

Place
of Use: Irrigation of 20 acres within the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of projected
Section 31, T5N, R4W, MDB&M. Stockwatering and Wildlife
Enhancement at the reservoir within the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of
projected Section 31, T5N, R4W, MDB&M.

Permit 18737B (Application 26823B)

Owner: Doug Shafer and Elizabeth Shafer Cafaro

Source: An unnamed stream tributary to Mud Slough thence Napa River in
Napa County.

Purpose: Irrigation, Stockwatering, and Wildlife Enhancement

Amount: 24 acre-feet

Season: October 31 of each year to May 31 of the succeeding year.

Point of
Diversion: California Coordinate System, Zone 2, N 210,750 and
E 1,900,950, being within the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of projected
Section 30, T5N, R4W, MDB&M.

Place
of Use: Irrigation of 76 acres described as follows:

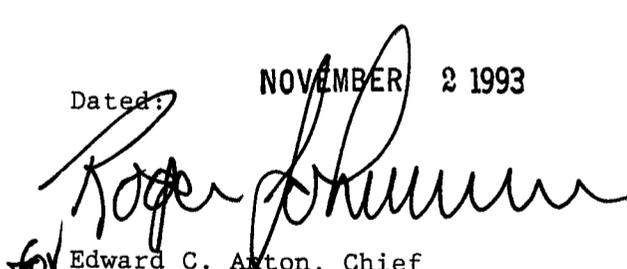
25 acres within SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 25, T5N, R5W, MDB&M,
5 acres within NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 25, T5N, R5W, MDB&M,
3 acres within NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 36, T5N, R5W, MDB&M,
30 acres within SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 30, T5N, R4W, MDB&M,
12 acres within SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 30, T5N, R4W, MDB&M,
1 acre within NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 31, T5N, R4W, MDB&M,

Stockwatering and Wildlife Enhancement at the reservoir within
SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of projected Section 30, T5N, R4W, MDB&M.

6. Permit 18737A and 18737B contain all other terms and conditions presently
in Permit 18737 or as updated to present Board policy.

Dated:

NOVEMBER 2 1993


Edward C. Anton, Chief
Division of Water Rights

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

ORDER

APPLICATION 26823 PERMIT 18737 LICENSE _____

ORDER TO CHANGE THE PLACE OF USE

WHEREAS:

1. Permit 18737 was issued to John E. Ahmann and Judy Ann Ahmann on February 7, 1983 pursuant to Application 26823.
2. Permit 18737 was subsequently assigned to John E. Ahmann and Judy Ann Ahmann, Doug Shafer and Elizabeth Shafer Cafaro.
3. A petition to change the place of use, has been filed with the State Water Resources Control Board.
4. The Board has determined that the petitioned change does not constitute the initiation of a new right nor operated to the injury of any other lawful user of water.
5. As a result of an environmental review of the project, the permittee agreed to special conditions being added to the permit requiring the permittee to plant trees and shrub along the shoreline of the storage reservoir.

NOW, THEREFORE, IT IS ORDERED THAT:

1. Paragraph 4 of this permit regarding the place of use is amended as follows:

25 acres within the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 25, T5N, R5W, MDB&M,
5 acres within the NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 25, T5N, R5W, MDB&M,
3 acres within the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 36, T5N, R5W, MDB&M,
30 acres within the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 30, T5N, R4W, MDB&M,
12 acres within the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 30, T5N, R4W, MDB&M,
1 acre within the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 31, T5N, R4W, MDB&M, and
20 acres within the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 31, T5N, R4W, MDB&M.

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

2. Condition 14 is added to this permit as follows:

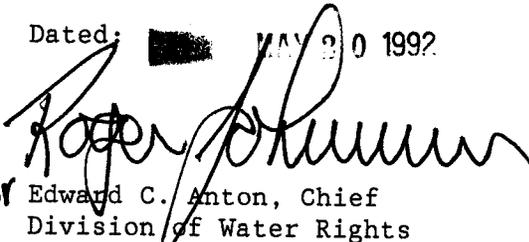
For the protection of fish and wildlife, permittee shall plant a minimum of one tree and two shrubs for every 15 feet of shoreline of the existing storage reservoir as measured at the high water mark. Such trees and shrubs must be consistent with those found within the area and shall be approved by the California Department of Fish and Game prior to furnishing and planting by permittee. Trees and shrubs shall be of at least five-gallon size and one-gallon size respectively, and shall be planted within hundred yards of the shoreline.

The trees shall be planted within one year after the issuance of the change petition and shall be maintained such that 75 percent of the trees will have survived after three years. Trees may be planted in groves to maximize wildlife benefits. Cattails and bulrushes, if established naturally, shall be retained by permittee along the perimeter of the reservoir to provide wildlife habitat.

After completion of the tree planting program, photo documentation showing the trees and the reservoir shall be submitted to the Chief of the Division of Water Rights.

