

# Key Water-Right Drought-Related Actions and Information Resources

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Attorney III

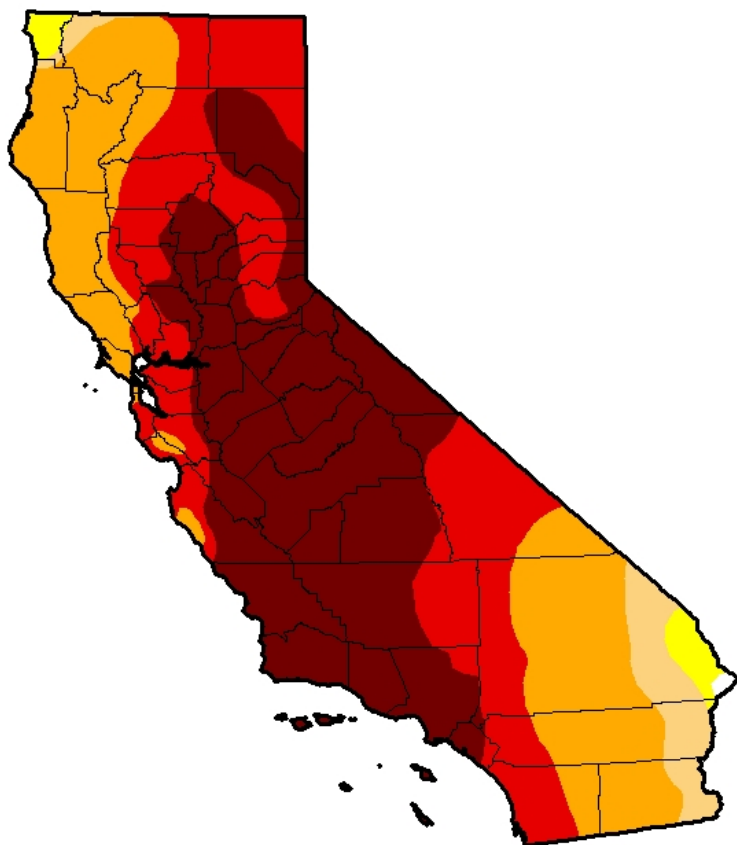
State Water Resources Control Board

Office of Chief Counsel

NOTE: Presentation is my own opinions, not those of  
the State Water Resources Control Board

# Evidence of Emergency-Water Year 2015

## U.S. Drought Monitor California



### Intensity:



*The Drought Monitor focuses on broad-scale conditions. Local conditions may vary. See accompanying text summary for forecast statements.*



<http://droughtmonitor.unl.edu/>

# Overview

- Key points about water rights
- Brief overview of key drought actions:
  - Curtailments
  - Emergency Regulations
    - Deer, Mill and Antelope Creek Minimum Flows
    - Informational Orders
  - Temporary Urgency Changes
- eWRIMS
- Complaints

