STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD

# DIVISION OF WATER RIGHTS

## ORDER

APPLICATION 22929 PERMIT 15911 LICENSE 10591

ORDER ALLOWING CHANGE IN PLACE OF USE

WHEREAS:

1. Petition for change in place of use under License 10591 has been filed with the State Water Resources Control Board and said Board has determined that good cause for such change has been shown.

2. License 10591 was issued to Sonoma Vineyards Inc. and was filed with the County Recorder of Sonoma County on March 16, 1976.

3. The Board has determined that this change in place of use will not operate to the injury of any other legal user of water involved.

NOW, THEREFORE, IT IS ORDERED THAT:

That permission is hereby granted to change the place of use under said License 10591 to a place of use described as follows:

A net area of 23 acres within a gross area of 41 acres as follows:

15 ACRES WITHIN SW¼ OF SW¼ OF SECTION 15, T10N, R10W, MDB&M
5 ACRES WITHIN SE¼ OF SE¼ OF SECTION 16, T10N, R10W, MDB&M
6 ACRES WITHIN NE¼ OF NE¼ OF SECTION 21, T10N, R10W, MDB&M
15 ACRES WITHIN NW¼ OF NW¼ OF SECTION 22, T10N, R10W, MDB&M
41 ACRES TOTAL

Dated: SEPTEMBER 25 1978

Clint Whitney, Executive Director
Water Rights and Administration

STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

# License for Diversion and Use of Water

APPLICATION 22929 PERMIT 15911 LICENSE 10591

(over)

THIS IS TO CERTIFY, *That* SONOMA VINEYARDS, INC.
P. O. BOX 368, WINDSOR, CALIFORNIA 95492

HAS *made proof as of* SEPTEMBER 20, 1973 *(the date of inspection) to the satisfaction of the State Water Resources Control Board of a right to the use of the water of* DRY CREEK UNDERFLOW IN SONOMA COUNTY

*tributary to* RUSSIAN RIVER

*for the purpose of* IRRIGATION USE
*under Permit* 15911 *of the Board and that the right to the use of this water has been perfected in accordance with the laws of California, the Regulations of the Board and the permit terms; that the priority of this right dates from* OCTOBER 13, 1967 *and that the amount of water to which this right is entitled and hereby confirmed is limited to the amount actually beneficially used for the stated purposes and shall not exceed* THIRTEEN-HUNDREDTHS (0.13) CUBIC FOOT PER SECOND, TO BE DIVERTED FROM MAY 1 TO NOVEMBER 30 OF EACH YEAR. THE EQUIVALENT OF SUCH CONTINUOUS FLOW ALLOWANCE FOR ANY 30-DAY PERIOD MAY BE DIVERTED IN A SHORTER TIME IF THERE IS NO INTERFERENCE WITH OTHER VESTED RIGHTS. THE MAXIMUM AMOUNT DIVERTED UNDER THIS LICENSE SHALL NOT EXCEED 39 ACRE-FEET PER YEAR.

THE POINT OF DIVERSION OF SUCH WATER IS LOCATED:

SOUTH 450 FEET AND WEST 250 FEET FROM NE CORNER OF PROJECTED SECTION 21, T10N, R10W, MDB&M, BEING WITHIN NE1/4 OF NE1/4 OF SAID SECTION 21.

A DESCRIPTION OF LANDS OR THE PLACE WHERE
SUCH WATER IS PUT TO BENEFICIAL USE IS AS FOLLOWS:

11 ACRES WITHIN SW1/4 OF SW1/4 OF SECTION 15, T10N, R10W, MDB&M
5 ACRES WITHIN SE1/4 OF SE1/4 OF SECTION 16, T10N, R10W, MDB&M
6 ACRES WITHIN NE1/4 OF NE1/4 OF SECTION 21, T10N, R10W, MDB&M
1 ACRE WITHIN NW1/4 OF NW1/4 OF SECTION 22, T10N, R10W, MDB&M

23 ACRES TOTAL

THE ISSUANCE OF THIS LICENSE SHALL NOT BE CONSTRUED AS PLACING A LIMITATIO

THE STATE WATER RESOURCES CONTROL BOARD RESERVES JURISDICTION OVER THIS LICENSE FOR THE PURPOSES OF CONFORMING REQUIREMENTS FOR THE PROTECTION OF THE FISHERIES RESOURCES TO THOSE THAT MAY BE ESTABLISHED FOR CONDITIONS PREVAILING AFTER THE WARM SPRINGS DAM PROJECT IS IN OPERATION. SUCH JURISDICTION SHALL BE EXERCISED ONLY AFTER NOTICE TO INTERESTED PARTIES AND OPPORTUNITY FOR THEM TO BE HEARD.

THE QUANTITY OF WATER DIVERTED UNDER THIS LICENSE IS SUBJECT TO MODIFICATION BY THE STATE WATER RESOURCES CONTROL BOARD, IF, AFTER NOTICE TO THE LICENSEE AND AN OPPORTUNITY FOR HEARING, THE BOARD FINDS THAT SUCH MODIFICATION IS NECESSARY TO MEET WATER QUALITY OBJECTIVES IN WATER QUALITY CONTROL PLANS WHICH HAVE BEEN OR HEREAFTER MAY BE ESTABLISHED OR MODIFIED PURSUANT TO DIVISION 7 OF THE WATER CODE. NO ACTION WILL BE TAKEN PURSUANT TO THIS PARAGRAPH UNLESS THE BOARD FINDS THAT (1) ADEQUATE WASTE DISCHARGE REQUIREMENTS HAVE BEEN PRESCRIBED AND ARE IN EFFECT WITH RESPECT TO ALL WASTE DISCHARGES WHICH HAVE ANY SUBSTANTIAL EFFECT UPON WATER QUALITY IN THE AREA INVOLVED, AND (2) THE WATER QUALITY OBJECTIVES CANNOT BE ACHIEVED SOLELY THROUGH THE CONTROL OF WASTE DISCHARGES.

*Licensee shall allow representatives of the Board and other parties, as may be authorized from time to time by the Board, reasonable access to project works to determine compliance with the terms of this license.*

*All rights and privileges under this license, including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.*

*[illegible]*

*Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time to time by the Board.*

*The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein specified and to the lands or place of use herein described.*

*This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:*

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the Board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting