

Plotted DEC
14/11/13

State of California
State Water Resources Control Board
DIVISION OF WATER RIGHTS

1001 I Street, 14th Floor, Sacramento, CA 95814
P.O. Box 2000, Sacramento, CA 95812-2000

Info: (916) 341-5300, Fax: (916) 341-5431, www.waterboards.ca.gov/waterrights

INITIAL STATEMENT OF WATER DIVERSION AND USE

NOTE: A Statement is not a Water Right

This Statement should be typewritten or legibly written in ink and submitted to the address above.
A separate statement must be filed for each point of diversion.

An (*) indicates a required section. Required sections must be completed for the Statement to be accepted.

*A. Claimant/Agent Information

| | |
|---|---|
| Claimant/Owner: River Garden Farms c/o Marty Stripling | Agent: MBK Engineers |
| Mailing Address: 41758 Road 12 Knights Landing, CA 95645 | Mailing Address: 1771 Tribute Road, Suite A Sacramento, CA 95815 |
| Phone No. (530) 735-6274 | Phone No. (916) 456-4400 |
| Fax No. | Fax No. (916) 456-0253 |
| E-mail Address: mstripling@afes.com | E-mail Address: |

*B. Water is diverted and used under the claim of: Riparian claim Pre 1914 claim Court Decree No _____
Other (explain):

*C. Name of the body of water at the point of diversion
Sacramento River

Tributary to _____

*D. Point of diversion is located within Yolo County on Assessor's Parcel No. 056-030-01-0000
being within the NE 1/4 of NW 1/4 of Section 28, of Township 12N, Range 2E, MD B&M.

Provide the location of the point of diversion using the California Coordinate System (NAD 1983) or Latitude / Longitude measurements.
6630633.26 E, 2076842.42 N, Zone 2, California Coordinate System, NAD 83

Identify the point of diversion and outline the place of use on a United States Geological Survey (USGS) topographic map and submit the map with the Statement.

Name of the diversion works is Missouri Bend Plant Related Water Right(s) See Attachment

E. Do you own the land at the point of diversion? Yes No If No, please provide the name and address of the land owner at the point of diversion: _____

*F. Capacity of diversion works 25.0 (cfs, gpm, or gpd) Capacity of storage tanks or reservoir _____ (gallons or acre-feet)

Type of diversion facility: Gravity _____ Creek Pump Well Pump _____

Method of measurement: Weir _____ Flume _____ In line flow meter Electric Meter _____ Estimate _____

NOTE: # Monthly report below is optional until January 1, 2012, at which time the information becomes mandatory.

*Provide the maximum rate of diversion achieved in each month in the table below as measured in: cfs _____, gpm _____, or gpd _____

| Year | Jan | Feb | Mar | Apr | May | June | July | Aug | Sept | Oct | Nov | Dec |
|------|-----|-----|-----|-----|-----|------|------|-----|------|-----|-----|-----|
| | | | | | | | | | | | | |

Additional copies of this form and water right information can be obtained at www.waterboards.ca.gov/waterrights.

S022168

POD ID: 58652
LD 10/15/12

2011 JUN 35 AM 10:23
JUN 5 2011
DIVISION OF WATER RIGHTS
WATER RESOURCES

*G. Provide the quantity of water diverted each month in the table below as measured in: Gallons ___ Million gallons ___ Acre-feet X

| Year | Jan | Feb | Mar | Apr | May | June | July | Aug | Sept | Oct | Nov | Dec | Total Annual |
|----------------|-----|-----|-----|-----|-----|------|------|-----|------|-----|-----|-----|--------------|
| See Attachment | | | | | | | | | | | | | |

H. Annual water use in recent years: Maximum _____ (gallons or acre-feet) Minimum _____ (gallons or acre-feet)

State the year of first use at diversion site or storage facility 1948

*I. Beneficial water use is for: (example, number of acres and type of crop irrigated, average number of persons served, number of stock watered, etc.) See Attachment

