



WATER AUDIT CALIFORNIA

A PUBLIC BENEFIT CORPORATION

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April 1, 2025

To Napa County Planning Commission

Sent via email to: meetingclerk@countyofnapa.org

RE April 2, 2025

Agenda Item 7A. DARIO SATTUI / CASTELLO DI AMOROSA ("Applicant")
USE PERMIT MAJOR MODIFICATION APPLICATION #P19-00459-MOD
("Application")

To whom it may concern:

Water Audit California ("Water Audit") is a public benefit corporation with a mission to protect the public trust. The following comments are submitted on its own behalf, and in the public interest.

It is asserted by the staff that there is no need to comply with CEQA. For the sake of discussion, let us assume that to be true. Staff improperly conflates its CEQA determination with its duty to do a public trust review. Those are two separate duties. While it may be well argued that the staff did not perform its CEQA analysis properly, there can be no argument that serious potential undisclosed and undiscussed public trust injuries are occurring and will continue to occur because of this project.

In addition to substantial procedural concerns, Water Audit's principal objection to this Application is to the failure to consider, either initially or now, the impact of this project on the public trust interests by depletion of Nash Creek by two wells located less than 100 feet from the watercourse. The documented "Reported or Apparent Code Violations" (April 2, Planning Commission Hearing Attachment ("Attachment") I, page 267) includes continuing use, fire and building violations, but does not include review or of the seven-fold increase of water consumption by visitors and employees since the initial approval.

Water Audit objects to the numerous deficiencies in the Application. Water Audit respectfully recommends that the Planning Commission continue this matter to allow for further briefing. Alternatively, for remedy of the existing permit violations choose **Option 3 - Deny Applicant's Proposal - Return to Levels in the Permitted Entitlements** AND regarding the additional expansion beyond existing conditions, choose **Option 6 - Deny Applicant's Proposal - Limit Winery Operations to Levels Approved Above to Remedy Existing Violations or Revert to Original Entitlements**

1. This Application does not conform to the prime precondition of the Code Compliance Program.

While nominally a winery, the Castello di Amorosa is primarily marketed as a wine serving tourist destination. It is seeking to add 11,700 square feet of hospitality accommodations and to authorize six times as many employees and more than 400,000 additional visitors a year beyond the existing entitlements. The Applicant has operated out of compliance for at least a decade. (NOTE: Because this matter has been pending for more than six years, the certification of visitation, etc., is now seriously dated, and likely inaccurate.)

Napa County Code Compliance Resolution 2018-164 (herein "Code Compliance Program") was intended to allow parties to remediate their operations, **on one condition:**

Pursuant to Board of Supervisor Resolution 2018-164 Section 1 (a)(v), the County requires the Applicant to discontinue the unlawful activity that is in violation of the code/use permit and maintain compliance within their existing legal entitlements for one year from the date of the initial Notice of Violation prior to approving their use permit modification. In addition, Napa County Code Section 18.124.120(C) enables the County (at a Planning Commission hearing) to consider suspension or revocation of a use permit in its entirety if "the use for which the use permit was granted is being, or has been, exercised contrary to the terms or conditions of such approval." **The suspension penalty for the existing use permit could be implemented at the time the individual applies for a use permit modification, as well as the imposition of an administrative penalty.** Note that due process is required for any suspension or revocation of the permit. (Emphasis added.) (<https://www.countyofnapa.org/3790/Frequently-Asked-Questions>)

To reiterate once again, the County Code Compliance Program requires baseline operations to be monitored for one year. **Owners may submit a Use Permit or Modification Application to remedy violation(s) during the one-year period while they operate within their legal entitlements, but only if they agree in writing that their legal entitlements or their existing legal operations, whichever is lower, shall**

be used as the environmental baseline for all CEQA analysis related to the Application. There is no known document between Applicant and County on the record agreeing to ANY legal entitlements after 1988, and therefore that original determination is the last lawful entitlement.

(<https://napa.legistar.com/LegislationDetail.aspx?ID=7253887&GUID=FEFBA2C4-E8B2-47D2-B51A-B37562AE1022&Options=&Search=>)

There is no indication that the Applicant has at any time complied with its existing entitlements. In fact, the record shows an indifference to such limitations. “Staff cannot authorize at this time any increases in entitlements beyond what is listed above nor recognize these activities without the processing of an amendment to the use permit.” (Attachment C, page 66) Staff has also written: “The original entitlements, specifically the public visitation, is permitted to continue to occur as approved. All expansion of those entitlements (the existing operational levels requested to be recognized with this permit) are subject to the requirements of the Winery Definition ordinance.”

Not all of the Applicant’s code compliance violations are encompassed in the Code Compliance Program. A second and new violation notice was issued on June 9, 2023, long after the program had sunset, which reiterated the previous violations and added new offenses to the list. These included violation of the clear injunction from County staff: “You are hereby ordered to immediately cease all hospitality occupancy in areas that are not designated for such occupancy, including all tours in areas not designated for such use.” The violations are reported to have continued.

Let us face the truth squarely: the Applicant is a scofflaw. Should it be rewarded by an exemption from a requirement that others have been forced to meet? Or will the law be applied equally?

2. There is no Water Feasibility Study for the project, therefore the Application is incomplete.

In January 2005, revised in 2018, PBES published a Memorandum “To all interested parties” that stated in part:

A public water system is required if the project includes either (1) a combined number of users (visitors, employees, residents) greater than 24 daily for at least 60 days of the year, or (2) the total number of employees and residents is greater than 24 daily for 6 months or more of the year. If either threshold is met, the water system will be regulated...

If your project will be regulated as a small public water system, a water system feasibility report will be required as a completeness item at the time a Use Permit Application is submitted. This report ensures that the proposed project can satisfy the technical, managerial and financial requirements set forth by the Water Board and must include the information listed on the attached worksheet. **There is a possibility that existing wells may not meet the construction requirements for a regulated water system. If the source does not meet the requirements, a new water supply will have to be developed, which must be reflected in the feasibility report...**

In addition to the local requirements, the Water Board requires a water system to also submit a preliminary technical report demonstrating the water system is viable and ensuring the water system has evaluated whether consolidating with another water system is possible. The County must receive concurrence from the Water Board before any related building permits can be issued. (Emphasis added)

See also *Water System Information for Use Permits* (emphasis added below.) (<https://www.countyofnapa.org/DocumentCenter/View/10959/Water-System-Information-for-Use-Permits-2025?bidId=>)

It is facially evident that there is no Water System Feasibility report associated with this Application, so prima facie the Application is incomplete. Water Audit has been unable, with diligent search, to find a previous iteration.

The Applicant's water system was initially licensed by SWRCB as a public water system with 75 non-transient and 750 transient persons. Because of a substantial change in demand, it is now significantly out of compliance. The overtaxing of the potable water and wastewater systems is reflected in the reoccurring violations of drinking water standards discussed below. Since the original entitlement was granted, visitation has increased from 26,000 to 427,000, and the number of employees from 15 to 25 increased from 110 to 150.

The Application states:

The winery currently offers tours and tastings without food and tours and tastings with food to a maximum number of 1,000 visitors per weekday Monday through Friday, 3,500 visitors on the busiest Saturdays, and 2,000 visitors on Sundays. The busiest Saturdays occur throughout the year and often when there is a three-day holiday weekend (e.g. Labor Day Weekend). This results in a weekly maximum of 10,500 visitors to the winery.

Wine & Food pairing “Luncheons” for parties of up to 160 guests are offered 38 times a year. The winery’s current marketing plan also includes 54 cellar dinners per year for groups of up to 300 guests, 10 club events per year for groups of up to 400 guests, and one club dinner per year for up to 900 guests, with additional staff for each event type of up to 15, 11, and 45, respectively.

The Conditions of Approval refer to an amended public water system permit, but it is not part of this record, and its issue is not a precondition herein. **It is respectfully submitted that matters of public safety and compliance must be made an enforceable condition of approval.**

An anticipated interface between wastewater ponds and the groundwater recharge was noted in the 1988 Application. (Attachment C, page 9) The attached excerpts of public record shows Drinking Water violations for “coliform bacteria (TCR)” in 2007 (twice); 2008; 2014; 2015; 2019; and 2020. There are several bacteria in the group that are referred to as “coliform.” The word coliform derives from the word “colon,” since coliform bacteria are commonly found in the colons of humans and animals. The Total Coliform Rule (TCR) is a National Primary Drinking Water Regulation established to protect public health by ensuring the integrity of drinking water distribution systems and monitoring for microbial contamination, specifically total coliform bacteria.

Red and white wines have demonstrated antimicrobial activity under various experimental conditions against pathogenic food bacteria. While the high alcohol content of wine is not conducive to bacterial growth, that is not the case with the “potable” water distributed to visitors. The World Health Organization noted in 2006 that *E. coli* is rarely found in water that is not polluted by feces. Therefore, the presence of *E. coli* is a sign that agricultural products may be contaminated by fecal matter. Even if the specific coliform bacteria are not harmful, their presence in a well is an important indicator of contamination. The other bacteria or pathogens introduced by fecal contamination could well be very damaging or even fatal.

Consider what that revelation would mean to the customer satisfaction to millions of visitors over the years to Castello di Amoroso who drank from the substandard water.

The Applicant has shown itself otherwise indifferent to public safety. Two years ago, in June 2023, County staff wrote:

A February 20, 2019, a notice identified concerns regarding assembly uses, such as tasting and hospitality, occurring in several areas of the winery that were designated for storage on the original approved plans. A site visit was recently conducted on May 25, 2023, staff observed continued occupancy of areas behind the tasting room, tours being conducted in storage areas, and expanded outdoor tasting in a manner that impedes the exit ways to the crush pad. Staff has grave concerns that in the event of an earthquake or fire, visitors would have difficulty navigating themselves to exits that lead them safely outside the building.

Our department encourages voluntary compliance, and you are being given the opportunity to correct the violation identified in this notice before further enforcement action is taken.

There is no evidence that this work, identified over six years ago as critical to public safety, has even yet been done. Nor has the Applicant sited, tested and proved groundwater extraction that does not cause depletion of Nash Creek or flows into the Napa River. In short, the Application is indifferent to the public.

3. The Application does not address public trust concerns.

Napa County Well Permit Standards and WAA Requirements – (January 2024) states in part:

Any project which is using groundwater from a well within 1,500 feet of a Significant Stream must complete a Tier 3 or an equivalent analysis regardless of whether more water is being withdrawn from the project well or if there is no net increase or a reduction in water extraction because the

County's duties under the Doctrine are ongoing. ^(Footnote omitted) An adequate Tier 3 or an equivalent analysis will allow County to discharge its duty and review a legally defensible project.

(<https://www.countyofnapa.org/DocumentCenter/View/25905/Well-Permit-Standards-and-WAA-Requirements--January-10-2024?bidId=>)

The public trust is evergreen; every new day of injury or violation creates a new cause of action. "Public rights cannot be lost nor the public trust as to their administration and exercise be destroyed either by adverse possession or by laches or other negligence on the part of the agents of the state or municipality who may from time to time be invested with the duty of their protection and administration." (*San Diego v. Cuyamaca Water Co.*, (1930) 209 Cal. 105, 109.) Public agencies have a ministerial

duty to consider the public trust interest, and mitigate harm when feasible, when making its daily decisions to divert water, by the operations and/or permitting of well extractions that impact the Napa River. (See *Envtl. Law Found. v. State Water Res. Control Bd.* (“*Envtl. Law Found.*”) (2018) 26 Cal.App.5th 844, 852.)

Once an appropriation is approved, “the public trust imposes a duty of continuing supervision over the taking and use of the appropriated water.” (*Nat’l Audubon Soc’y v. Superior Court* (“*Audubon*”) (1983) 33 Cal.3d 419, 424.) A public agency is “not confined by past allocation decisions that may be incorrect in light of current knowledge or inconsistent with current needs [and] accordingly has the power to reconsider allocation decisions even though those decisions were made after due consideration of their effect on the public trust.” (*Audubon*, supra, 33 Cal.3d 419, 424; see also *Cal. Trout v. State Water Res. Control Bd.* (1989) 207 Cal.App.3d 585, 629, stating that “the rule in section 5946 pertains to a public trust interest no private right in derogation of that rule can be founded upon the running of a statute of limitations, for the same reasons that one may not acquire an interest in public lands by means of adverse possession.”.)

[T]he determinative fact is the impact of the activity on the public trust resource. If the public trust doctrine applies to constrain fills which destroy navigation and other public trust uses in navigable waters, it should equally apply to constrain the extraction of water that destroys navigation and other public interests. Both actions result in the same damage to the public trust. The distinction between diversion and extraction is, therefore, irrelevant. The analysis begins and ends with whether the challenged activity harms a navigable waterway and thereby violates the public trust.
(*Envtl. Law Found.*, supra, 26 Cal.App.5th 844.)

Tributaries to navigable waterways are also subject to the public trust doctrine. For example, see Fish and Game Code section 711.7. (a) which states in part “The fish and wildlife resources are held in trust for the people of the state ...”

While acknowledging the proximity of the watercourse by proposing to relocate one of two existing wells, the Applicant and staff wholly ignore the second well. Further, neither well is located with sufficient certainty in the Application to determine potential interference with public trust interests or wastewater concerns. Once the wells are relocated, and their depth and composition known, it will be possible to determine with scientific certainty what injury will befall Nash Creek. At that juncture, and no sooner, will the trustee (County) be able to determine whether the (perhaps mitigated) injury is tolerable or not.

Well #1, the project well, was constructed in 1987 under Napa County permit 18894. It is located immediately adjacent to the winery building and **approximately 75 feet from Nash Creek**. It has a 51-foot-deep concrete seal, an eight inch diameter PVC casing with the perforations beginning at 145 feet below ground surface elevation, and was completed to a depth of 245 feet below ground surface elevation. The ground surface elevation at the location of Well #1 is approximately 486 feet (NAVD88 vertical datum).

Well #2 was constructed in 2004 under Napa County permit 96-12662. Well #2 is located approximately 150 feet southeast of Well #1 and **approximately 100 feet away from Nash Creek**. Well #2 has a 60-foot-deep concrete seal, an eight inch diameter PVC casing with the perforations beginning at 120 feet below ground surface elevation, and was completed to a depth of 560 feet below ground surface elevation. The ground surface elevation at the location of Well #2 is approximately 475 feet (NAVD88 vertical datum). (Emphasis added)

Water Audit challenges the reported location of both wells. Images of Well 2, for example, show a well pumped immediately adjacent to the bank of Nash Creek. The Application does not precisely locate either well or do more than speculate regarding the location of a replacement well.

The Applicant and staff assert that there is no need for a Tier 3 review of interference with Nash Creek on the basis that there is no increase of wine production sought, and therefore no change with environmental consequences since the initial approval. The assertion is disingenuous, as a comparison of water use reveals. In 1988 the County authorized 26,000 visitors, and from 15 to 25 employees, The 2019 Application is for over 427,000 visitors and from 110 to 150 employees. Using the standard Napa consumption values, the anticipated increase in water consumption by these two changes alone is approximately 1.4 million gallons, or approximately 4.3 acre-feet. Water Audit must again note that 2019, the year of certified numbers for this Application, is now six years in the past.

It appears that the Applicant is not being entirely candid regarding the watering of its grapevines. It is asserted in the Application that agricultural irrigation is provided by an authorization for direct diversion into storage. “The average annual vineyard irrigation demand is approximately 11.2 acre-feet/year and is not included in Table 1 because the demand can be supplied by the 20 acre-feet/year available from the surface water reservoir.” (Water Availability Analysis)

The SWRCB eWRIMS system reports an authorization for diversion of 69 acre-feet for Permit 20603. However, SWRCB reports show NO DIVERSION under the permit for many years. As the Applicant does not avow that it is dry farming, either the Applicant is filing inaccurate [diversion reports to the SWRCB](#), or it is using groundwater

to water its vines and making inaccurate statements herein. Notation on certain of the SWRCB reports make note of using groundwater supply in lieu of surface water diversion. The latter is no longer a predictable source, as upstream vineyards drain the watercourse before reaching the Applicant.

There should not be a question of the source and volume of beneficial uses of any type, because it is the obligation of the Applicant to maintain diversion and pumping records. They are not yet a part of the record and if they exist, should be presented and examined. If they do not exist, then any consumption, diversion or extraction data submitted by the Applicant must be treated with deep suspicion.

In any event, whether by diversion or extraction, all water is subject to public trust review and review pursuant to the reasonable use provisions of Article X, section 2 of the California Constitution. The permit issued by SWRCB states in part:

12. 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.

4. A finding that CEQA is inapplicable does not satisfy County public trust duties.

Staff engaged in a convoluted analysis to conclude that all the building and development being ratified by this Application are CEQA exempt for one reason or another. The concept is baffling but fortunately need not be addressed.

In *San Francisco Baykeeper, Inc. v. State Lands Com.*, 242 Cal. App. 4th 202, the Court held that CEQA compliance does not necessarily satisfy public trust obligations, and that the record must affirmatively demonstrate that the public trust doctrine was considered. CEQA review alone is insufficient if public trust duties are not adequately considered in the process. Brushing the issue aside cannot be considered “adequate.” While a CEQA review can be incorporated into a public trust analysis, it does not automatically fulfill the agency’s obligations under the public trust doctrine. The adequacy of the CEQA review in addressing public trust duties depends on the specific circumstances and the evidence in the record. In this matter the assessment is simple: no public trust review has been conducted on the basis that no CEQA review is required. That conclusion is in error.

“Napa County has determined that a WAA must be provided to complete the permit Application documents, and that the WAA must comply with the most current policy documents published in January 2024, to fulfill Napa County’s duties to protect the public trust as it relates to surface water and groundwater.” (Water Availability Analysis) Napa County makes no distinction between new and existing uses in its requirement for review of the surface water / groundwater interface.

To comply with longstanding California Supreme Court and Court of Appeal holdings, Napa County has determined that projects extracting water from wells within 1,500 feet of defined Significant Streams must submit a Tier 3 or equivalent analysis for the County to discharge its legal duties under public trust doctrine, whether the proposed project is proposing to extract more or less groundwater or remain at status quo (e.g., no net increase). Although there is no single method to evaluate impacts to the Napa River, County’s groundwater consultants, Luhdorff & Scalmanini Consulting Engineers (LSCE), have determined that complying with the Tier 3 analysis from the County’s 2015 Water Availability Analysis Guidance Document (the 2015 WAA Guidance Document) satisfies its legal obligations. Therefore, **PBES cannot find Applications which use a project well within 1,500 feet of a Significant Stream complete unless accompanied by a Tier 3 analysis or an equivalent analysis.** (Napa County Counsel Memorandum: *Application of Public Trust Doctrine to Projects Dependent on Groundwater*, January 2024.) (Emphasis added).

The Applicant does not offer proof that its wells will not interfere with public trust waters. It cannot do so with any degree of integrity, because it does not wish to commit to any new well locations, or more tellingly, commit to any manner of extraction that will not dry Nash Creek. The best that is inferred from the proposal to relocate the well is that *some* improvement in impairment *may* be made. Planning decisions should be based on more than faith alone.

The exact location of the replacement project well has not been determined due to unknown factors related to this use permit modification’s review process and the suitability of subsurface conditions in the potential drilling locations. Rather than propose a singular location, Bartelt Engineering, in coordination with the Applicant, has identified a general area of the property for the replacement project well that would reduce its impact on Nash Creek and maintain a 500 foot horizontal separation from all surrounding wells. At minimum, the replacement project well will be installed 130 feet from Nash Creek. At maximum, the replacement project well will be installed 700 feet from Nash Creek. (Water Availability Analysis)

5. Miscellaneous inadequacies revealed by reference to the Checklist.

- The Application omits “Adjoining Property Owner List”.
- Winery Operations worksheet misstates the legally authorized visitation
- No Application stamped with date received.
- No staff initials/signature or permit number.
- No Water System Feasibility Report for the “amended” Public Water System per COA 6.15.b.
- The Application omits a Traffic Study for Caltrans review as stated in the “Traffic Information Sheet Addendum” at packet pdf page 172.
- The Water Availability Analysis omits existing employee/visitation/marketing calculations, and contains no Well Completion Reports, **no metering data and no pumping data.**
- No Completed Business Activities form.
- No Federal Report of Wine Premises Operations TTB Form 5120.17.
- No current license from the California Department of Alcoholic Beverage Control.
- No copy of the State of California of Food and Agriculture Grape Crush Workbook, showing all sources and amounts of grapes/juice and/or bulk use.
- No Information for all custom crush clients who utilize your winery for their production.
- No Public Works Groundwater Memorandum.
- Misstatement of SWRCB diversion authorization and use of diverted water.
- No Public Works joint implementation.
- No acre feet limitation.
- No Groundwater Wells Management Demand Program.
- No Public Works Department review of the Application for completeness and reasonability to determine groundwater availability to meet CEQA obligations.
(<https://www.countyofnapa.org/DocumentCenter/View/1056/Water-Availability-Analysis-Adopted-Policy-May-12-2015-PDF>, at page 6)
- There is no conforming pumping test for either well in the packet, and no public water system feasibility study with increased employee/visitation/marketing technical worksheet to determine pumping test for project well. There is no backup well because the Well #2 is impermissibly close to Nash Creek.
- There is no CDFW review, determination or mitigation language for the tree removal and Best Management Practices for the associated ground disturbing activities, including the construction of a new well or wells. There is no obligation to obtain a Lake and Streamed Alteration Agreement mitigation for the work on the levee. The County has exceeded its authority in determining wildlife mitigation. There are no Responsible Agency, Responsible Party, or Timing.

- The well drilling permit was issued March 21, 2023, and therefore has expired and must be reissued.
- The Photographic Site Plan at packet pdf page 289 omits Well #1 and Well #2.
- No distances from the well locations to Nash Creek.
- No Water Utility Lines to Residence parcel.
- No site of "spring in creekbed." See 1985 Report of Investigation identifying water source from spring in creek bed.
- No Process Wastewater Utility line from treatment to vineyards. How and where does the recycled water cross Nash Creek?
- No "28.7" vineyard block acreage identified.
- Drawings do not conform to County standards. (See Sample-Site-Plan-Revised 2024-PDF_202411191159440278 <https://www.countyofnapa.org/DocumentCenter/View/20486/Sample-Site-Plan-.pdf>)
- Site Plans omit distances from the wells or septic field to Nash Creek.
- At packet pdf page 293 EXISTING CONDITIONS WEST "Remove all manmade features from dam levee." Historically the levee crest has been graded and used for parked cars inside the creek setback. The Graphics Existing Conditions photo appears to have been modified to eliminate parked cars. The bridge that crosses Nash Creek is 9.5 feet wide.
- CDFW has not reviewed the project or made a determination.

6. **Conclusion.**

Water Audit respectfully urges that the Planning Commission consider its duties before deciding this matter. Is there sufficient evidence for you to make the following required findings? We submit that there is not.

Napa County Title 18 ZONING 18.124.070 states in part:

Before issuing a use permit, the commission or board shall make the following written finding which include, but are not limited to:

- B. That the procedural requirements set forth in this chapter have been met;
- C. That grant of the use permit, as conditioned, will not adversely affect the public health, safety or welfare of the county;
- D. That the proposed use complies with the applicable provisions of this code and is consistent with the policies and standards of the general plan and any applicable specific plan;
- E. That, in the case of groundwater basins identified as "groundwater deficient areas" under Section [13.15.010](#), the proposed use would not require a new

water system or improvement, or utilize an existing water system or improvement causing significant adverse effects, either individually or cumulatively, on said groundwater basins in Napa County, unless that use would satisfy any of the other criteria specified for approval or waiver of a groundwater permit under Section [13.15.070](#) or [13.15.080](#) of this code;

- F. That, in the case of other groundwater basins, or areas which do not overlay an identified groundwater basin, substantial evidence has not been presented which demonstrates that the new water system or improvement might cause a significant adverse affect on any underlying groundwater basin, unless that use would satisfy any of the other criteria specified for approval or waiver of a groundwater permit under Section [13.15.070](#) or [13.15.080](#) of this code ... (Emphasis added).**

A balancing of interests must begin with scientifically based assessment of injury. The Code Compliance Program requires that an Applicant operate within the bounds of the existing approval for one year. The Applicant failed to comply with its probationary period, and therefore the Application cannot be granted until it does. Further, any Application is insufficient that cannot prove that its conduct will not injure the public trust, or even reasonably estimate the extent of its potential injury to allow for a balancing of harms and benefits.

Equity requires that the Applicant reduce operations to those identified as authorized in the 1999 review. After one year in the penalty box, the Applicant can prove a non-injurious source of water for its operations, it will be entitled to apply for a change of use. To do otherwise would be to not apply the law equitably. That would be inherently unfair to all others who have complied.

Respectfully,

A handwritten signature in blue ink, appearing to be 'WM', with a long horizontal stroke extending to the right.

William McKinnon
General Counsel
Water Audit California

County of Napa PC 20250402 Agenda Packet SATTUI att C: Previous Conditions pdf133 Status Determination Letter PBES July 26, 2019 "Staff cannot authorize at this time any increases in entitlements...

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Based upon the historic assessment provided in Exhibit L, staff has determined that Castello Di Amorosa is entitled to the following:

- 1) A winery with 250,000 gallons per year of wine production.
- 2) 100 off-street, dust free, all weather parking spaces.
- 3) Except as permitted by County ordinance, no outside social activities including picnicking, outside dining, wine tasting, live music, outdoor festivals, or other activities of a similar nature.
- 4) Retail sales limited to wine produced and bottled by the winery.
- 5) Open to the public tours and tastings as follows:
 - a. Summer (April 1-Dec 2nd) weekday visitors @ 50 per day and weekends @200 per day with an average of 400 per week.
 - b. Winter (Dec 2 to April 1) weekday visitors @25 per day and weekends @75 per day.
- 6) 25 Employees (crush); 15 Employees (non-crush).
- 7) A Marketing Plan consisting of:
 - a. Retail sales conducted in the tasting and sales room from 9-6:00 pm from March through October and from 9-5:00 pm from November through February.
 - b. Public tours and tastings from 9-6:00 pm from March through October and 9-5:00 pm from November through February. Tours and tastings may be offered at any event at the winery.
 - c. Promotional events for up to 300 people in the courtyard, hall and grounds, with or without sit down lunches and/or dinners or buffets.

Mr. Desmond
July 26, 2019
Page 3

- d. Cooking classes and educational seminars conducted as needed to promote the winery and its products.
- e. Gift shop: Sales of wine related gift items winery souvenirs and promotional items will be sold in the tasting room.
- f. Marketing off-site including sending a newsletter with offers of wine and related products for sale.
- 8) Hours of operation: Seven days a week 9-6 pm.
- 9) A 30k square foot cave for storage only.
- 10) An in-ground water disposal system.
- 11) Winery size: Total 116,508 square feet.
- 12) There shall be no use or leasing of space within the winery facilities for other uses, except as approved under a temporary event license.
- 13) Building One is approved for 59,308 square feet.
- 14) Building Two is approved for 27,200 square feet.
- 15) The Caves are approved at 30,000 square feet.
- 16) A 256 square foot entry kiosk.
- 17) Total accessory space/uses: accessory use and space beyond 3,324 square feet consisting of a 2,678 square foot tasting room, a 390 square foot office and 256 square foot kiosk).

Staff cannot authorize at this time any increases in entitlements beyond what is listed above nor recognize these activities without the processing of an amendment to the use permit. Therefore, staff recommends that a Major Modification to seek this recognition and/or to intensify any winery operations.

This determination is final unless an appeal is filed to the Napa County Board of Supervisors pursuant to Chapter 2.88 of the Napa County Code, including payment of applicable fees. You will be notified if an appeal is filed. Should you have any questions, please contact Linda St. Claire at (707) 299.1348 or e-mail at Linda.StClaire@countyofnapa.org

Should you have any questions, please contact me at linda.stclaire@countyofnapa.org at (707) 299-1348.

Sincerely,

Linda St. Claire
Linda St. Claire

County Compliance Supervisor

cc: Mr. Dario Sattui, Castello di Amorosa
Laura Anderson, Deputy County Counsel

County of Napa PC 20250402 Agenda Packet SATTUI att C: Previous Conditions pdf133 Status Determination Letter PBES July 26, 2019 "Staff cannot authorize at this time any increases in entitlements...

County of Napa PC 20250402 Agenda Packet SATTUI att C: Previous Conditions pdf133 Status Determination Letter PBES July 26, 2019 "Staff cannot authorize at this time any increases in entitlements...

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P-UP-APP
278485
230-390-012

NAPA COUNTY
CONSERVATION, DEVELOPMENT AND PLANNING COMMISSION

1195 Third Street, Room 210 • Napa, California 94559 • (707) 253-4410

APPLICATION FOR LAND USE PERMIT

FOR OFFICE USE ONLY	
ZONING DISTRICT <u>AW</u>	File No.: <u>U-278485</u>
REQUEST: To construct a 250,000 gallons/year winery with public tours and tasting and to establish a bottled water company within the proposed winery on 108 acres located on the west side of State Highway 29, 300 feet south of Maple Lane (AP#'s 20-230-01 and 20-390-06)	Date Filled: <u>Dec. 14, 1984</u>
	Date Published: _____
	<u>CDPC</u> <u>BS</u>
	Hearing <u>MAY 1, 1985</u>
	<u>CONTINUED</u>
	Action <u>MAY 15, 1985</u>

TO BE COMPLETED BY APPLICANT	
Applicant's Name: <u>St. Michael Vineyards</u>	Telephone No.: <u>707/942-6780</u>
Address: <u>3999 Highway 29 N, Calistoga, CA</u>	<u>20-230-01-2-230-01-6</u>
NO. STREET CITY STATE	Assessor's No.: <u>20-390-06</u>
	Zip Code: <u>94515</u>
Status of Applicant's Interest in Property: <u>Represent's Property Owner</u>	
Property Owner's Name: <u>Andre Bosc</u>	
Address: <u>3999 Highway 29 N, Calistoga, CA</u>	Telephone No.: <u>707/942 6780</u>
NO. STREET CITY STATE	
Application for Use Permit request: <u>For construction of a winery and related facilities.</u>	
* <u>closed Hearing MAY 15, 1985</u> <u>referred to Environmental Section for</u> <u>preparation of Supplemental EIR</u>	
<u>MAY 21, 1986</u> <u>SUPPLEMENTAL EIR RETURNED TO DEPT.</u> <u>FOR COMPLETION OF PUBLIC REVIEW &</u> <u>REVISION TO FINAL EIR SUPPLEMENT.</u>	

I certify that the above statements are correct and that the Plot Plan on reverse side is accurate:


St Michael Vineyards Andre Bosc
SIGNATURE OF APPLICANT SIGNATURE OF PROPERTY OWNER

Submit with a check or money order in the amount of ~~eighty-five (\$85.00) dollars~~ payable to the County of Napa, no part of which shall be refundable, to the Conservation, Development and Planning Department Office (the application fee consists of ~~\$50.00~~ for the Use Permit and ~~\$35.00~~ for an Environmental Impact Assessment of the request).

TO BE COMPLETED BY CONSERVATION, DEVELOPMENT & PLANNING DEPARTMENT	
\$450.00 <u>62241</u>	Received by: <u>T. E. Gumbard</u>
RECEIPT NUMBER	CONSERVATION, DEVELOPMENT AND PLANNING DEPARTMENT

2/21/84

(over)

 **NAPA COUNTY**

CONSERVATION — DEVELOPMENT
AND PLANNING DEPARTMENT

JAMES H. HICKEY
Director

1195 THIRD STREET, ROOM 210 • NAPA, CALIFORNIA 94559-3092
AREA CODE 707/253-4416

ENDORSED

D. 1096
**NOTICE OF DETERMINATION
AMENDED**

FILED JAN 28 1988
JANICE F. NORTON
NAPA COUNTY CLERK
BY D. DELLO
COUNTY CLERK
COUNTY OF NAPA

TO: (X) OFFICE OF PLANNING AND RESEARCH (X) COUNTY CLERK
1400 TENTH STREET, ROOM 121
SACRAMENTO, CA. 95814

PROJECT TITLE: St. Michael Vineyard FILE # U-278485
(SCH# 85070921)

PROJECT DESCRIPTION AND LOCATION:
115,000 square foot winery with a production capacity of 250,000 gallons including public tours and tasting and appurtenant waste disposal facilities on 108 acres located on the west side of State Highway 29, 300 feet south of Maple Lane within an AW (Agricultural Watershed) Zoning District. (APN #20-230-01 and 20-390-06)

ADOPTED MITIGATION MEASURES:
Mitigation measures were made a condition of approval of the project.

THIS IS TO ADVISE THAT THE NAPA COUNTY () BOARD OF SUPERVISORS, (X) CONSERVATION, DEVELOPMENT AND PLANNING COMMISSION, () HAS APPROVED THE PROJECT AND MADE THE FOLLOWING DETERMINATIONS ON JANUARY 6, 1988.

1. (X) After reviewing a completed Initial Study and holding a public hearing the Conservation, Development and Planning Commission determined that the above described project would have a significant effect on the environment. As a result of this determination an EIR Supplement was prepared and the project sponsor revised the project to eliminate the significant effects.
2. On January 6, 1988, the () Napa County Board of Supervisors, (X) Napa County Conservation, Development and Planning Commission, () Napa County Zoning Administrator after conducting a public hearing and reviewing all comments received prior to the public hearing determined that the above described project would not have a significant unmitigated effect on the environment, adopted and certified the Environmental Impact Report Supplement.
3. The project () will, (X) will not have a significant effect on the environment.