# Key Points About Water Rights



# Key Points About Water Rights



# Key Points About Water Rights

Reasonable Use –

California Constitution, Article X, Section 2

*Joslin v. Marin Municipal Water District* (1967) 67 Cal.2d 132



Nicasio Creek,

<http://creativecommons.org/licenses/by-sa/3.0/>

# Key Points About Water Rights



Public Trust Doctrine

*National Audubon Society v. Superior Court* (1983) 33 Cal.3d 419

# Selected Drought Actions

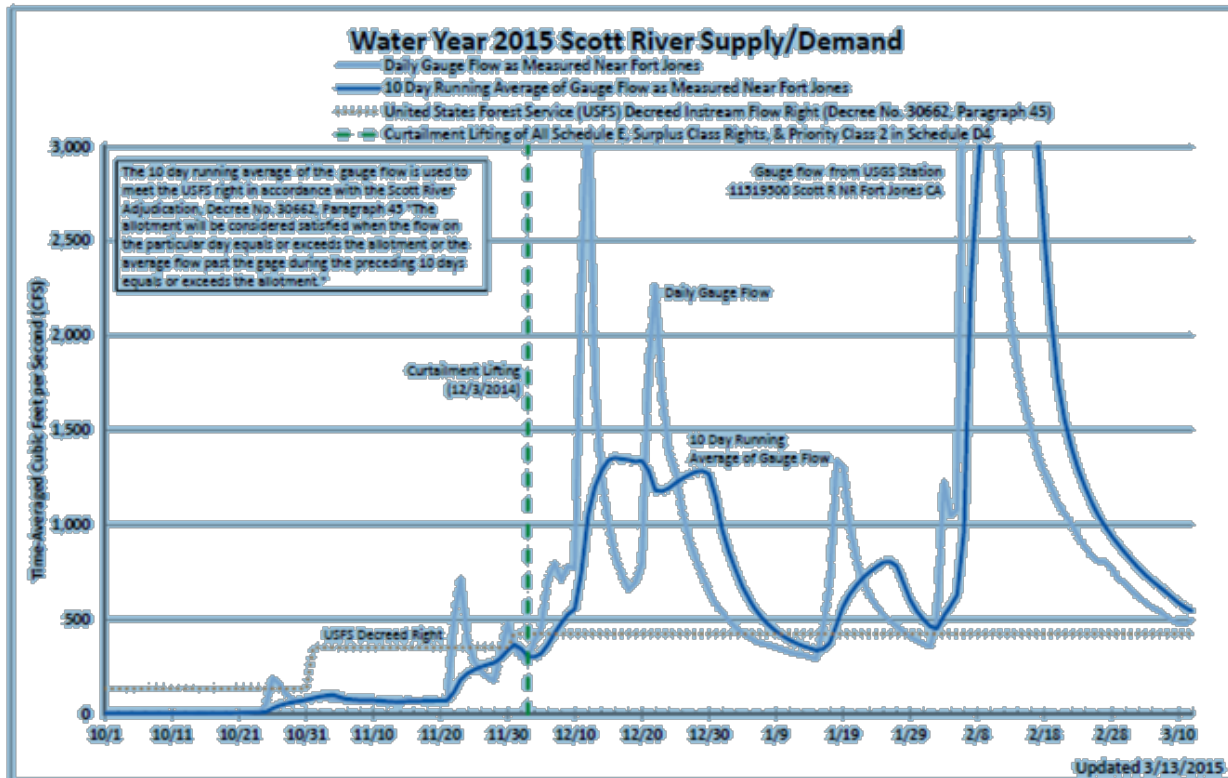
## Curtailments:

- Eel River
- Russian River above Healdsburg
- Scott River
- Sacramento & San Joaquin Delta
  - Yuba
  - Stanislaus
  - Tuolumne
  - Merced

[http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/drought/analysis/](http://www.waterboards.ca.gov/waterrights/water_issues/programs/drought/analysis/)



# Selected Drought Activities



# Emergency Regulations

California Code of Regulations, title 23, chapter  
, article 24, section 877 et seq.