*J. General description and location of the place of use shall be identified using a USGS topographic map, or if assigned, may be provided using the public land description to the nearest 40 acre parcel accompanied by the County Assessor's parcel map.
See Attachment

K. Please answer only those questions below that are applicable to your project.

1. Conservation of water
 - a. Describe any water conservation efforts you have in place See Attachment.
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 that unreasonably affects such water for other beneficial uses? YES ___ NO X.
3. Conjunctive use of surface water and groundwater
 - a. Are you using groundwater in lieu of surface water? YES ___ NO X.

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

*DATE: 6/29/11 at HEIGHTS LANDING, California

*SIGNATURE: Marty Stripling

*PRINTED NAME: Marty Stripling
(first name) (middle initial) (last name)

COMPANY NAME: River Garden Farms Company

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 source 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 1) store water for later use 2) divert water which originates in a different watershed 3) divert water released from storage, or 4) divert return flows from groundwater use.

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 in December 1914, new appropriators have been required to obtain a permit or license from the State.

Statements of Water Diversion and Use must be filed by a riparian and/or pre-1914 appropriative water user. 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 diversion, and 3) assists the State in determining if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please visit the website http://www.waterboards.ca.gov/waterrights/water_issues/programs/diversion_use/, or write to this office.

S022168

**Attachment to
Initial Statement of Water Diversion and Use
for River Garden Farms Company**

D: Related Water rights consist of License 1718 (Application 575), License 3123 (Application 577), and contract No. 14-06-200-878A-R-1 between River Garden Farms Company and the U.S. Bureau of Reclamation.

F&G: Diversions at the Missouri Bend Plant are measured using inline flow meters measured and maintained by Reclamation. (AF)

| Year | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total |
|--------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------|
| 2009 | 0 | 0 | 0 | 73 | 439 | 526 | 615 | 258 | 0 | 0 | 0 | 0 | 1,911 |
| → 2010 | 0 | 0 | 0 | 0 | 303 | 211 | 314 | 135 | 41 | 0 | 0 | 0 | 1,004 |

I: Lands irrigated with water identified in this statement also receive water diverted under River Garden Farms riparian rights at its Townsite Pumping Plant and water diverted under its contract with Reclamation.