Page 2
Notice of Determination
January 25, 1988

4. An (X) Environmental Impact Report Supplement, () Negative Declaration was prepared and certified (See 15094(a)(5)) for this project pursuant to the provisions of CEQA. A copy of this document may be examined at the office of the Napa County Conservation, Development and Planning Department.
5. A statement of overriding considerations () was, (X) was not adopted for this project.
6. A copy of the Initial Study and Project Approval and/or the FEIR Supplement may be examined at the Office of the Napa County Conservation, Development and Planning Department, 1195 Third Street, Room 210, Napa, California. Please contact James O'Loughlin at (707) 253-4416 if you wish to examine either document.
7. The FEIR demonstrated that the project as approved will not have a significant effect on the environment and therefore the findings required by 14 California Administrative Code 15091 if significant effects are identified in a final EIR are not made.

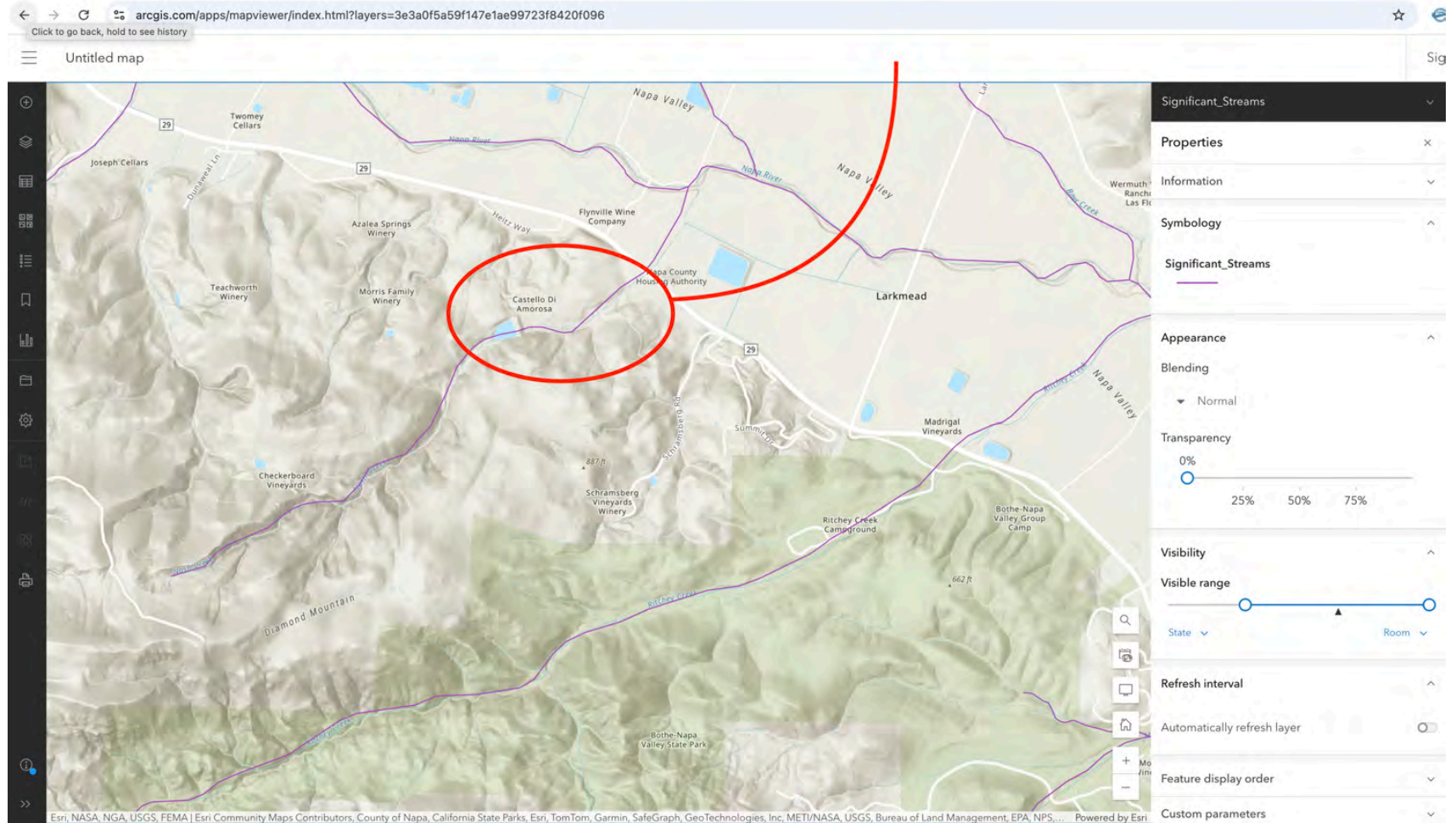
Dated: January 28, 1988

JAMES H. HICKEY, Director
Conservation, Development & Planning Department

By James O'Loughlin

:PZE

cc: Robert Westmeyer, Napa County Counsel



COUNTY Groundwater Permits



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3. GROUNDWATER PERMIT REQUIRED (project considered discretionary, NCC 13.15.060)

1. For parcels that do not meet the criteria for exemption or a ministerial permit: To add any additional use (including, but not limited to, a second residence, a new or expanded vineyard, or a winery), an environmental assessment in the form of an initial study most likely leading to an EIR (Environmental Impact Report) will be required to be completed

unless the applicant is able to prove that there will be "no net increase" in water consumption.

"No net increase" means that the applicant will have to show that no additional water will be necessary. This can be done by giving up an existing use, changing practices to reduce the amount of water that is used by existing uses, or by bringing in water from outside of the MST in sufficient quantities to compensate for the new use. So-called "trucked-in" water may only be used for agricultural activities.

If you are going to document an "existing use" that you wish to give up for a proposed new use, you must confer with the Department of Public Works and PBES prior to submittal of a groundwater permit application. These departments will evaluate your proposal for accuracy (i.e. are the water use estimates reasonable based on the existing use) and will make an initial determination whether your claim of the existing use can be supported (i.e. is the use one that ceased in the last few years or is it an ongoing use, etc.).

Along with the "no net increase" standard, applicants are also required to meet the "fair share" (0.3 acre-ft of groundwater/acre of land owned) specified in the Department of Public Works policy report.

The no net increase standard for CEQA review may be lifted by the Napa County Board of Supervisors when a plan (such as bringing a recycled water pipeline to the MST) is fully in place and operating.

GROUNDWATER PERMIT PROCESSING PROCEDURE

1. **Ministerial Permits:** Applications are available from PBES. If your project meets the criteria for a ministerial permit, a complete application will be processed, and the permit issued within a couple of weeks.
2. **Discretionary Permits:**
 - Applications and instructions are available from PBES. Applications shall be returned with the required fees and certified list of adjoining property owners.
 - The complete application and all supporting material will be referred to the Department of Public Works for review of water use estimations and projections.
 - The application, along with the Department of Public Works analysis, is then referred to the Planning Division of PBES for environmental review.
 - Once the environmental review process has been completed, the environmental document is transmitted to the Environmental Health Division for their review.
 - Following notice to the neighbors, and any requested public hearing (if a hearing request is not submitted, then no hearing is held), the groundwater permit is either issued or denied by the Environmental Health Division.
 - Appeals to either an approval or denial of a groundwater permit application are submitted to the Napa County Board of Supervisors.

PBES and Public Works (PW) staff will review the application for completeness and reasonableness, review the County's groundwater data management system for additional information about the characteristics of the areas/basin and nearby wells, compare the analysis to the screening criteria, and determine if additional analysis is required. In reviewing available information, County staff will consider:

1. The characteristics of the groundwater area or basin (such as confined or unconfined aquifer system; alluvial or hard rock geological setting) and related aquifer properties; and,
2. The location and present use of all existing non-project wells that are within 500 feet of the project well(s), identifying well depths and construction information for existing wells, if known; and,
3. The distance to surface waters within 500 feet of any Very Low pumping capacity project well(s) or 1500 feet of project well(s) with a capacity greater than 10 gallons per minute (gpm).³

Screening Criteria

Applications will be evaluated based on project information, to be provided by the applicant, and available geologic and hydrologic information, to be provided by County staff. As shown in **Table 1**, projects on the Napa Valley Floor and the Milliken-Sarco-Tulucay (MST) that meet the Tier 1 criteria (water use) will generally not be subject to second tier criteria evaluation, unless substantial evidence⁴ in the record indicates the need to do so. Parcels in all other areas will generally be required to conduct a Tier 2 evaluation. Projects will be subject to Tier 3 criteria and analysis only when substantial evidence in the record determines the need for such analysis. All criteria are based on information outlined in this procedure, as well as a detailed conceptualization of hydrogeologic conditions in the Napa Valley and substantial evidence in the form of monitoring and hydrologic data, past studies, and well drillers' logs. Procedures for three tiers of screening criteria will be used on each project as designated herein and as needed for projects with unique issues:

³ For the purposes of this WAA, "very low pumping capacity wells" are defined as wells with a casing diameter of six inches or less and an installed pump capable of producing less than 10 gallons per minute (gpm). Pumping capacities referenced throughout this WAA were developed as part of a separate analysis of potential streamflow depletion in unconsolidated alluvial settings. Details of this analysis are provided in a separate Technical Memorandum (LSCE, 2013).

⁴ Substantial evidence is defined by case law as evidence that is of ponderable legal significance, reasonable in nature, credible and of solid value. The following constitute substantial evidence: facts, reasonable assumptions predicated on facts; and expert opinions supported by facts. Argument, speculation, unsubstantiated opinion or narrative, or clearly inaccurate or erroneous information do not constitute substantial evidence.

Sat Mar 15 8:10 PM

Watershed Management | Napa

countyofnapa.org/1161/Watershed-Management

Create a Website Account - Manage notification subscriptions, save form progress and more. Website Sign In

Stream Maintenance & Watershed Management Program

Napa County Watersheds

Watershed Resources & Guidance Materials

Home > Departments > Public Works > Flood District > Watershed Management

Watershed Management

In Napa County, Watershed Management consists of:

- Clearing and maintaining the 13 miles of channels within the Flood Control District's jurisdiction as part of the [Stream Maintenance Program](#)
- Clearing problem areas within the Napa River and its tributaries
- Dredging the Napa River
- Repairing and stabilizing the River and stream banks
- Installing and operating a Countywide early warning system for flooding
- Replacing and installing major storm drain trunk lines
- Participating in federal and State flood protection grant programs
- **Managing and monitoring groundwater**
- Overseeing adjudicated watersheds
- Maintaining the [benefit assessment program](#)
- Preparing special studies for flood protection and watershed management
- Developing standardized and integrated floodplain management regulations
- Assisting the local community in complying with [National Pollutant Discharge Elimination System \(NPDES\) requirements](#)
- A detailed description of the above projects and services and the current fiscal year's [project report FY 20-21 \(PDF\)](#)

