

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

DIVISION OF WATER RIGHTS

In the Matter of Water Right Application A030290

Brian R. White

ORDER APPROVING MINOR CHANGE TO APPLICATION

SOURCE: (1) Unnamed Stream tributary to McNab Creek thence the Russian River
thence the Pacific Ocean

(2) Russian River tributary to the Pacific Ocean

COUNTY: Mendocino

WHEREAS:

1. On October 12, 1993, Brian R. White (applicant) filed water right application A030290 with the State Water Resources Control Board (State Water Board or Board), Division of Water Rights (Division) to appropriate water from the Russian River stream system in Mendocino County.
2. The application was publicly noticed on July 29, 1994. In response, three protests were filed as follows: by Salmon Unlimited on August 19, 1994, jointly by Trout Unlimited and United Anglers of California on September 1, 1994, and by the California Department of Fish and Wildlife on September 7, 1994.
3. On May 27, 2025, the applicant initiated a minor change to modify Application A030290 as follows:
 - a. Remove the Unnamed Stream as a source of water.
 - b. Remove diversion via onstream dam as a method of diversion.
 - c. Reduce the season of diversion from November 1 through April 30 of the following year to December 15 to March 31 of the following year.
 - d. Change the points associated with the application by:
 - i. Updating Point 1 (Onstream Dam) to remove diversion from the Unnamed Stream tributary to McNab Creek thence the Russian River at the onstream dam, and

- ii. Updating Point 2 (Offset Well) for mapping accuracy by revising the quarter-quarter section to the Northeast quarter of the Southwest quarter of projected section 25, Township 14 South, Range 12 East, Mount Diablo Base and Meridian.
- 4. On November 10, 2025, the State Water Board provided notice and an opportunity to provide comments regarding the minor change to the applicant, the protestants, and other interested parties. One comment was received from Sonoma Water. The comment raises concerns regarding water availability, injury to Sonoma Water's water rights and water supplies, and monitoring and reporting. In light of these concerns, the comment requests that a minimum bypass flow term, the general measurement term, and standard terms 80 and 90A be included in any permit issued on the subject application. The comment raises concerns related to application A030290, rather than the requested minor change, and therefore no modifications to the minor change will be made as a result of the comment.
- 5. The State Water Board may make a minor change to an application without requiring the filing of a petition for change if the Board finds all of the following:
 - a. The change does not enlarge or increase the authorized rate, amount, or season of diversion.
 - b. The change does not increase the total area subject to inundation by water diverted to storage or the area where facilities will be constructed.
 - c. The change is not substantial or constitutes a reduction, agreed to by the applicant, in the authorized diversion, affected area, or other feature of the application.
 - d. The change does not have the potential to adversely affect the water supply of other legal users of water or instream beneficial uses.

(Wat. Code, § 1700.4.)

- 6. The proposed changes will not enlarge or increase the authorized rate, amount, or season of diversion. The season of diversion will be reduced from November 1 through April 30 to December 15 through March 31. The diversion amount will not change however all diversion of water from the unnamed stream will be removed.
- 7. The proposed changes will not increase the total area subject to inundation by water diverted to storage or the area where facilities will be constructed. The diversion facilities, place of use, and reservoir location and size will not change. The total area subject to inundation and the areas facilities are located will not change. While diversion from the unnamed stream at point 1 (Onstream Dam)

will be removed, the reservoir will remain a place of storage for water diverted at POD 2 (Offset Well).

8. The proposed changes are not substantial or constitute a reduction, agreed to by the applicant, in the authorized diversion, affected area, or other feature of the application. The amount of water and place of use will not change. The Unnamed Stream will be removed as a source of water and diversion to onstream storage will be removed as a method of diversion. The point of diversion associated with Point 1 (Onstream Dam) will be removed. The season of diversion will be reduced to December 15 through March 31 of the following year.
9. The proposed changes do not have the potential to adversely affect the water supply of other legal users of water or instream beneficial uses. The changes above include a reduction in season of diversion and removal of a source and diversion method. The amount and rate of diversion from the mainstem Russian River will not change. As such, the changes do not have the potential to adversely affect the water supply of other legal users or instream beneficial uses.
10. Pursuant to Resolution 2012-0061, the State Water Board has delegated the authority to conduct and supervise the activities of the State Water Board to the Executive Director. By memorandum dated April 28, 2022, the Executive Director has redelegated the authority to act on minor changes to the Deputy Director for Water Rights. The Deputy Director for Water Rights has further redelegated this authority pursuant to a memorandum dated April 20, 2023.

NOW, THEREFORE, IT IS ORDERED:

1. The minor change to the application is approved.
2. The Unnamed Stream tributary to McNab Creek thence the Russian River thence the Pacific Ocean is removed as a source of water.
3. Diversion via onstream dam is removed as a method of diversion.
4. The season of diversion is changed to December 15 through March 31.
5. The PODs are changed as follows:
 - a. Diversion from the unnamed stream at Point 1 (Onstream Dam) is removed.
 - b. The location of Point 2 (Offset Well) is updated for mapping accuracy to North 2,144,191 feet and East 6,239,561 feet by California Coordinate System, Zone 2, North American Datum 1983, within the Southwest quarter of the Northeast quarter of Section 25, Township 14 South, Range 12 East, Mount Diablo Base and Meridian.

STATE WATER RESOURCES CONTROL BOARD

ORIGINAL SIGNED BY

KATY LEE, FOR

Juliet Christian-Smith, Deputy Director
Division of Water Rights

Dated: December 12, 2025