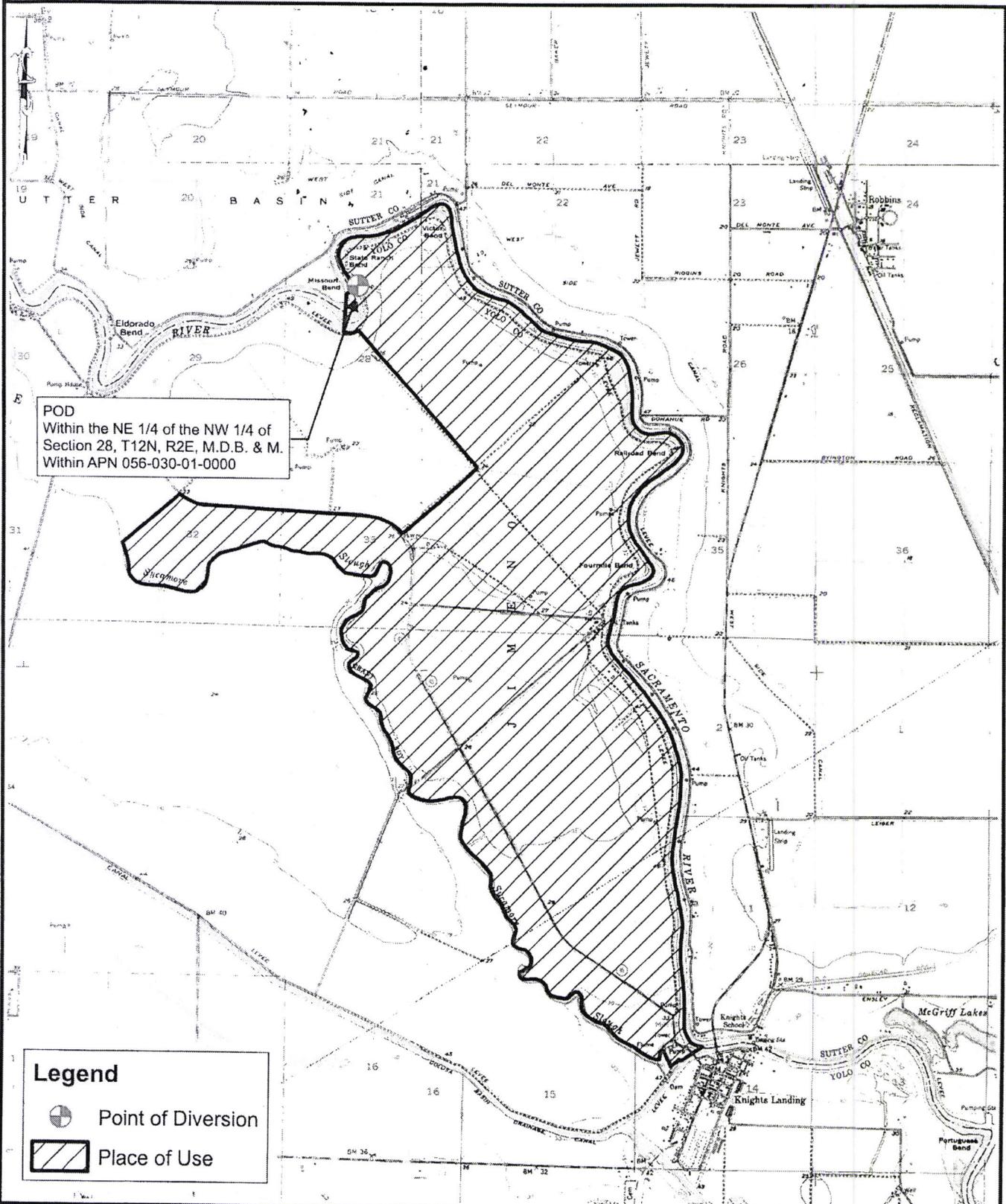
2009 – Irrigation of 3,112 acres consisting of 288 acres of corn, 557 acres of melons, 931 acres of tomatoes, 456 acres of safflower, and 880 acres of sunflowers.

2010 – Irrigation of 3,112 acres consisting of 695 acres of corn, 650 acres of melons, 504 acres of tomatoes, 284 acres of safflower, 848 acres of sunflowers, and 131 acres of milo.

J: The Place of Use includes all riparian lands, approximately 3,805 acres, within River Garden Farms Company's Fairchild Ranch. The riparian lands are situated between

the west bank of the Sacramento River and Sycamore Slough northwest of the town of Knights Landing in Yolo County. See attached map.

K.1.a.: Optimum water conservation efforts have yet to be determined; however, these efforts are ongoing and include good water management practices and technologies. These practices include but are not limited to laser leveling of fields, crop shifts, varietal changes, and weed abatement.



POD
 Within the NE 1/4 of the NW 1/4 of
 Section 28, T12N, R2E, M.D.B. & M.
 Within APN 056-030-01-0000

Legend

-  Point of Diversion
-  Place of Use

MBK ENGINEERS
 1771 Tribute Road, Suite A
 Sacramento, CA 95815
 Phone: 916-456-4400 - Fax: 916-456-0253

RIVER GARDEN FARMS

**STATEMENT OF WATER USE
 AND DIVERSION**

| | |
|-------------|-------------|
| SCALE: | 1" = 4,000' |
| JOB NUMBER: | 4733 |
| DRAWN BY: | PWE |
| DATE: | June 2011 |
| SHEET: | 1 OF 1 |

S022168