Leave a message

Contact Us

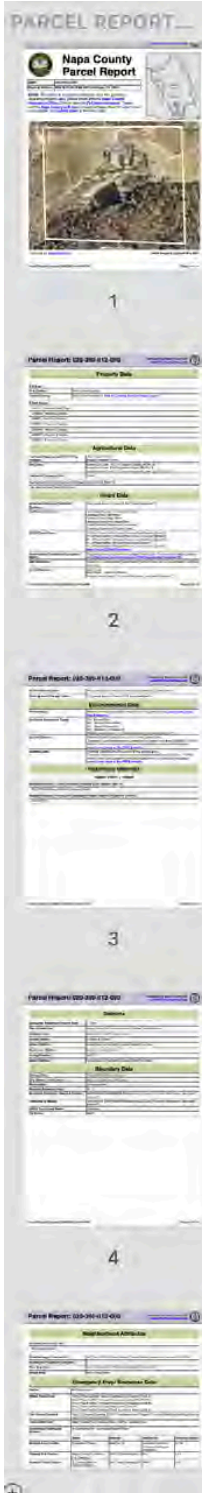
Watershed Management

Physical Address
804 1st Street
Napa, CA 94559

Phone: [707-259-8600](tel:707-259-8600)

Related Documents

- [Watershed Management Project 96-1 Engineer's Report FY 20-21 \(PDF\)](#)



Parcel Report: 020-390-012-000

Developed by Napa County GIS
gisstaff@countyofnapa.org



E23-00112 - { Environmental / Online / Water Wells / Class I With Destruction }

Applied Date:	3/21/2023
Permit Status:	Review Process as of 6/23/2023
Assigned Staff:	KIM WITHROW

Permit Activity

Task	Status	Date	Contact	Email Contact
EH Review	Review Out	11/7/2023	KIM WITHROW	kim.withrow@countyofnapa.org
Engineering Review	Review Out	6/23/2023	Engineering Division	environmental@countyofnapa.org
Application Acceptance	Application Received	6/23/2023	PATRICK MARINO	patrick.marino@countyofnapa.org

Permit Inspections

Task	Status	Date	Contact	Email Contact
Construction Inspection	Pending			environmental@countyofnapa.org
Destruction Inspection	Pending			environmental@countyofnapa.org

P23-00031 - { Planning / Development Approvals / Temporary Event / NA }

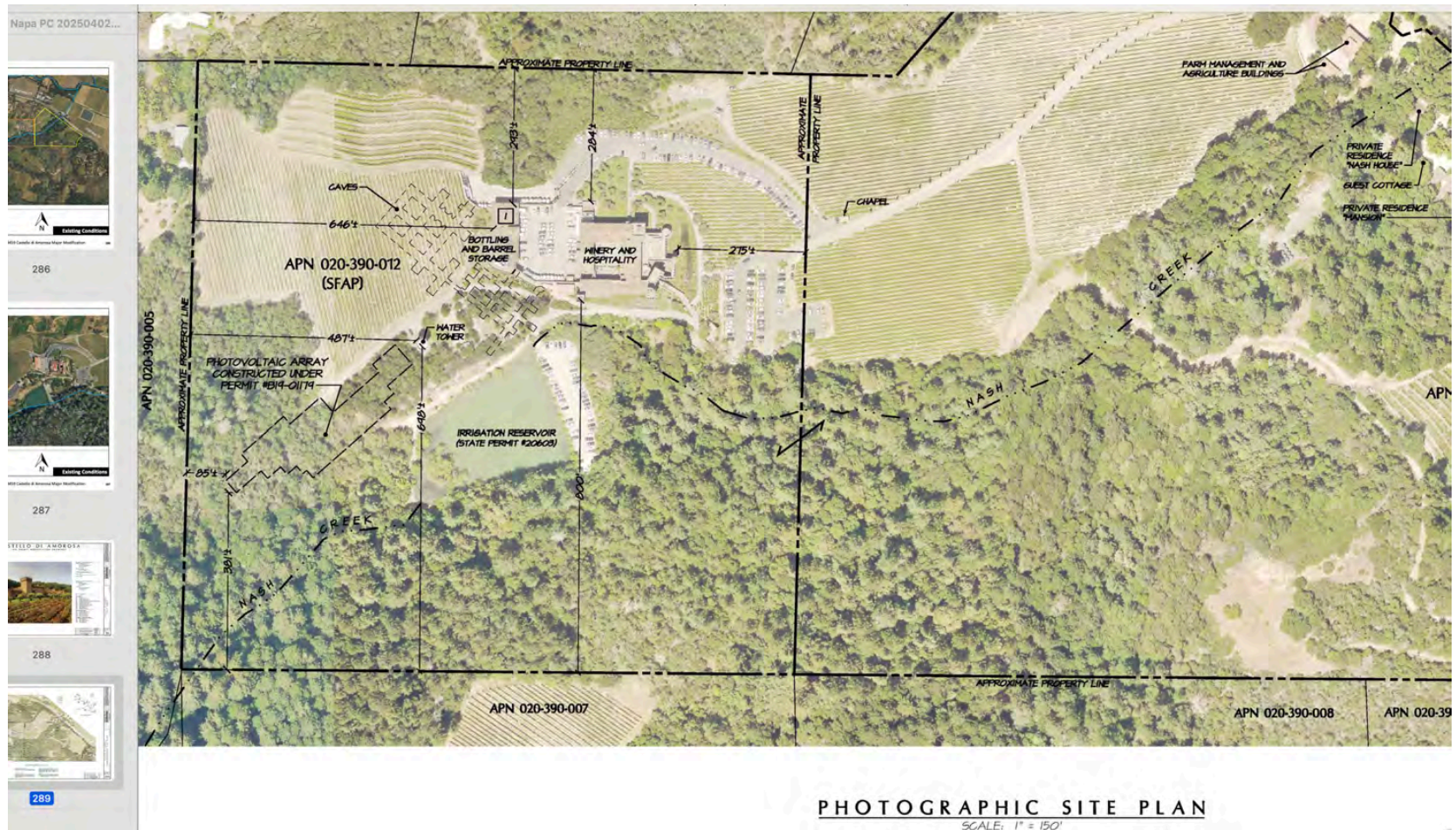
Applied Date:	2/22/2023
Permit Status:	Finalized as of 7/14/2023
Assigned Staff:	Planning Staff

Permit Activity

Task	Status	Date	Contact	Email Contact
Planning Review	Approved	7/14/2023	Terri L Abraham	planning@countyofnapa.org
Issued Approved	Approved	7/14/2023	Terri L Abraham	planning@countyofnapa.org
Time Tracking	Permit Final	7/14/2023	Terri L Abraham	planning@countyofnapa.org
Fire Review	Approved	7/10/2023	Fire Staff	planning@countyofnapa.org
Code Investigation Review	Approved	3/17/2023	AKENYA ROBINSONWEBB	akenya.robinson-webb@countyofnapa.org
EH Review	Approved	3/10/2023	MAUREEN SHIELDS BOWN	maureen.shieldsbown@countyofnapa.org
Building Review	Approved	3/6/2023	John Chase	john.chase@countyofnapa.org
Submittal	Application Received	2/22/2023	Sean Trippi	sean.trippi@countyofnapa.org
Public Works Review	Approved	2/22/2023	Danielle Goshert	danielle.goshert@countyofnapa.org

Permit Inspections

No Inspection data available. Contact planning@countyofnapa.org for more information.



YDR SATTUI 020-390-012

REPORT OF INVESTIGATION/SERVICE: 9/26/85 SPOKE WITH ANDRE BOSCH - COMPLAINT
FILED BY EX-RANCH FOREMAN WHO CURRENTLY RESIDES IN CABIN
NORTH OF NASH HOUSE - ALSO INFORMED ME THAT STORAGE TANK HAD
BEEN RECENTLY VANDALIZED, BUT HAS BEEN REPAIRED & CLEANED SINCE.
DEE SILVESTRI IS CHECKING ON ALLEGED ILLEGAL REMODELING OF NASH
HOUSE - BOSCH SAID THAT NO WINE TASTING IS DONE AT THIS FACILITY -
WILL CHECK SPRING & STORAGE TANK TOMORROW - SAMPLE WILL BE
TAKEN 9/30/85

9/27/85 INSPECTED SYSTEM WITH ANDRE BOSCH - WATER SOURCE IS SPRING IN
 COMPLAINANT ADVISED DISPOSITION: (ABATED/REFERRED)

☒ YES () NO

CREEKBED-INTAKE LINE ABOUT 18" BELOW SAND BED - 2" PLASTIC PIPE ON TOP OF
GROUND TO STORAGE TANK - TANK WAS RECENTLY DRAINED & CLEANED & SCREEN REPAIRED,
FOLLOW-UP DATES: BUT VENT AREA TOO LARGE TO EXCLUDE WIND-BORNE CONTAMINANTS -
DOMESTIC SUPPLY IS THEN FILTERED AT BOTTOM OF HILL BEHIND MAIN HOUSE -

DEE: SAMPLE TAKEN 9/30/85 - ALSO DISCUSSED PERFORMED BY: MJP
THIS WITH COMPLAINANT. 10/25/85 LOWER UNIT NEW PLACANT

QUADRUPPLICATE
Local Requirements

Page 7 of 7

Owner's Well No. _____

Date Work Began 5/10/04, Ended 5-27-04

Local Permit Agency _____

Permit No. 05-12552

Permit Date 5/10/04

STATE OF CALIFORNIA
WELL COMPLETION REPORT

Refer to Instruction Pamphlet

No. 0900847

DWR USE ONLY - DO NOT FILL IN	
STATE WELL NO./STATION NO.	
LATITUDE	LONGITUDE
APN/TRS/OTHER	

GEOLOGIC LOG

 ORIENTATION (±) ☒ VERTICAL ☐ HORIZONTAL ☐ ANGLE _____ (SPECIFY)
 DRILLING METHOD ☒ MTD FLUID ☒ brine

 DEPTH FROM SURFACE
 DESCRIBE material, grain size, color, etc.

FL	TO	FL	DESCRIPTION
0	2		topsoil
2	20		brown clay white rock
20	30		brown rock
30	50		brown red tan red clay
50	70		red brown tan soft rock
70	90		gray ash silty brown red rock
90	110		brown clay red rock
110	130		brown soft rock
130	150		red brown gray rock
150	170		red brown tan soft rock
170	190		red brown tan soft rock
190	210		brown reddish gray rock
210	230		gray red brown rock
230	250		white red brown gray rock
250	270		black white rock
270	290		red brown gray rock
290	310		brown red gray rock
310	330		lt. red gray brown white
330	350		tan brown gray rock
350	370		brown red gray rock
370	390		brown tan red gray rock
390	410		red brown tan gray rock
410	430		red brown tan rock
430	450		red brown black rock
450	470		black red brown rock
470	490		black brown soft rock
490	510		black white red brown
510	530		red black green shale
530	550		red green white black

WELL OWNER

 Name _____
 Mailing Address _____

CITY _____ STATE _____ ZIP _____

 WELL LOCATION
 Address 4045 N. St. Helena Hwy

City Calistoga

County Inyo

APN Book 020 Page 390 Parcel 12

Township _____ Range _____ Section _____

East _____ Long _____

 LOCATION SKETCH
 NORTH

ACTIVITY (±)

☒ NEW WELL
☐ MODIFICATION/REPAIR

☐ Deepen
☐ Other (Specify) _____

☐ DESTROY (Describe Procedures and Materials Under "GEOLOGIC LOG")

USES (±)

☒ WATER SUPPLY

☐ Domestic ☐ Public
☐ Irrigation ☐ Industrial

☐ MONITORING
☐ TEST WELL

☐ CATHODIC PROTECTION
☐ HEAT EXCHANGE

☐ DIRECT PUSH
☐ INJECTION

☐ VAPOR EXTRACTION
☐ SPARGING

☐ REMEDIATION
☐ OTHER (SPECIFY) _____

WATER LEVEL & YIELD OF COMPLETED WELL

DEPTH TO FIRST WATER _____ (FL) BELOW SURFACE

DEPTH OF STATIC WATER LEVEL 147 (FL) & DATE MEASURED 5/24/04

ESTIMATED YIELD 70 (GPM) & TEST TYPE air

TEST LENGTH 1.53 (FL) TOTAL DRAWDOWN 520 (FL)

* May not be representative of a well's long-term yield.

