STATE OF CALIFORNIA
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

In the Matter of Minor Change Request

Stags Leap Wine Cellars LLC

ORDER APPROVING A MINOR CHANGE TO LICENSE 13152 (Application 24456A)

SOURCE: Unnamed Stream

COUNTY: Napa

WHEREAS:

1. The State Water Resources Control Board (State Water Board), Division of Water Rights (Division) issued water right License 13152 to Austin E. Hills on May 24, 1995, pursuant to Application 24456A, with a priority date of September 7, 1973. License 13152 was subsequently assigned to Stags Leap Wine Cellars LLC (Petitioner) on September 4, 2025.

2. License 13152 (Application 24456A) allows a maximum diversion of 41 acre-feet per annum to be collected from November 1 to May 15 of each year from an Unnamed Stream tributary to Sarco Creek thence Milliken Creek in Napa County. The maximum withdrawal in any one year shall not exceed 41 acre-feet.

3. The predecessor to Stags Leap Wine Cellar LLC filed a Petition for Change with the Division on May 10, 2018. The petition proposed to increase the authorized place of use for License 13152 from 80 acres to 84 acres.

4. The petition was noticed as a Minor Change Request on May 7, 2021. A comment was received from the California Department of Fish and Wildlife (CDFW) on May 24, 2021, stating a Lake and Streambed Alteration Agreement may be required for certain in-stream activities pursuant to Section 1602 of the Fish and Game code. CDFW also noted that maintaining sufficient instream flows are also required pursuant to Section 5937 of the Fish and Game code.

5. Pursuant to Water Code Section 1700.6, the State Water Board may make a minor change to a permit or license without requiring the filing of a petition for

change if the State Water Board finds all of the following:

- The change involves a minor adjustment of the point of diversion, place of use, or purpose of use.
- The change will not result in an increase in consumptive use.
- The change does not have the potential to adversely affect the water supply of other legal users of water or instream beneficial uses.

6. The proposed changes meet the requirements provided by Water Code section 1700.6. The change involves a minor adjustment in the place of use, will not result in an increase in consumptive use, and do not have the potential to adversely affect the water supply of other legal users of water or instream beneficial use.

7. The additional 4 acres were developed in 2000, 2001 and 2016 pursuant to a Napa County Erosion Control Plan. By letter dated November 6, 2001, the County of Napa determined that the underlying project, consisting of removal of vegetation, recontouring the site, and the planting and growing of vines has no potential to significantly affect the environment. The County of Napa classified the project as categorically exempt from CEQA under a Class 4 minor alterations to land exemption. The November 6, 2001 letter indicates a Notice of Exemption was filed that day.

8. In addition to any obligation the State Water Board may have under CEQA, the State Water Board has an independent obligation to consider the effect of the proposed changes on public trust resources and to protect those resources where feasible. (National Audubon Society v. Superior Court (1983) 33 Cal.3d 419.) There is no evidence that the Minor Change Request will have any adverse impacts on public trust resources.

9. Pursuant to Resolution No. 2012-0029, the State Water Board has delegated authority to the Deputy Director for Water Rights (Deputy Director) to administer the duties required under CEQA and make minor changes to applications, permits, or licenses. By memorandum dated April 20, 2023, the Deputy Director has redelegated the authority.

THEREFORE, IT IS ORDERED THAT THE REQUEST TO MAKE A MINOR CHANGE TO LICENSE 13152 IS APPROVED AND LICENSE 13152 IS AMENDED AS FOLLOWS:

The description of the lands or the place where such water is put to beneficial use is as follows:

Recreational and Fire Protection uses at Lake Hills within West half of Southwest quarter of projected Section 30, Township 6 North, Range 3 West, Mount Diablo Base and Meridian, and Irrigation, Frost Protection and Heat Control as follows:

4 acres within Southeast quarter of Southwest quarter of Section 30, Township 6 North, Range 3 West, Mount Diablo Base and Meridian;

1 acre within Northeast quarter of Southwest quarter of Section 30, Township 6 North, Range 3 West, Mount Diablo Base and Meridian;

17 acres within Northwest quarter of Southeast quarter of Section 30, Township 6 North, Range 3 West, Mount Diablo Base and Meridian;

23 acres within Southwest quarter of Southwest quarter of Section 30, Township 6 North, Range 3 West, Mount Diablo Base and Meridian;

5 acres within Northwest quarter of Northwest quarter of Section 31, Township 6 North, Range 3 West, Mount Diablo Base and Meridian;

9 acres within Northeast quarter of Southeast quarter of Section 25, Township 6 North, Range 4 West, Mount Diablo Base and Meridian;

22 acres within Southeast quarter of Southeast quarter of Section 25, Township 6 North, Range 4 West, Mount Diablo Base and Meridian;

3 acres within Northeast quarter of Northeast quarter of Section 36, Township 6 North, Range 4 West, Mount Diablo Base and Meridian.

84 acres total, as shown on map on file with State Water Resources Control Board.

STATE WATER RESOURCES CONTROL BOARD

ORIGINAL SIGNED BY

Juliet Christian-Smith, Deputy Director
Division of Water Rights

Dated: November 17, 2026