+ Fishery flow regulations

+ Informational regulations

Adopted by State Water Board March 17

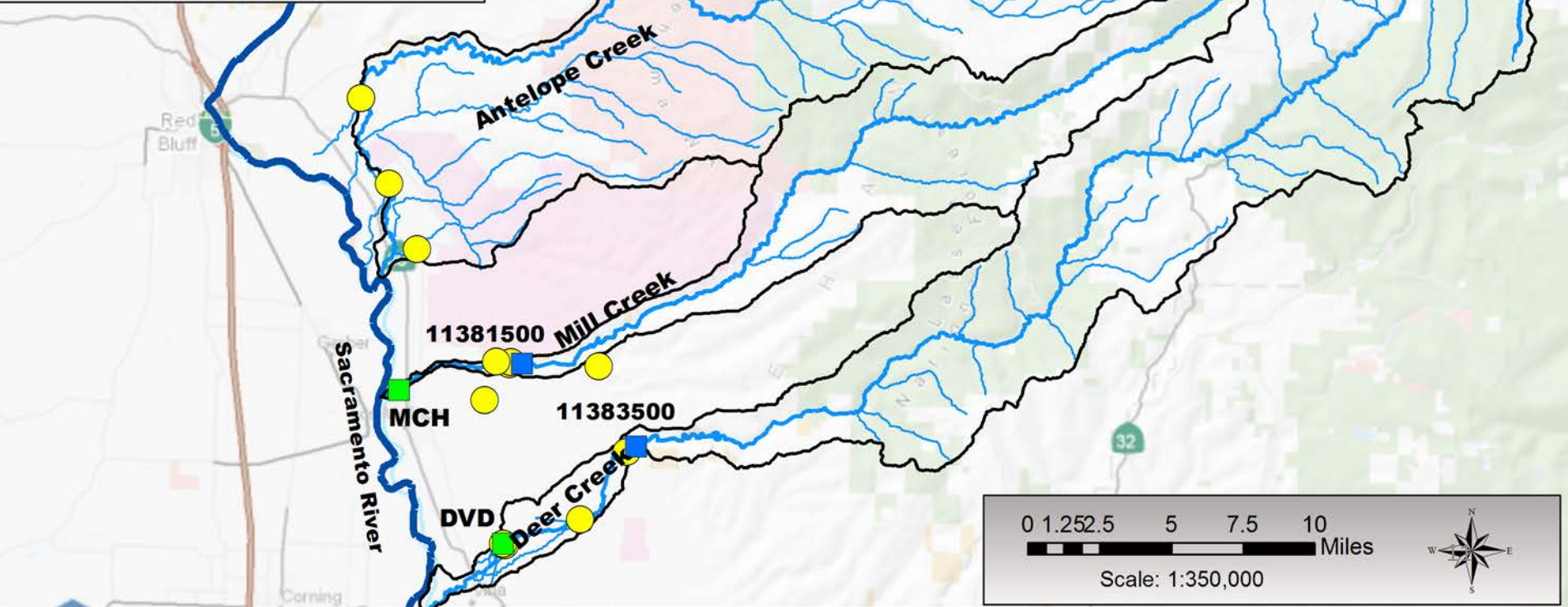
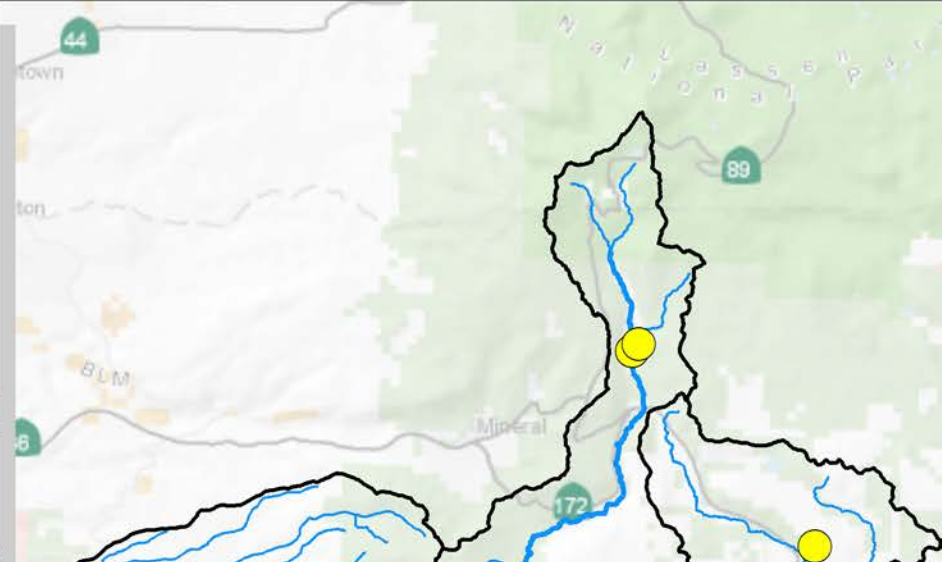
Anticipated OAL review by beginning of April

# Attachment 2: Map of Mill Creek, Deer Creek, and Antelope Creek Watersheds

- USGS Stream Gauges
- CDEC Stream Gauges
- Points of Diversion >100 AFA
- Watershed Boundaries
- Streams
- Sacramento River