DEPTH FROM SURFACE	FL	TO	FL	BORE-HOLE DIA. (Inches)	CASING (S)						DEPTH FROM SURFACE	FL	TO	FL	ANNULAR MATERIAL			
					TYPE (±)	MATERIAL / GRADE	INTERNAL DIAMETER (Inches)	GAUGE OR WALL THICKNESS	SLOT SIZE IF ANY (Inches)						CE-MENT (±)	BE-N-TO-NITE (±)	FILL (±)	FILTER PACK (TYPE/SIZE)
	0	60	14	X		R490	8"	200			0	60			X			#6 sand pack
	60	120	12 3/4	X		R490	8"	200			60	120						
	120	180	12 3/4	X		R490	8"	200	factory									
	180	220	12 3/4	X		R490	8"	200	factory									
	220	280	12 3/4	X		R490	8"	200	factory									
	280	320	12 3/4	X		R490	8"	200										

ATTACHMENTS (±)

☐ Geologic Log
☐ Well Construction Diagram
☐ Geophysical Log(s)
☒ Soil/Water Chemical Analyses
☐ Other CASING

ATTACH ADDITIONAL INFORMATION, IF IT EXISTS.

CERTIFICATION STATEMENT

I, the undersigned, certify that this report is complete and accurate to the best of my knowledge and belief.

 NAME McLean & Williams, Inc.
 (PERSON, FIRM, OR CORPORATION) (TYPED OR PRINTED)

ADDRESS 878 El Centro Ave., Napa, CA 94553

 Signed _____
 C-57 LICENSED WATER-WELL CONTRACTOR

CITY Napa

STATE

ZIP 94552

DATE SIGNED 11/23/04

C-57 LICENSE NUMBER

EDR SATTUI 020-390-012...

Environmental

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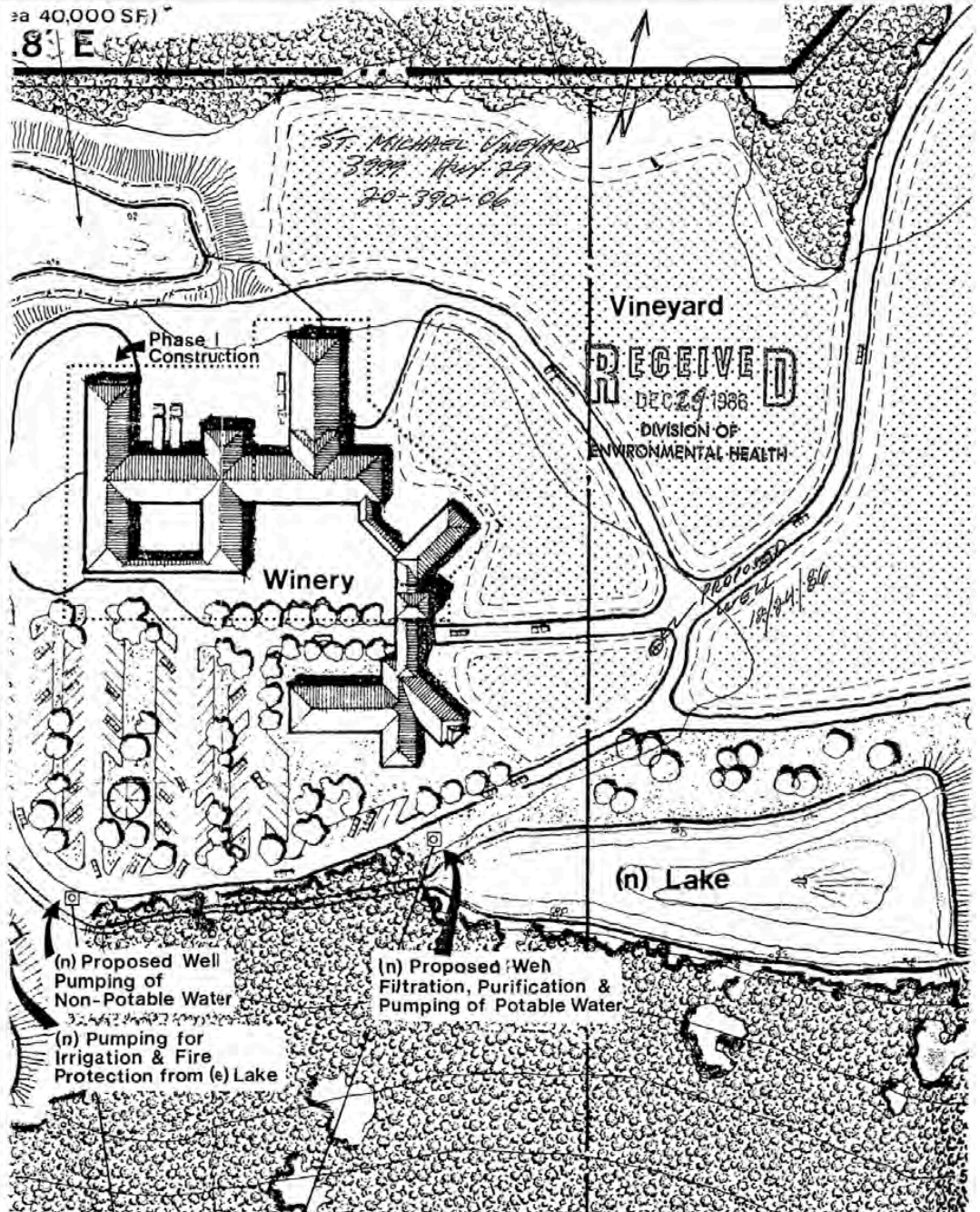
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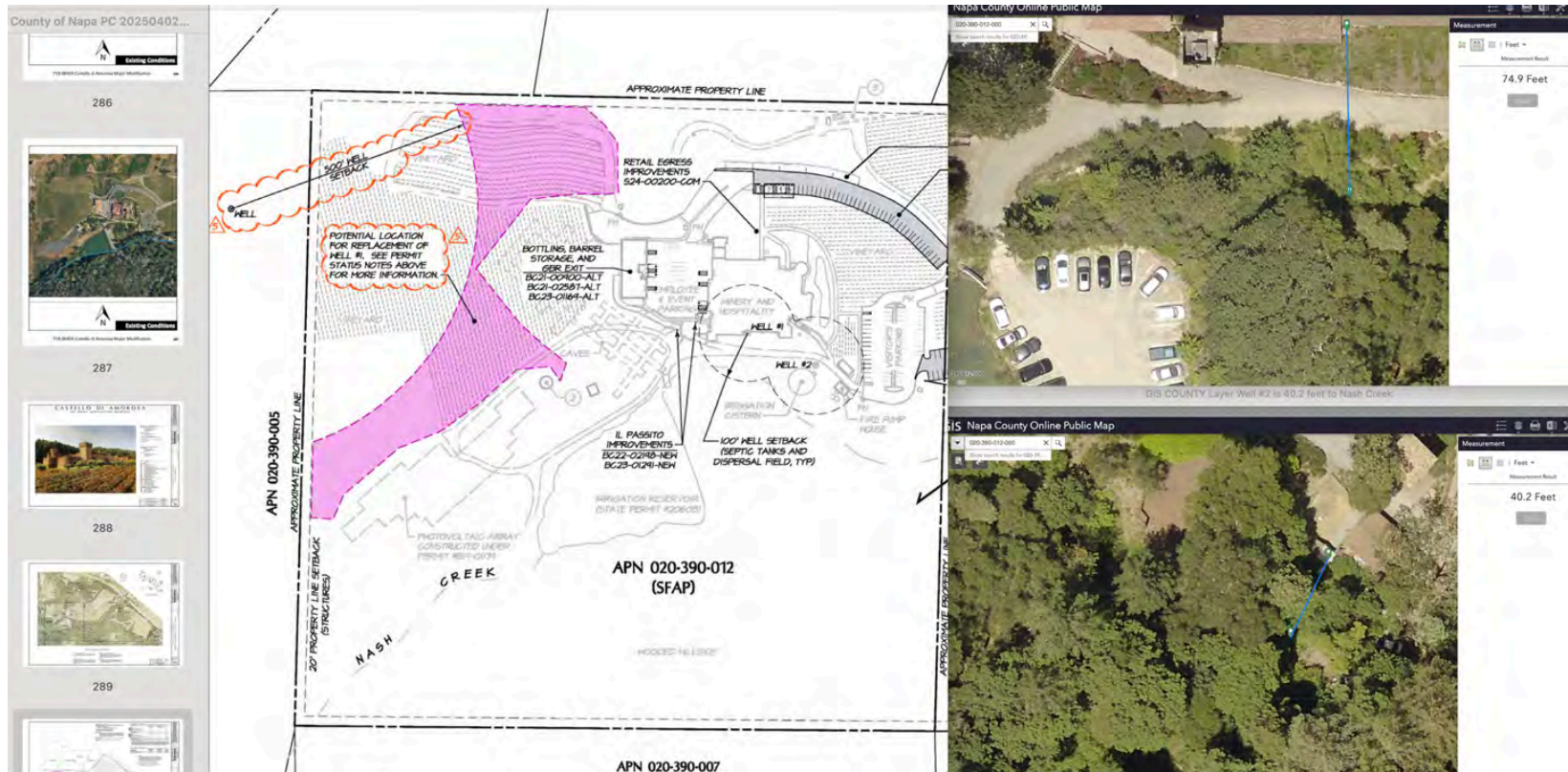


