

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

2010 MAY 25 AM 9:13

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: <u>Nicki Riedel</u>	Agent: <u>Drew L. Aspegren, PE</u> <u>Napa Valley Linopod Eng, Inc.</u>
Mailing Address <u>200 Granada way</u> <u>Los Gatos</u> <u>CA 95032</u>	Mailing Address <u>170 Main St Ste B</u> <u>St. Helena CA</u> <u>95474</u>
Phone No. <u>(408) 341-1260</u>	Phone No. <u>(707) 963-4927</u>
Fax No.	Fax No. <u>(707) 963-1297</u>
E-mail Address: <u>nicki@bwd.com</u>	E-mail Address: <u>napavie@aol.com</u>

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

Other (explain):

Pending Application 31817

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

Unnamed Stream

Tributary to Stoney Creek thence Capell Creek

***D.** Point of diversion is located within Napa County on Assessor's Parcel No. 032-540-027

being within the SW 1/4 of SE 1/4 of Section 13, of Township 7N, Range 4W, MD B&M.

Provide the location of the point of diversion using the California Coordinate System or Latitude / Longitude measurements.

1,925,078 N 6,490,046 E 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 Upper Pond Related Water Right(s) Pending A 031817

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:

NOTE: Item "F" is optional until January 1, 2012, at which time the information becomes mandatory.

***F.** Capacity of diversion works _____ (cfs, gpm, or gpd) Capacity of storage tanks or reservoir 3AF (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

Provide the average rate of diversion 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

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

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
2009													0

*H. State the year of first use at diversion site or storage facility none

*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.) none

*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 ATTACHED

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 _____
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 ___.
3. Conjunctive use of surface water and groundwater
 - a. Are you using groundwater in lieu of surface water? YES ___ NO ___.

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

*DATE: May 24, 2010 at Campbell, CA, California

*SIGNATURE: Nicki Riedel

*PRINTED NAME: Nicki Riedel
(first name) (middle initial) (last name)

COMPANY NAME: self

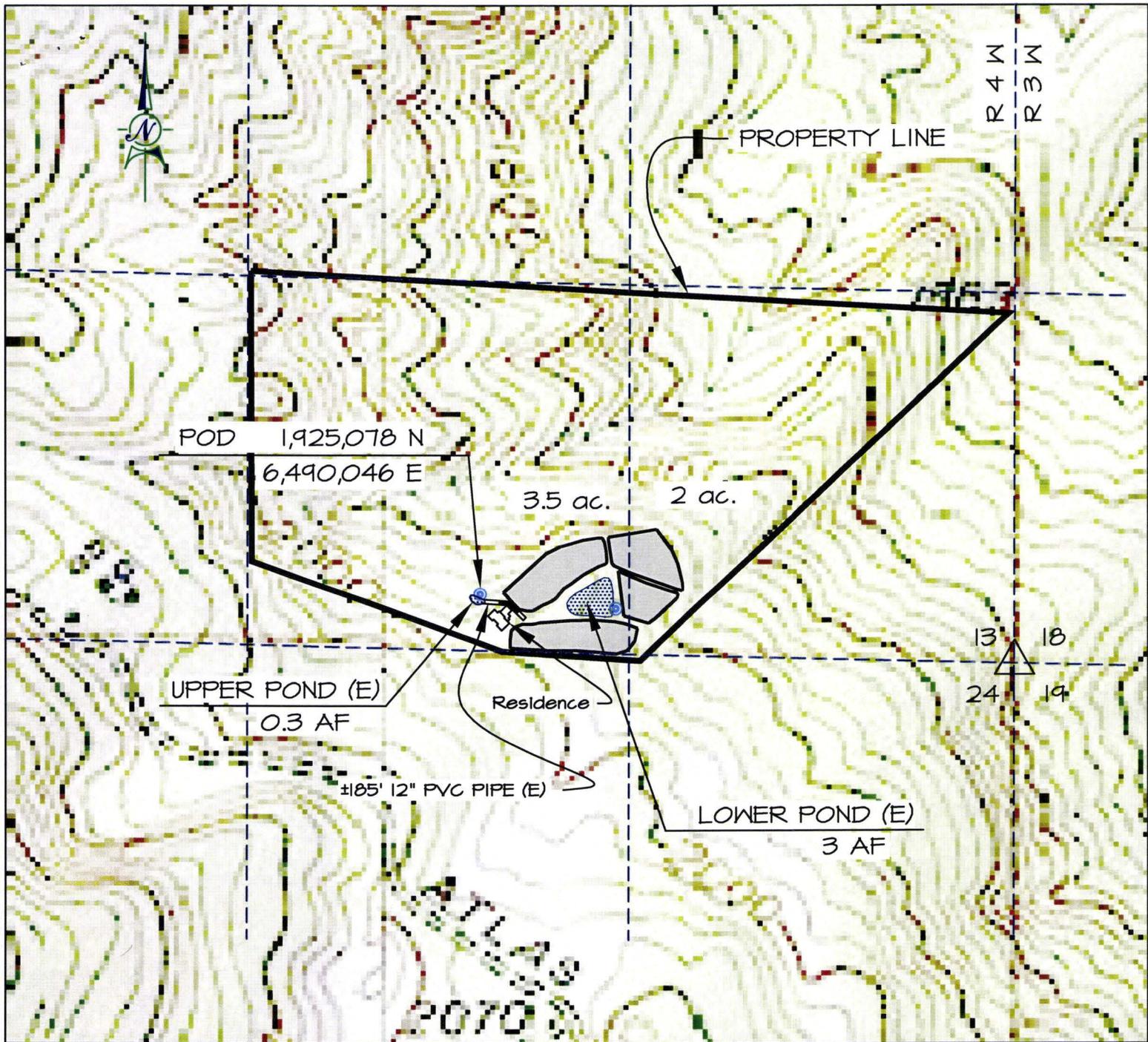
GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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.



MAP TO ACCOMPANY
INITIAL STATEMENT OF WATER
DIVERSION AND USE
UPPER POND

OWNER: Nicki Riedel
WATERSHED: Lake Berryessa
COUNTY: Napa
USGS QUAD MAP: Capell Valley
P.O.D.s within: SW 1/4 of SE 1/4, Sec. 13, T7N, R4W, MDBM

- (E) Existing
- 2 ac. Place of Use Acreage (within each 1/4, 1/4 section)
- Place of Use (existing vineyard)
- Point of Diversion/Rediversion
- - - Quarter/Section Lines
- △ Section Corner

S016372

SCALE: 1" = 500'
NVVE 5-13-10