Sources: CA SWRCB, USGS, ESRI

Map By: CA SWRCB  
 Division of Water Rights  
 05/16/2014, W.Anderson



0 1.252.5 5 7.5 10 Miles

Scale: 1:350,000

# Informational Order Regulations – Cal. Code Regs., tit. 23, sec. 879, subd. (c)



Patrick Stiehr

# Temporary Urgency Changes

- Water Code section 1435 et seq.
- California Code of Regulations, title 23, sections 805 & 806
- [www.waterboards.ca.gov/waterrights/water\\_issues/programs/drought/permit\\_license\\_changes.shtml](http://www.waterboards.ca.gov/waterrights/water_issues/programs/drought/permit_license_changes.shtml)

# Temporary Urgency Changes



Lake Mendocino - Saving Water Partnership

# eWRIMS

Electronic Water Rights Information  
Management System –

[www.waterboards.ca.gov/waterrights/water\\_iss  
ues/programs/ewrims](http://www.waterboards.ca.gov/waterrights/water_issues/programs/ewrims)



e-WRIMS Water Right Search Results

Criteria: Displaying Water Rights where source like "Mark West"; Source = Mark West.

Search Results: previous 1-40 of 40 next

Appl ID	Permit ID	License ID	Water Right Type	Status	Holder Name	Date	Face Amt	County	Source	View Reports	Water Right	Map It	Export to Excel
<a href="#">A024271B</a>	017389B	013873	Appropriative	Licensed	HERITAGE VINEYARD COMPANY	04/12/2013	28.7 acre-ft/yr	Sonoma	MARK WEST CREEK	<a href="#">View Reports</a>	<a href="#">View License</a>	<a href="#">Map It</a>	<a href="#">Download to Excel</a>
<a href="#">S009698</a>			Statement of Div and Use	Inactive	THOMAS BARNHISEL	03/27/2012	0 acre-ft/yr			<a href="#">View Reports</a>	<a href="#">View Statement</a>	<a href="#">Map It</a>	<a href="#">Download to Excel</a>
<a href="#">S015947</a>			Statement of Div and Use	Inactive	FULTON PROCESSORS INC	08/08/2011	0 acre-ft/yr	Sonoma	MARK WEST CREEK	<a href="#">View Reports</a>	<a href="#">View Statement</a>	<a href="#">Map It</a>	<a href="#">Download to Excel</a>
<a href="#">S014378</a>			Statement of Div and Use	Inactive	GEORGE BOU	08/01/2011	0 acre-ft/yr	Sonoma	MARK WEST CREEK	<a href="#">View Reports</a>	<a href="#">View Statement</a>	<a href="#">Map It</a>	<a href="#">Download to Excel</a>
<a href="#">S022128</a>			Statement of Div and Use	Claimed	Liliana Musetti	03/22/2011	0 acre-ft/yr	Sonoma	Mark West Creek	<a href="#">View Reports</a>	<a href="#">View Statement</a>	<a href="#">Map It</a>	<a href="#">Download to Excel</a>
<a href="#">S018731</a>			Statement of Div and Use	Claimed	Patient Terrier Vineyard, LLC	01/29/2010	0 acre-ft/yr	Sonoma	Mark West Creek	<a href="#">View Reports</a>	<a href="#">View Statement</a>	<a href="#">Map It</a>	<a href="#">Download to Excel</a>
<a href="#">S018682</a>			Statement of Div and Use	Claimed	Silverado Sonoma Vineyards, LLC Wohler Ranch #30	04/09/2009	0 acre-ft/yr	Sonoma	MARK WEST CREEK	<a href="#">View Reports</a>	<a href="#">View Statement</a>	<a href="#">Map It</a>	<a href="#">Download to Excel</a>
<a href="#">S018683</a>			Statement of Div and Use	Claimed	Silverado Sonoma Vineyards, LLC Mirabella Ranch #1	04/09/2009	0 acre-ft/yr	Sonoma	MARK WEST CREEK	<a href="#">View Reports</a>	<a href="#">View Statement</a>	<a href="#">Map It</a>	<a href="#">Download to Excel</a>
<a href="#">S004317</a>			Statement of Div and Use	Inactive	BURTON B BROWN	05/19/2008	0 acre-ft/yr			<a href="#">View Reports</a>	<a href="#">View Statement</a>	<a href="#">Map It</a>	<a href="#">Download to Excel</a>
<a href="#">S018026</a>			Statement of Div and Use	Claimed	SILVERADO SONOMA VINEYARD LLC	08/08/2007	0 acre-ft/yr	Sonoma	MARK WEST CREEK	<a href="#">View Reports</a>	<a href="#">View Statement</a>	<a href="#">Map It</a>	<a href="#">Download to Excel</a>
