy of the latest environmental document with this application, including a copy of the notice of determination.
   If not, will any environmental documents be prepared by any permitting agency, or will you be preparing environmental documents for your CHANGES? Yes ___ No If so, explain: Permittee expects that both Lake and Napa Counties will require environmental documents in connection with the proposed reservoir construction and development of vineyard and will act as the Lead Agencies for CEQA compliance. Permittee is conducting botanical and archaeological surveys of the reservoir sites, pipeline routes and proposed place of use.
   Note: When completed, the final environmental document or notice of exemption must be submitted to the Board. Processing of your petition to change cannot proceed until such documents are submitted.

5. Will your CHANGES, 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? No ___ If so, explain: __________________________
   If you answered 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 CHANGES? __________________________
   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 because of the CHANGES? Petitioner is conducting an archeological study of the proposed reservoir site and proposed place of use.

Do you know of any archeological or historic sites located within the general project area? Yes
If so, explain: See SWRCB files for other Magoon Estate, Limited rights.

ENVIRONMENTAL SETTING

7(a). Describe the current land use of the area at the point of water diversion, immediately downstream of the diversion, and at the place where the water is to be used. Attach two sets of photographs of these areas. Date and label photos.

Point of diversion: POD #15 - Bucksnort Creek, POD #25 - Rangeland

Downstream of diversion: Range Land and Developed vineyards

Place of use: Developed vineyards and Improved pasture

(b) Describe the types of existing vegetation at the point of diversion, immediately downstream of the point of diversion, and at the place where the water is to be used. These vegetation types should be shown in the photographs submitted.

Point of diversion: Typical riparian vegetation along streambed and rangeland

Downstream of diversion: Vineyards, pasture, grasslands and trees

Place of Use: Vineyards, pasture, grasslands and trees

8. What changes in the project site and surrounding area will occur or are likely to occur because of the CHANGES and operation of your project? Include in your answer such things as approximate number and size/age of trees to be removed or areas of vegetation/brush removal; area or extent of streambed alteration, trenching, grading, excavation, plowing, or road, dam or building construction; etc. Consider all aspects of your project, including diversion structure, pipelines or ditches, water use, and changes at the place of use.

Changes will include the construction of an 2,500 acre-foot reservoir (Buckhorn Flat at POD#25) which will have an approximate surface area of 144 acres. The reservoir will inundate and require the removal of an undetermined number of oak and other trees and brush. This impact will be addressed in the environmental document. The changes will involve the construction of a new pipeline from POD#8 to Upper Bohn Reservoir and from the relocated POD#15 to Buckhorn Flat Reservoir. All other POD's and facilities are existing. The place of use will increase from 2,760 acres to 6,847 acres pursuant to this Petition (see location on attached map). Of this area, 1,819 acres of the place of use has been planted to vineyard and irrigated pasture for more than 30 years under other licensed rights. The remaining lands to be developed consists of rangeland, oak woodland and grassland and will be planted to vineyard pursuant to this project.
Contact your regional office of the State Department of Fish and Game (DFG) to obtain the information requested in questions 9 through 17 (see page 6 for address and telephone number):

9. Person contacted [Rick Macedo, Fishery Biologist]
   Date of contact [January 1997]  Telephone (707) 928-4369

10. According to the DFG representative, when did or when will a DFG representative visit the project site area? [February 4, 1997]

   What is the name of the DFG representative who made or will make the inspection of the project site area? [Rick Macedo]

11. According to the DFG representative, will your CHANGES require a Streambed Alteration Agreement? [Yes]

12. According to the DFG representative, do any resident or migratory game or non-game fish species occur in the affected stream? [Unknown. Resident fish probably use tributary on occasion.

   If so, what species? [Bucksport Creek proper supports smallmouth bass, Green sunfish, brown bullhead, Sacramento squawfish, and miscellaneous amphibia and reptiles.

   What season of the year do they occur in the stream? [Probably seasonally.

13. According to the DFG representative, do any plants or animals which are (1) federally identified as candidate, threatened, or endangered; (2) state listed as rare, threatened, or endangered; or (3) listed by the DFG Natural Diversity Data Base, occur in the project area? [Unknown. Biological surveys will be required.

   Will they be impacted by the CHANGES? [Unknown.

   If so, identify the species and explain how they will be impacted:

14. Does the DFG representative expect that your CHANGES will have an adverse effect on any resident or migratory fish populations, any wildlife populations, or any rare or endangered plant or animal species? [Unknown. Biological surveys will be required.

   If so, explain:

15. What measures relating to your CHANGES have been proposed by the DFG representative to protect fish, wildlife or endangered or rare species:

   None at this time.