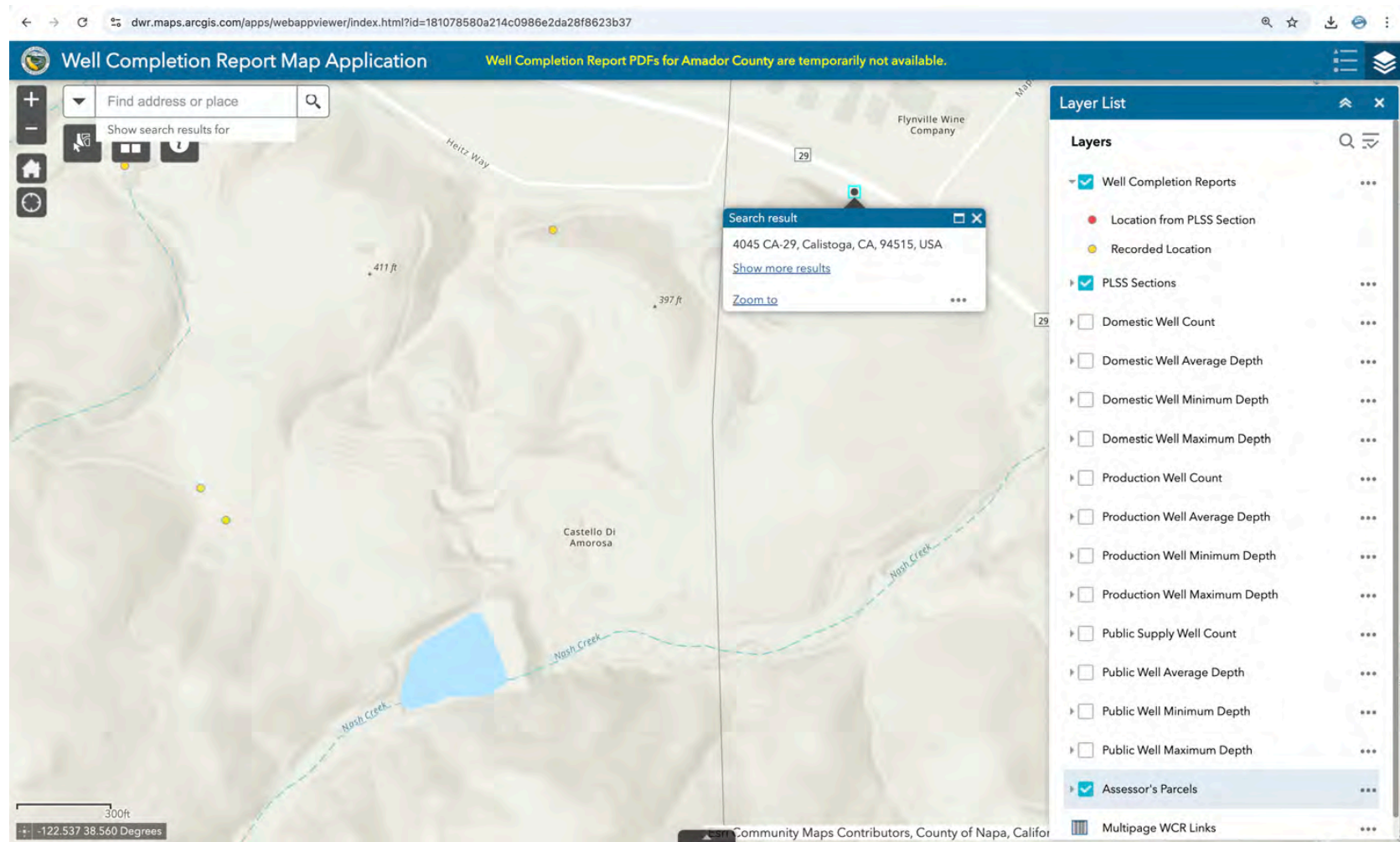
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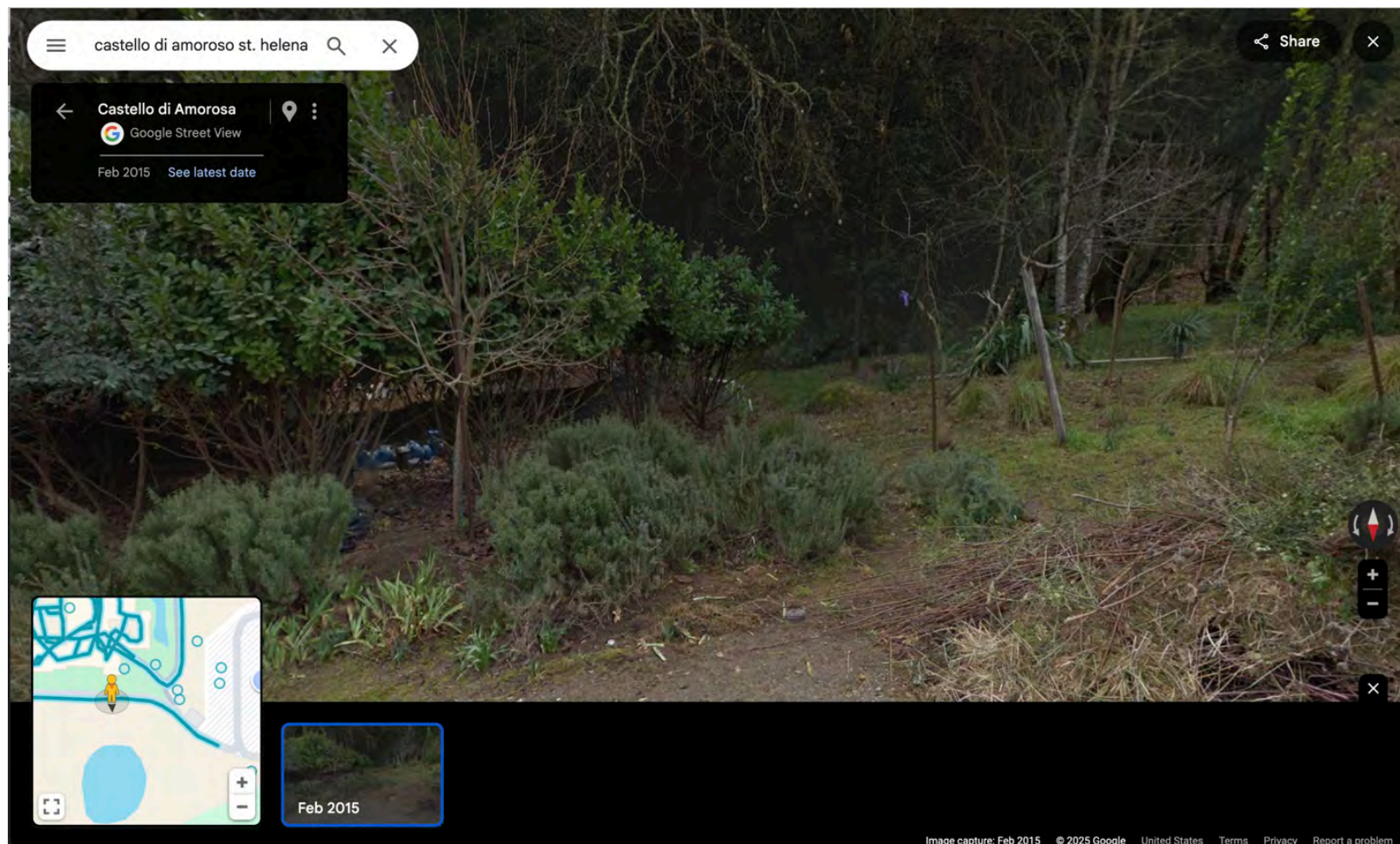
Water Audit_Sattui_Comment Letter 016





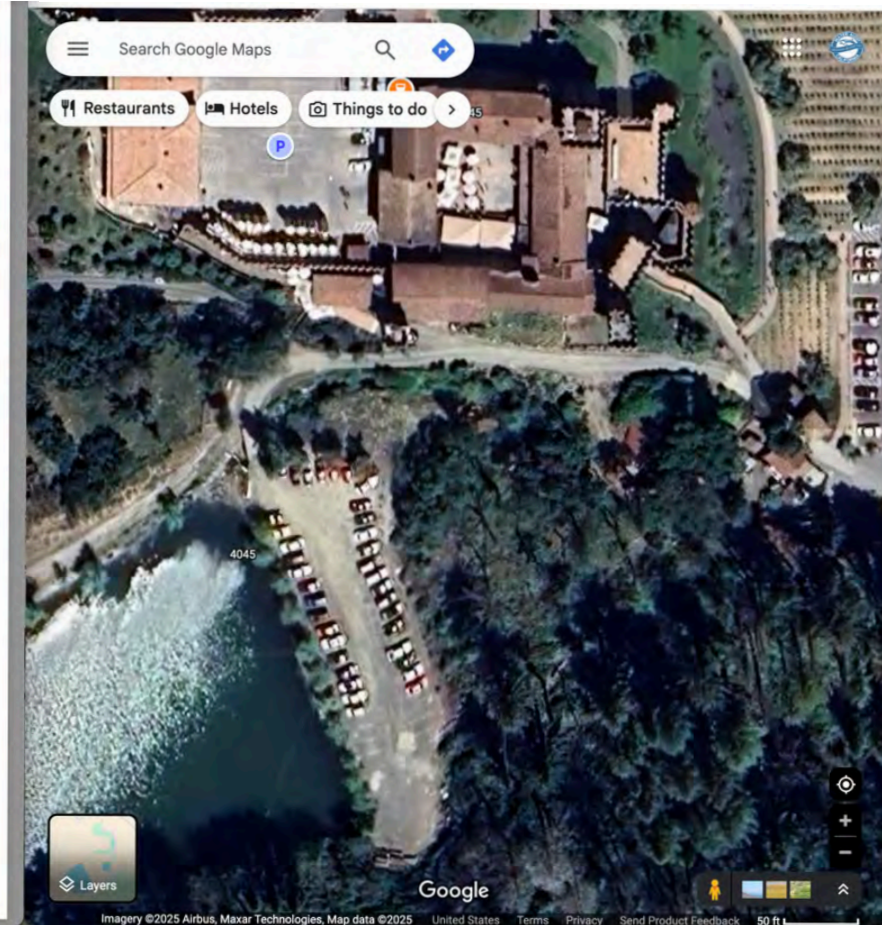














August 2024
Job No. 05-38

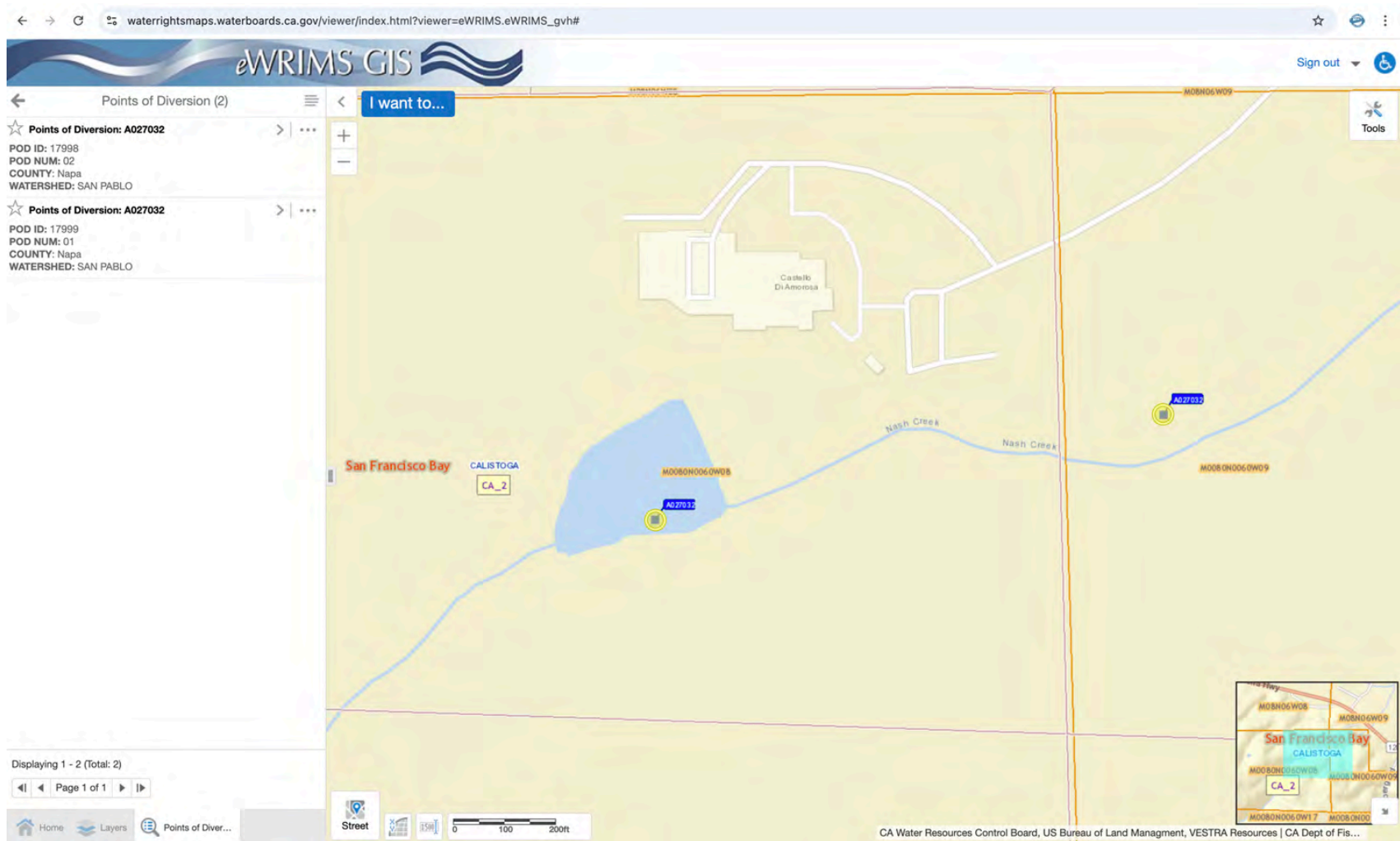
Castello di Amorosa
Groundwater Demand
Table I