<a href="#">S015981</a>			Statement of Div and Use	Claimed	CASEY CAPLINGER	07/27/2006	0 acre-ft/yr	Sonoma	MARK WEST CREEK	<a href="#">View Reports</a>	<a href="#">View Statement</a>	<a href="#">Map It</a>	<a href="#">Download to Excel</a>
<a href="#">A011896</a>	006885	004693	Appropriative	Revoked	JOHN MCCULLOUGH	03/03/2006	0 acre-ft/yr			<a href="#">View Reports</a>	<a href="#">View License</a>	<a href="#">Map It</a>	<a href="#">Download to Excel</a>
<a href="#">S015895</a>			Statement of Div and Use	Claimed	Fredrick J and Yvonne A Wessa Trust	03/30/2005	0 acre-ft/yr	Sonoma	MARK WEST CREEK	<a href="#">View Reports</a>	<a href="#">View Statement</a>	<a href="#">Map It</a>	<a href="#">Download to Excel</a>
<a href="#">A014079</a>	008529	009513	Appropriative	Revoked	CRAIG SCHULZ	07/29/2004	3.5 acre-ft/yr			<a href="#">View Reports</a>	<a href="#">View License</a>	<a href="#">Map It</a>	<a href="#">Download to Excel</a>
<a href="#">S015480</a>			Statement of Div and Use	Claimed	J L JORDAN COMPANY, A CALIFORNIA CORPORATION	01/08/2004	0 acre-ft/yr	Sonoma	MARK WEST CREEK UNDERFLOW	<a href="#">View Reports</a>	<a href="#">View Statement</a>	<a href="#">Map It</a>	<a href="#">Download to Excel</a>
<a href="#">S015273</a>			Statement of Div and Use	Claimed	DERMOT BOURKE	12/22/2000	0 acre-ft/yr	Sonoma	Mark West Creek	<a href="#">View Reports</a>	<a href="#">View Statement</a>	<a href="#">Map It</a>	<a href="#">Download to Excel</a>
<a href="#">S014075</a>			Statement of Div and Use	Claimed	SILVERADO PREMIUM PROPERTIES LLC	08/10/1993	0 acre-ft/yr	Sonoma	MARK WEST CREEK UNDERFLOW	<a href="#">View Reports</a>	<a href="#">View Statement</a>	<a href="#">Map It</a>	<a href="#">Download to Excel</a>
<a href="#">S014098</a>			Statement of Div and Use	Claimed	UCC VINEYARDS GROUP	08/10/1993	0 acre-ft/yr	Sonoma	MARK WEST CREEK	<a href="#">View Reports</a>	<a href="#">View Statement</a>	<a href="#">Map It</a>	<a href="#">Download to Excel</a>
<a href="#">S014076</a>			Statement of Div and Use	Claimed	SILVERADO PREMIUM PROPERTIES LLC	08/10/1993	0 acre-ft/yr	Sonoma	MARK WEST CREEK	<a href="#">View Reports</a>	<a href="#">View Statement</a>	<a href="#">Map It</a>	<a href="#">Download to Excel</a>
<a href="#">S014097</a>			Statement of Div and Use	Claimed	UCC VINEYARDS GROUP	08/10/1993	0 acre-ft/yr	Sonoma	MARK WEST CREEK	<a href="#">View Reports</a>	<a href="#">View Statement</a>	<a href="#">Map It</a>	<a href="#">Download to Excel</a>
<a href="#">A030181</a>			Appropriative	Pending	KENT RITCHIE	08/28/1992	40 acre-ft/yr	Sonoma	MARK WEST CREEK, UNST	<a href="#">View Reports</a>	N/A	<a href="#">Map It</a>	<a href="#">Download to Excel</a>
<a href="#">A024271A</a>	017389A	012472	Appropriative	Licensed	HERITAGE VINEYARD COMPANY	02/13/1990	7.5 acre-ft/yr	Sonoma	MARK WEST CREEK	<a href="#">View Reports</a>	<a href="#">View License</a>	<a href="#">Map It</a>	<a href="#">Download to Excel</a>
<a href="#">S010034</a>			Statement of Div and Use	Claimed	Lee P Martinelli	03/07/1980	0 acre-ft/yr	Sonoma	MARK WEST CREEK	<a href="#">View Reports</a>	<a href="#">View Statement</a>	<a href="#">Map It</a>	<a href="#">Download to Excel</a>
<a href="#">A028240</a>	018652		Appropriative	Permitted	Lee P Martinelli	02/29/1980	70 acre-ft/yr	Sonoma	MARK WEST CREEK, UNST	<a href="#">View Reports</a>	<a href="#">View Permit</a>	<a href="#">Map It</a>	<a href="#">Download to Excel</a>
<a href="#">A028241</a>	018653	012304	Appropriative	Licensed	Lee P Martinelli	02/28/1980	80 acre-ft/yr	Sonoma	MARK WEST CREEK, UNST	<a href="#">View Reports</a>	<a href="#">View License</a>	<a href="#">Map It</a>	<a href="#">Download to Excel</a>
<a href="#">S009299</a>			Statement of Div and Use	Claimed	LOUISE M ...	06/07/1977	0 acre-ft/yr	Sonoma	MARK WEST CREEK	<a href="#">View Reports</a>	<a href="#">View Statement</a>	<a href="#">Map It</a>	<a href="#">Download to Excel</a>