-4-
16. Will you make changes in your project as recommended by DFG?  Yes - within reason
   If not, explain: ________________________________________________________________
   ________________________________________________________________
   ________________________________________________________________

17. If your petition lists wildlife enhancement as a proposed use, describe your wildlife
    enhancement plans under question one above (attach additional pages as necessary).
    According to the DFG representative, do your proposed CHANGES utilize a sound technique
    for the purpose of wildlife enhancement? ________________________________________

EXISTING STORAGE OR DIVERSIONS

18. If you currently have an interest in any other appropriative water projects in the same watershed
    as this project, answer the following additional questions for each project:
    Does the project have fish and wildlife protection requirements?  Yes    If so, list the permit
    number and specific protection requirements for each project:
    Permit 16860A (Application 24296A) - Permit Terms 19 & 20
    Permit 16860B (Application 24296B) - Permit Term 19
    Permit 16860C (Application 24296C) - Permit Term 20
    Permit 16861 (Application 24297) - Permit Term 20

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 5/7/00  Signature  James C. Hanson, Consulting Civil Engineer

MELF.189
APPLICATION NO. * PERMIT NO._______ LICENSE NO. *

* Application 3069  License 2141
Application 4889  License 2142
Application 15706 License 6334
Application 19890 License 10421
Application 29877 License 10422
Application 24297A Continuation Permit 16861A

The following information will aid in the environmental review of your petition as required by the California Environmental Quality Act (CEQA). IN ORDER FOR YOUR PETITION TO BE ACCEPTED AS COMPLETE, ANSWERS TO THE QUESTIONS LISTED BELOW MUST BE COMPLETED TO THE BEST OF YOUR ABILITY. Failure to answer all questions may result in your petition 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. If form WR 1-2 was completed during the application process describe the differences between those conditions and the present conditions.

DESCRIPTION OF CHANGES TO PROJECT

1. Provide a brief description of the proposed changes to your project (CHANGES), including but not limited to type of construction activity, structures existing or to be built, area to be graded or excavated and operational changes.

The Guenoc Ranch is a 23,000 acre agricultural development located within Lake and Napa Counties. The purpose of this Petition is to increase the place of use from 1,538 acres to 6,847 acres. The Petitioner has identified the remaining plantable lands on the property and plans to develop the entire place of use in vineyard. Presently 1,819 acres of land within the Guenoc Ranch are irrigated pursuant to other water rights and are planted to vineyard and permanent pasture. The additional lands that will be added to the place of use consist of rangeland, oak woodland and grassland.

_____________________________________________________

_____________________________________________________

_____________________________________________________

_____________________________________________________

WR 1-4 (10/90)
GOVERNMENTAL REQUIREMENTS

Before a final decision can be made on your petition for change, 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 for your CHANGES by another agency, we must consider it. If one has not been prepared, a determination must be made as to who is responsible for the preparation of the environmental document for your CHANGES. The following questions are to aid us in that determination.

2. Contact your county planning or public works department for the following information:
   (a) Assessor's Parcel No.
   (b) County Zoning Designation ___, RL - Rural Lands
   (c) Will the county have to issue any permits or approvals for your CHANGES? Yes __ If yes, check appropriate spaces below:

   __ Grading Permit, __ Use Permit, __ Watercourse Obstruction Permit, __ Change of Zoning, __ General Plan Change, __ Other:
   (d) If any permits have been obtained list permit type and permit number:

   (e) Person contacted __________________ Date of contact __________________
       Department Lake Co. Planning Dept. Telephone (707) 263-2221
       Napa Co. Planning Dept. (707) 253-4416

3. Are any additional state or federal permits required for your CHANGES? (i.e., Federal Energy Regulatory Commission, U.S. Forest Service, Bureau of Land Management, Soil Conservation Service, Department of Water Resources, Division of Dam Safety, Reclamation Board, Coastal Commission, State Land 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. Have you (if you are a public agency) or any permitting agency prepared any environmental documents for your CHANGES? No __

   If so, you must submit a copy of the latest environmental document with this application, including a copy of the notice of determination.

   If not, will any environmental documents be prepared by any permitting agency, or will you be preparing environmental documents for your CHANGES? Yes __________________ If so, explain:

   Other petitions have been filed under various permits which seek approvals for the construction of Buckhorn Flat Reservoir and the enlargement of Upper Bohn Reservoir. Permittee expects that both Lake & Napa Counties will require environmental documents in connection with the proposed reservoir construction and development of vineyard and will act as the Lead Agencies for CEQA compliance. Permittee is conducting botanical and archaeological surveys of the reservoir sites, pipeline routes and the proposed place of use.