(0400500)

Dated:  MAY 20 1992


for Edward C. Anton, Chief
Division of Water Rights

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

ORDER

APPLICATION 26823

PERMIT 18737

LICENSE _____

ORDER TO ADD A POINT OF DIVERSION

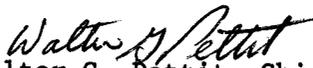
1. Permit 18737 was issued to John E. Ahmann and Judy Ann Ahmann on February 7, 1983 pursuant to Application 26823.
2. Permit 18737 was subsequently assigned to John E. Ahmann, Judy Ann Ahmann, Doug Shafer and Elizabeth Shafer Cafaro.
3. A petition to add a point of diversion on an unnamed stream tributary to Mud Creek and for the redistribution of storage has been filed with the State Water Resources Control Board.
4. The Board has determined that the petitioned changes do not constitute the initiation of a new right nor operate to the injury of any other lawful user of water.

NOW, THEREFORE, IT IS ORDERED THAT:

1. Paragraph 2 of this permit regarding points of diversion be amended to read:
 - 1) South 950 feet and East 2,600 feet from NW corner of projected Section 31, T5N, R4W, MDB&M, being within the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 31. It is also described in California Coordinate System, Zone 2, N 209,800 and E 1,901,400, and
 - 2) California Coordinate System, Zone 2, N 210,750 and E 1,900,950, being within the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of projected Section 30, T5N, R4W, MDB&M.
2. Permission is hereby granted under this permit to change the distribution of storage as follows:

24 ACRE-FEET TO BE STORED AT RESERVOIR NO. 1
24 ACRE-FEET TO BE STORED AT RESERVOIR NO. 2

Dated: AUGUST 22 1989


Walter G. Pettit, Chief
Division of Water Rights

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

ORDER

APPLICATION 26823

PERMIT 18737

LICENSE _____

ORDER APPROVING A NEW DEVELOPMENT SCHEDULE
AND AMENDING THE PERMIT

WHEREAS:

1. Permit 18737 was issued to John E. Ahmann and Judy Ann Ahmann on February 7, 1983 pursuant to Application 26823.
2. A petition for extension of time within which to develop the project and apply the water to the proposed use has been filed with the State Water Resources Control Board.
3. The permittee has proceeded with diligence and good cause has been shown for extension of time.
4. Permit condition 11 pertaining to the continuing authority of the Board should be updated to conform to standard permit term 12 as contained in Section 780(a), Title 23, California Code of Regulations.

NOW, THEREFORE, IT IS ORDERED THAT:

1. Condition 7 of the permit be amended to read:

CONSTRUCTION WORK SHALL BE
COMPLETED ON OR BEFORE

December 31, 1989 (000008)

2. Condition 8 of the permit be amended to read:

COMPLETE APPLICATION OF THE
WATER TO THE PROPOSED USE
SHALL BE MADE ON OR BEFORE

December 31, 1990 (000009)

3. Condition 11 of the permit be amended to read:

Pursuant to California Water Code Sections 100 and 275, and the common law public trust doctrine, all rights and privileges under this permit and under any license issued pursuant thereto, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this permit with a view to eliminating waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to: (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic

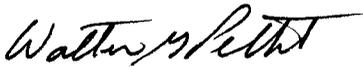
Permit 18737 (Application 26823)

growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

The continuing authority of the Board also may be exercised by imposing further limitations on the diversion and use of water by the permittee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution Article X, Section 2; is consistent with the public interest and is necessary to preserve or restore the uses protected by the public trust.

(0000012)

Dated: **JUNE 17 1988**


Walter G. Pettit, Chief
Division of Water Rights

5. The water appropriated shall be limited to the quantity which can be beneficially used and shall not exceed 48 acre-feet per annum to be collected from October 31 of each year to May 31 of the succeeding year. (000005)

This permit does not authorize collection of water to storage outside of the specified season to offset evaporation and seepage losses or for any other purpose. (000005)

6. The amount authorized for appropriation may be reduced in the license if investigation warrants. (000006)

7. Construction work shall be completed by December 1, 1986. (000008)

8. Complete application of the water to the authorized use shall be made by December 1, 1987. (000009)

9. Progress reports shall be submitted promptly by permittee when requested by the State Water Resources Control Board until license is issued. (000010)

10. Permittee shall allow representatives of the State Water Resources Control Board and other parties as may be authorized from time to time by said Board, reasonable access to project works to determine compliance with the terms of this permit. (000011)

11. Pursuant to California Water Code Sections 100 and 275, all rights and privileges under this permit and under any license issued pursuant thereto, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable methods of use, or unreasonable method of diversion of said water.

The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this permit with a view to minimizing waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee may be required to implement such programs as (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation. (000012)

12. The quantity of water diverted under this permit and under any license issued pursuant thereto is subject to modification by the State Water Resources Control Board if, after notice to the permittee 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. (000013)

13. Permittee shall install and maintain an outlet pipe of adequate capacity in his dam as near as practicable to the bottom of the natural stream channel, or provide other means satisfactory to the State Water Resources Control Board, in order that water entering the reservoir which is not authorized for appropriation under this permit may be released.

(0050043)

#18737

A 26823

7-8-88

Partial assignment to Roy Shaker and Elizabeth Shaker Casaro

This permit is issued and permittee takes it subject to the following provisions of the Water Code:

Section 1390. A permit 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 1391. Every permit 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 permit is issued takes it subject to the conditions therein expressed.

Section 1392. Every permittee, if he accepts a permit, 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 permit 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 permittee 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 permittee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Dated: FEBRUARY 7 1983

STATE WATER RESOURCES CONTROL BOARD

L. D. Johnson
for Chief, Division of Water Rights