# eWRIMS GIS



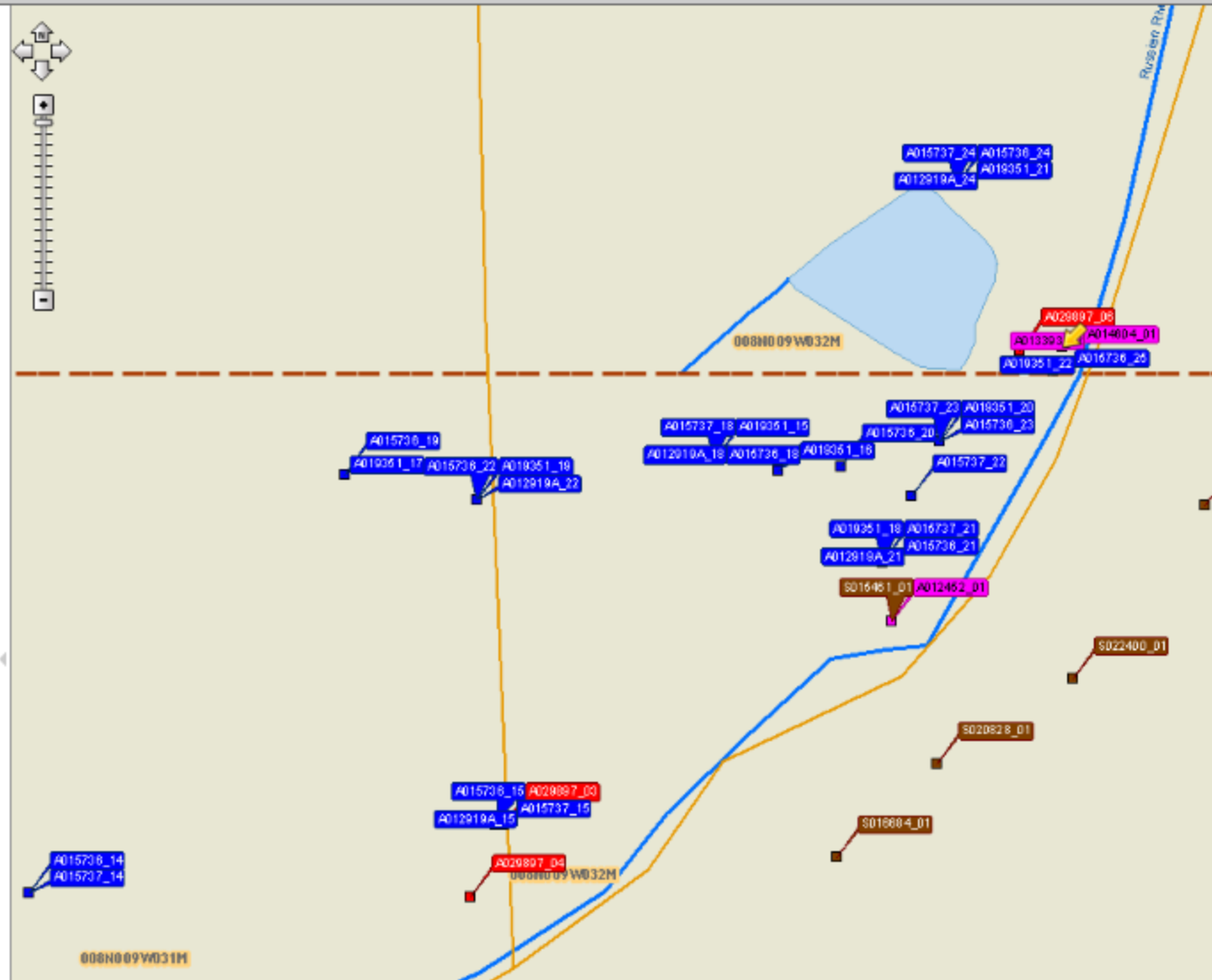
AERIAL / QUAD MA

- Task Assistant**
- Find Water Right By ID
  - Find Water Right By County
  - Find Water Right By Special Use Area
  - Find Water Right By PLSS
  - Find Water Right By Watershed
  - Find Water Right By Stream
  - Find Water Right By Owner
  - Query Upstream/Downstream
  - Quad Map Lookup

- Results**
- Map It Results:
- Points of Diversion (5)
    - A013393\_01
    - A013393\_01
    - A013393\_02
    - A013393\_02
    - A013393\_03

**POD Filter Window**

- Map Contents**
- Water Rights
  - Administrative
  - AB2121 North Coast Area
  - HUCs
  - Calwater
  - Hydrography
  - Natural Resources
  - Streets
  - Aerial Photo
  - USGS Quad Maps



# eWRIMS GIS



AERIAL / QUAD MA

### Task Assistant

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- Find Water Right By Watershed
- Find Water Right By Stream
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- Query Upstream/Downstream
- Quad Map Lookup

