State of California
State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. Box 2000, Sacramento, CA 95812-2000
Info: (916) 341-5300, FAX: (916) 341-5400, Web: http://www.waterrights.ca.gov

PETITION FOR CHANGE
(WATER CODE 1700)

Point of Diversion, Place of Use, Purpose of Use
Application 15603 Permit 9746 License 5682 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 N/A
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 Irrigation
Proposed Irrigation, Frost Protection, Recreation & Fire Protection & Steam Heat Control

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)?
Domestic
Heat Control

• GIVE REASON FOR PROPOSED CHANGE: To accurately describe the project as it will be operated,

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

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

SEE FILES OF THE STATE WATER RESOURCES CONTROL BOARD.

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 11/1/2005 at Sacramento, California
Paula J. Whalen Signature(s) (Agent) (916) 441-6850 Telephone No.

NOTE: A $1,000 fee, for each Application listed, made payable to the State Water Resources Control Board and an $850 fee made payable to the Department of Fish and Game must accompany a petition for change.

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://waterrights.ca.gov.

PET-CHG (5-01) Additional copies of this form and water right information can be obtained at www.waterrights.ca.gov.
Attachment to Accompany
Petition for Change in Purpose of Use
Brookfield Investors, LLC
License 5682 (Application 15603)

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<td>Township</td>
<td>Range</td>
<td>B. &amp; M.</td>
<td>Acres</td>
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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.

☐ See Attachment No. 1
2. COUNTY PERMITS
   a. Contact your county planning or public works department and provide the following information:

   Person contacted: Sonoma County Date of contact: 9/15/05

   Department: Planning Department Telephone: (707) 565-1900


   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:

<table>
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<tr>
<th>AGENCY</th>
<th>PERMIT TYPE</th>
<th>PERSON(S) CONTACTED</th>
<th>CONTACT DATE</th>
<th>TELEPHONE NO.</th>
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   ☑ 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: ____________________________________________________________
   ____________________________________________________________
   ____________________________________________________________
   ____________________________________________________________
   ____________________________________________________________
   ____________________________________________________________
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   ____________________________________________________________
   ____________________________________________________________

   ☑ 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. 3 - A portion of the archaeological survey is being provided.

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: 11/1/05

Signature: Paula J. Whealen, Agent
1. Description of proposed changes or work relating to be completed.

The Petitioner proposes to increase the place of use and add purposes of use to License 5682. The proposed place of use will be a combination of agricultural and residential uses. Use will include irrigation, forts protection and heat control of proposed vineyards and for irrigation of lawns and garden areas at eight homesites. The homesites have been approved by a resolution of the Planning Commission - County of Sonoma - 05-017 dated May 5, 2005. The existing 30 acre place of use, previously planted to orchards, will be converted to vineyard. The existing and proposed place of use is shown on the attached map.

The amount of water to be used on the proposed 187 acre place of use will not exceed the 133 acre-feet authorized pursuant to License 5682. Petitioner also seeks to add frost protection and heat control as purposes of use, and recreation and fire protection as incidental uses at the reservoir. The additional place of use consists of cleared grasslands and tree areas (see photos). The trees located within the boundary of the place of use are not proposed to be removed pursuant to this Petition for Change.

The existing reservoir named in License 5682 was built in 1954 and is under the jurisdiction of the Division of Safety of Dams (No. 1427) and will not be changed. The proposed place of use and associated water service and transmission systems will need to be developed pursuant to this petition.