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

S007748

2006, 2007, 2008

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FORM

Owner(s) of Record:
NAPACON VINEYARDS

Notifying the Division of Water Rights of ownership or address changes is the responsibility of the claimant

Please Complete and Return This Form by JULY 1, 2009

Primary Contact:
~~Napa Valley Vineyard Engineering, Inc.~~
~~176 Main St Ste B~~
~~St Helena, CA 94574~~

Phone No. ~~707-963-4927~~
Fax No.
E-mail Address:

Agent: Hall Wines
Address: Attn: Don Munk
401 St. Helena Hwy S.
St. Helena CA 94574
Phone No. 707 967 2632
Fax No. 707 967 2634
E-mail Address: Dmunk@Hallwines.com

Source Name: DRY CREEK
Tributary To:
County: Napa
Diversion within: SW 1/4 of SW 1/4 Section 9, T 6 N, R 4 W, MDB&M

Year of First Use: 1965
Name of Diversion works:
Assessor Parcel Number of the Diversion site:

2009 JUL 27 AM 10:26
DIV. OF WATER RIGHTS SACRAMENTO
STATE WATER RESOURCES CONTROL BOARD

A. **Water is Used Under:** Riparian claim ✓ Pre-1914 claim ____ Court Decree No.: _____ Other (explain): _____

B. **Year of First Use:** (Please provide if missing in the Division of Rights database (ewrims)) _____

C. **Rate of Diversion:** The rate of diversion of water for each month used and entered in the table below is shown in units of:
Gallons per minute (gpm) Ø Gallons per day (gpd) Ø Cubic feet per second (cfs) Ø

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Average Rate
2006													Ø
2007													Ø
2008													Ø

D. **Quantity of Water Used:** The quantity of water used each month and entered in the table below is shown in units of:
Gallons _____ Million Gallons (MG) _____ Acre-feet (AF) _____

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
2006													Ø
2007													Ø
2008													Ø

E. **Purpose of Use** – Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation _____ acres; Stockwatering _____; Domestic _____;
Other (specify) Frost Protection

Parcel Number(s) of Place of Use: _____

F. **Changes in Method of Diversion** – Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)
Diversion was removed in 2007

G. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES ✓ NO ___
Describe any water conservation efforts you have initiated: We Have substituted some overhead sprinkler frost Protection to Wind Machine frost protection

b. If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved:

Reduction in Diversions:
~~Year 06 100% (AF/MG) Year 07 100% (AF/MG) Year 08 100% (AF/MG)~~

EWRIMS/CM 9/24/09

Reduction in consumptive use:
Year ~~96~~ ~~44~~ (AF/MG) Year ~~97~~ ~~42~~ (AF/MG) Year ~~99~~ ~~34~~ (AF/MG)

I have data to support the above surface water use reductions due to conservation efforts. YES ~~X~~ NO _____

2. Water quality and wastewater reclamation

   a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES ____ NO ____.

   b. If you are claiming credit due to the substitution of reclaimed water, desalinated water or polluted water in lieu of a claimed pre-1914 appropriative right under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of substitute water supply used:

   Amount of reduced diversion:
   Year _____ _____ (AF/MG) Year _____ _____ (AF/MG) Year _____ _____ (AF/MG)

   State the type of substitute water supply: _____

   Amount of substitute water supply used:
   Year _____ _____ (AF/MG) Year _____ _____ (AF/MG) Year _____ _____ (AF/MG)
   I have data to support the above surface water use reductions due to the use of a substitute water supply. YES _____ NO _____.

3. Conjunctive use of surface water and groundwater

   a. Are you now using groundwater in lieu of surface water? YES ~~X~~ NO _____.

   b. If you are claiming credit due to the substitution of groundwater for a claimed pre-1914 appropriative right under section 1011.5 of the Water Code, please show the amounts of groundwater used:
   Year 96 40 (AF/MG) Year 96 40 (AF/MG) Year 08 40 (AF/MG)
   I have data to support the above surface water use reductions due to the use of groundwater. YES _____ NO ~~X~~.

I understand that it may be necessary to document the water savings claimed in "F" above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: 7/23, 2009 at 13:29 Pacific Standard Time, California

SIGNATURE: [signature]

PRINTED NAME: Don Munk
(first name) (middle initial) (last name)

COMPANY NAME: Hall Wines

If there is insufficient space for your answers, please use the space provided below or add an attachment sheet.

ITEM CONTINUATION

_____ _____

_____ _____

_____ _____

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. After the formation of the California Water Commission back on December 19, 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.