



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

AUG 07 2012

In Reply Refer to:
JO:A030737

Paul and Betty Woolls Trust
c/o Ms. Betty O'Shaughnessy (Trustee)
P.O. Box 923
Anguin, CA 94508

Dear Ms. O'Shaughnessy:

WITHDRAWAL OF ADMINISTRATIVE CIVIL LIABILITY COMPLAINT FOR FAILURE TO FILE STATEMENT OF WATER DIVERSION AND USE OF UNNAMED STREAMS TRIBUTARY TO WING CANYON IN NAPA COUNTY

On April 19, 2012, the State Water Resources Control Board (State Water Board), Division of Water Rights (Division) issued an Administrative Civil Liability (ACL) Complaint to Betty and Paul Woolls Trust and Betty O'Shaughnessy (Trustee) dba O'Shaughnessy Winery (O'Shaughnessy) for failure to file the required Statement(s) of Water Diversion and Use (Statement). You had 20 days from receipt of the ACL Complaint to act or face imposition of a \$2,000 liability. You also had 30 days from receipt of the ACL Complaint to file the required Statement(s).

By e-mail dated April 25, 2012, Mr. Alan Peirson, Director of Viticulture for O'Shaughnessy, requested a hearing for the ACL. In his e-mail, Mr. Peirson also enclosed copies of two Statements that he believed were filed with the State Water Board for the points of diversion covered by Application 30737. These points of diversion were identified in the ACL Complaint. In July 2012, Division staff of the Statement Unit found the above Statements were indeed received by the Division on July 2, 2010.

As a result of this new information, the Division's Prosecution Team hereby withdraws the ACL Complaint issued on April 19, 2012 and will take no further action regarding the ACL. As a result, a hearing before the State Water Board is not necessary. No response from you is necessary. If you wish to provide one, please mail it to:

State Water Resources Control Board
Division of Water Rights
Attn: Enforcement Section
P.O. Box 2000
Sacramento, CA 95812-2000

CHARLES R. HOPPIN, CHAIRMAN | THOMAS HOWARD, EXECUTIVE DIRECTOR

Paul and Betty Woolls Trust
c/o Ms. Betty O'Shaughnessy (Trustee)

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If you have any questions, please contact one of the following:

John O'Hagan, Manager of the Enforcement Section, at (916) 341-5368 or via e-mail at johagan@waterboards.ca.gov, or
Ellen Howard, Staff Counsel, Office of Enforcement, at (916) 341-5677 or via e-mail at EHoward@waterboards.ca.gov.

Sincerely,



James W. Kassel, Assistant Deputy Director
Division of Water Rights

cc: O'Shaughnessy Winery
670 Oakville Crossroads
Napa, CA 94562

Napa Valley Vineyard Engineering, Inc.
Agent of Record:
David L. Aspegren or Diane Willson
176 Main Street, Suite B
Saint Helena, CA 94574

ec: Andy Sawyer, Assistant Chief Counsel
State Water Resources Control Board
Office of Chief Counsel

Ellen Howard, Staff Counsel
State Water Resources Control Board
Office of Enforcement

Michael Buckman
Division of Water Rights

State Water Resources Control Board
Division of Water Rights
Attn: Enforcement Section
P.O. Box 2000
Sacramento, CA 95812-2000