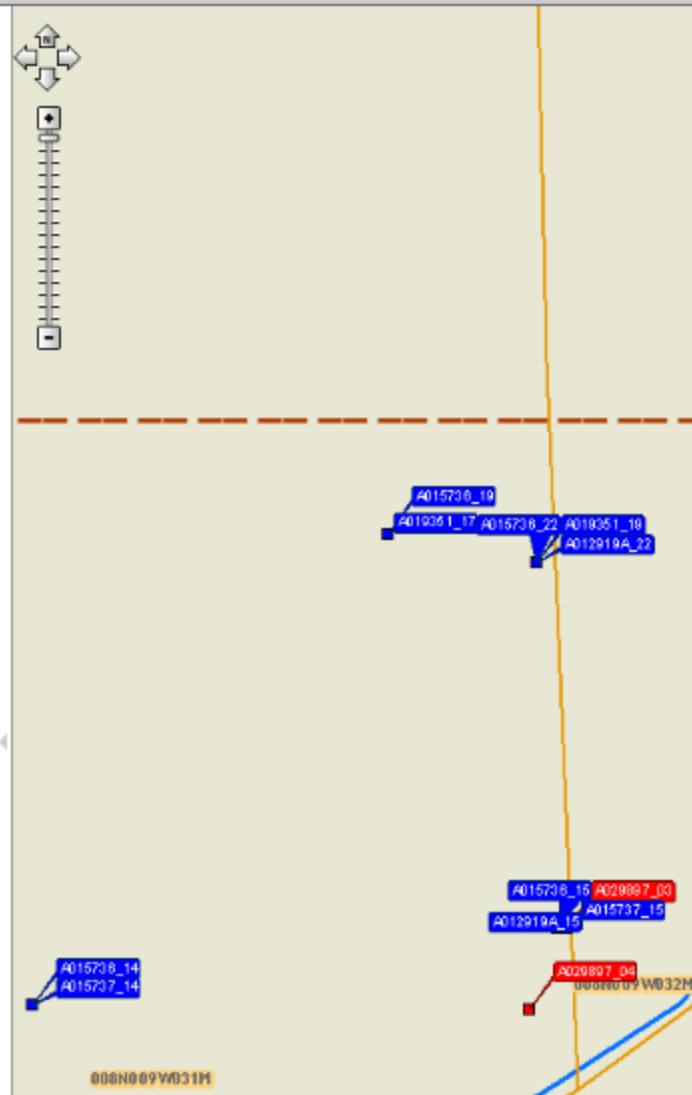
### Results

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- Points of Diversion (5)
    - A013393\_01
    - A013393\_01
    - A013393\_02
    - A013393\_02
    - A013393\_03

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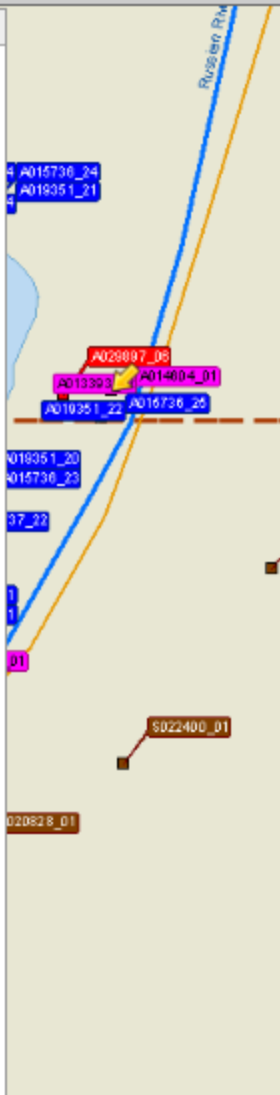
### Map Contents

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- Administrative
- AB2121 North Coast Area
- HUCs
- Calwater
- Hydrography
- Natural Resources
- Streets
- Aerial Photo
- USGS Quad Maps



### A013393\_03

APPLICATION ID	A013393
WATER RIGHT TYPE	Appropriative
WATER RIGHT STATUS	Licensed
PRIMARY OWNER FIRST NAME	
PRIMARY OWNER LAST NAME	SILVERADO SONOMA VINEYARDS LLC
PRIMARY OWNER TYPE	Limited Liability Company
FACE VALUE (AFA)	280.4
POD ID	17662
APPL POD	A013393_03
POD STATUS	Active
SOURCE NAME	MARK WEST CREEK
TRIB DESC	
WATERSHED	RUSSIAN RIVER
DIRECT DIV AMOUNT	0.77
POD UNIT	Cubic Feet per Second
DIVERSION AC FT	0
DIVERSION STORAGE AMOUNT	0
COUNTY	Sonoma
PARCEL NUMBER	
NORTHING	1942894.17095986
EASTING	6307056.46901886
SP ZONE	2
QUARTER	NW
QUARTER	SW
SECTION CLASSIFIER	P
SECTION	32
TOWNSHIP NUMBER	8
TOWNSHIP DIRECTION	N
RANGE NUMBER	9
RANGE DIRECTION	W





STATE OF CALIFORNIA  
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY  
STATE WATER RESOURCES CONTROL BOARD

**DIVISION OF WATER RIGHTS**

License for Diversion and Use of Water

APPLICATION 24271B  
Page 1 of 4

PERMIT 17369B

LICEN

**THIS IS TO CERTIFY, That**

Mills Vineyard, LLC  
11447 Old Redwood Hwy  
Healdsburg, CA 95448

has made proof to the satisfaction of the State Water Resources Control Board (State Water

# Complaints

- [http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/enforcement/complaints/index.shtml](http://www.waterboards.ca.gov/waterrights/water_issues/programs/enforcement/complaints/index.shtml)
- [http://www.dtsc.ca.gov/database/CalEPA\\_Complaint/index.cfm](http://www.dtsc.ca.gov/database/CalEPA_Complaint/index.cfm)

# Complaints



Salmon Spawning, Lower Yuba River  
D. Massa, South Yuba Citizens League