   Note: When completed, the final environmental document or notice of exemption must be submitted to the Board. Processing of your petition to change cannot proceed until such documents are submitted.

5. Will your CHANGES, 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? No __ If so, explain:

   If you answered 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 CHANGES? __________________

   Person contacted __________________ Date of contact __________________

   What method of treatment and disposal will be used? __________________
6. Have any archeological reports been prepared on this project? Will you be preparing an archeological report to satisfy another public agency because of the CHANGES? Petitioner is conducting an archeological study at the proposed reservoir site and place of use.

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

If so, explain: See SWRCB files for other Magoon Estate Ltd. rights.

ENVIRONMENTAL SETTING

7(a). Describe the current land use of the area at the point of water diversion, immediately downstream of the diversion, and at the place where the water is to be used. Attach two sets of photographs of these areas. Date and label photos.

Point of diversion: Existing Reservoirs

Downstream of diversion: Rangeland and Developed vineyards

Place of use: Developed vineyards and improved pasture

(b) Describe the types of existing vegetation at the point of diversion, immediately downstream of the point of diversion, and at the place where the water is to be used. These vegetation types should be shown in the photographs submitted.

Point of diversion: Typical riparian vegetation around perimeter of reservoirs and along streambed.

Downstream of diversion: Vineyards, pasture, grasslands and trees

Place of Use: Vineyards, pasture, grasslands and trees

8. What changes in the project site and surrounding area will occur or are likely to occur because of the CHANGES and operation of your project? Include in your answer such things as approximate number and size/age of trees to be removed or areas of vegetation/brush removal; area or extent of streambed alteration, trenching, grading, excavation, plowing, or road, dam or building construction; etc. Consider all aspects of your project, including diversion structure, pipelines or ditches, water use, and changes at the place of use.

Changes will include the development of the additional place of use. The place of use will increase from 1,538 acres to 6,847 acres pursuant to this Petition (see location on attached map). Presently, 1,819 acres of the place of use has been developed as vineyard and irrigated pasture for more than 30 years under other licensed rights. The majority of the remainder of the proposed place of use is rangeland, oak woodland and grassland and will be planted to vineyard pursuant to this project.
9. Person contacted: Rick Macedo, Fishery Biologist
   Date of contact: January 1997   Telephone: (707) 928-4369

10. According to the DFG representative, when did or when will a DFG representative visit the project site area? February 4, 1997

What is the name of the DFG representative who made or will make the inspection of the project site area? Rick Macedo

11. According to the DFG representative, will your CHANGES require a Streambed Alteration Agreement? Yes

12. According to the DFG representative, do any resident or migratory game or non-game fish species occur in the affected stream? Unknown. Resident fish probably use tributary on occasion.

If so, what species? Bucksnort Creek proper supports smallmouth bass, Green sunfish, brown bullhead, Sacramento squawfish and miscellaneous amphibians and reptiles

What season of the year do they occur in the stream? Probably seasonally

13. According to the DFG representative, do any plants or animals which are (1) federally identified as candidate, threatened, or endangered; (2) state listed as rare, threatened, or endangered; or (3) listed by the DFG Natural Diversity Data Base, occur in the project area? Unknown. Biological surveys will be required.

Will they be impacted by the CHANGES? Unknown

If so, identify the species and explain how they will be impacted:

14. Does the DFG representative expect that your CHANGES will have an adverse effect on any resident or migratory fish populations, any wildlife populations, or any rare or endangered plant or animal species? Unknown. Biological surveys will be required.

If so, explain:

15. What measures relating to your CHANGES have been proposed by the DFG representative to protect fish, wildlife or endangered or rare species: None at this time.

16. Will you make changes in your project as recommended by DFG? Yes - within reason
17. If your petition lists wildlife enhancement as a proposed use, describe your wildlife enhancement plans under question one above (attach additional pages as necessary). According to the DFG representative, do your proposed CHANGES utilize a sound technique for the purpose of wildlife enhancement?

EXISTING STORAGE OR DIVERSSIONS

18. If you currently have an interest in any other appropriative water projects in the same watershed as this project, answer the following additional questions for each project:
- Does the project have fish and wildlife protection requirements? Yes. If so, list the permit number and specific protection requirements for each project:
  - Permit 16860A (Application 24296A) - Permit Terms 19 & 20
  - Permit 16860B (Application 24296B) - Permit Term 19
  - Permit 16860C (Application 24296C) - Permit Term 20
  - Permit 16861 (Application 24297) - Permit Term 20

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 5/17/00 Signature James C. Hanson, Consulting Civil Engineer

MELW.274