BARTELT
ENGINEERING

Description	Water Usage Rate ¹	Quantity Unit	Water Demand (acre-feet/year)
Residential			
Primary Residence	0.75 acre-feet/year	1 Residence	0.75
Secondary Unit ²	0.75 acre-feet/year	1 Residence	0.75
Guest Cottage	0.10 acre-feet/year	1 Guest Cottage	0.10
Total Residential			1.60
Agricultural			
Vineyards ^{3,4}	0.39 acre-feet/acre/year	28.7 acres	11.19
Farm Management Building			
Employees ⁵	15 gallons/shift	3,650 Shifts/year	0.17
Total Agricultural			0.17
Winery			
Process Water	2.15 acre-feet/100,000 gallon of wine	250,000 Gallons of wine/year	5.38
Domestic & Landscaping	0.50 acre-feet/100,000 gallon of wine	250,000 Gallons of wine/year	1.25
Employees ⁶	15 gallons per shift	33,366 Shifts/year	1.54
Tasting Room Visitation	3 gallons per visitor	546,000 Visitors/year	5.03
Events and Marketing, with on-site catering	15 gallons per visitor	22,065 Visitors/year	1.02
Total Winery			14.22
Estimated Groundwater Demand (acre-feet/year)			15.98
NOTES: 1) Water usage rates from <i>Appendix B: Estimated Water Use of Specified Land Use</i> of Napa County WAA-Guidance Document (2015) 2) Secondary Residence's estimated water use based on its current use as a Primary Residence rental. 3) The surface water reservoir on the property (State Waterboard Permit #20603) supplies 20 acre-feet/year of water to be used for vineyard irrigation. Vineyard irrigation water demand not exceeding 20 acre-feet/year is not included in the total estimated groundwater demand. 4) Vineyard irrigation Water Usage Rate is based on information provided by Owner. 5) Up to 10 daily employees estimated in documentation for permits B12-00773 and E12-00750. Assume 10 employees/day, 365 days/year. 6) Based on 110 employees which is the maximum number on any give day.			

Water Use Analysis
Castello di Amorosa (P19-00459)

Groundwater Demand



STATE OF CALIFORNIA
WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

PERMIT FOR DIVERSION AND USE OF WATER

PERMIT 20603

Application 27032 of Andre F. Bosc
3999 State Highway 29, Calistoga, CA 94515

filed on October 5, 1981, has been approved by the State Water Resources Control Board SUBJECT TO VESTED RIGHTS and to the limitations and conditions of this Permit.

Permittee is hereby authorized to divert and use water as follows:

1. Source:

Tributary to:

<u>Nash Creek</u>	<u>Napa River thence</u>
	<u>San Pablo Bay</u>

2. Location of point of diversion:	40-acre subdivision of public land survey or projection thereof	Section	Township	Range	Base and Meridian
(1) NORTH 2,000 FEET AND EAST 200 FEET FROM SW CORNER OF SECTION 9	NW $\frac{1}{4}$ OF SW $\frac{1}{4}$	9	8N	6W	MD
(2) NORTH 1,750 FEET AND WEST 700 FEET FROM SE CORNER OF SECTION 8	NE $\frac{1}{4}$ OF SE $\frac{1}{4}$	8	8N	6W	MD

County of Napa

3. Purpose of use:	4. Place of use:	Section	Township	Range	Base and Meridian	Acre
SEE ADDENDUM						

The place of use is shown on map on file with the State Water Resources Control Board.

APPLICATION 27032

PERMIT **20603**

20603

ADDENDUM

[illegible]

5. The water appropriated shall be limited to the quantity which can be beneficially used and shall not exceed a total of 69 acre-feet per annum to be collected from November 15 of each year to March 1 of the succeeding year as follows: (1) 49 acre-feet per annum in Reservoir No. 1, and (2) 20 acre-feet per annum in Reservoir No. 2. (0000005)

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. (000005I)

6. The amount authorized for appropriation may be reduced in the license if investigation warrants. (0000006)

7. Construction work shall begin within two years of the date of this permit and shall thereafter be prosecuted with reasonable diligence, and if not so commenced and prosecuted, this permit may be revoked. (0000007)

8. Construction work shall be completed by December 31, 1995. (0000008)

9. Complete application of the water to the authorized use shall be made by December 31, 1996. (0000009)

10. Progress reports shall be submitted promptly by permittee when requested by the State Water Resources Control Board until a license is issued. (0000010)

11. 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. (0000011)

12. 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 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)

13. 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. (0000013)

Application 27032

Permit 20603

14. The State Water Resources Control Board reserves jurisdiction to impose conditions to conform this permit to Board policy on use of water for frost protection. Action by the Board will be taken only after notice to interested parties and opportunity for hearing.

(0000020)

15. Permittee shall install and maintain an outlet pipe of adequate capacity in the dam for Reservoir No. 1 as near as practicable to the bottom of the natural stream channel in order that water entering the reservoir which is not authorized for appropriation under this permit can be released. Before starting construction, permittee shall submit plans and specifications of the outlet pipe to the Chief of the Division of Water Rights for approval. Before storing water in the reservoir, permittee shall furnish evidence which substantiates that the outlet pipe has been installed in the dam. Evidence shall include photographs showing completed works or certification by a registered Civil or Agricultural Engineer.

(0050043)

16. Permittee, when required by the State Water Resources Control Board, shall install and maintain an outlet pipe of adequate capacity in the dam for Reservoir No. 2 as near as practicable to the bottom of the natural stream channel, or provide other means satisfactory to the Board, in order that water entering the reservoir which is not authorized for appropriation under this permit can be released. Permittee shall submit plans and specifications of the outlet pipe or alternative facility to the Chief of the Division of Water Rights for approval within six months of the date upon which the Board issues notice that an outlet is required. Permittee shall furnish evidence which substantiates that the outlet pipe or alternative facility has been installed in the dam. Evidence shall include photographs showing completed works or certification by a registered Civil or Agricultural Engineer.

(0050044)

17. The archeological site identified as Ca-Nap-329 shall be excluded from the proposed place of use. It shall be protected by the permittee from incurring any impacts due to the construction of the proposed water diversion and distribution facilities and the development of the proposed place of use.

Future developments at Ca-Nap-329 shall only be permitted following the completion of an archeological mitigation program approved in advance by the State Water Resources Control Board, Division of Water Rights.

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: **MARCH 09 1992**

STATE WATER RESOURCES CONTROL BOARD

Roger [Signature]
61 Chief, Division of Water Rights

[SUMMARY OF FINAL SUBMITTED VERSION]**PROGRESS REPORT BY PERMITTEE FOR REPORTING PERIOD**

October 1, 2023 to September 30, 2024

Primary Owner: VILLA AMOROSA, INC
Primary Contact: CARTER MOCHIZUKI

Date Submitted: 02/18/2025

Application Number: A027032
Permit Number: 020603

Source(s) of Water	POD Parcel Number	County
NASH CREEK		Napa
NASH CREEK		Napa

MAX Direct Diversion Rate: 0 GPD
MAX Collection to Storage: 69 AC-FT
Face Value: 69 AC-FT

Permitted Use(s)	Acres	Direct Diversion Season	Storage Season
Irrigation	106		11/01 to 05/01
Heat Protection	0		11/01 to 05/01
Recreational	0		11/01 to 05/01
Domestic	0		11/01 to 05/01
Frost Protection	0		

Compliance with Permit Terms and Conditions	
I have reviewed my water right permit and I am complying with all terms and conditions	Yes
Description of noncompliance with terms and conditions	

Changes to the Project	
Intake location has been changed	
Description of intake location changes	
Type of use has changed	
Description of type of use changes	
Place of use has changed	
Description of place of use changes	
Other changes	
Description of other changes	

Permitted Project Status	
Project Status	Complete
Construction work has commenced	
Construction is completed	
Beneficial uses of water has commenced	
Project will be completed within the time period specified in the permit	
Explanation of work remaining to be done	
Estimated date of completion	

Purpose of Use	
Irrigation	

Other	no use
-------	--------

Irrigated Crops			
	Multiple Crops	Area Irrigated (Acres)	Primary Irrigation Method
Grapes	No	29	Low-volume (example: micro-sprinkler, drip)

Special Use Categories	
Are you using any water diverted under this right for the cultivation of cannabis?	No

Amount of Water Diverted and Used			
Month	Amount directly diverted (Acre-Feet)	Amount diverted or collected to storage (Acre-Feet)	Amount used (Acre-Feet)
2023			
October	0	0	0
November	0	0	0
December	0	0	0
2024			
January	0	0	0
February	0	0	0
March	0	0	0
April	0	0	0
May	0	0	0
June	0	0	0
July	0	0	0
August	0	0	0
September	0	0	0
Total	0	0	0
Type of Diversion	No Diversion		
Comments	Conjunctive ground water was used in lieu of surface water. We have a well that we pump irrigation water from.		

Water Diversion Measurement	
Required to measure as of the date this report is submitted	Yes
Is diversion measured?	Yes
An alternative compliance plan was submitted to the division of water rights on	
A request for additional time was submitted to the division of water rights on	

Measurement ID number	M001144
This Device/Method was used to measure water during the current reporting period	Yes
Briefly describe the measurement device or method	flow meter
Nickname	
Type of device / method	Flow meter (propeller)
Device make	
Serial number	
Model number	
Approximate date of installation	
Additional info	
Approximate date the measuring device was last calibrated or the measurement method was updated	

Estimated accuracy of measurement	
Description of calibration method	
Describe the maintenance schedule for the device/method	
Information for the person who last calibrated the device or designed the measurement method	
Name	
Phone number	
Email	
Qualifications of the individual	
License number and type for the qualified individual above and/or any other relevant explanation	
Type of data recorder device / method	
Data recorder device make	
Data recorder serial number	
Data recorder model number	
Data recorder units of measurement	
Frequency of data recording	
Additional data recorder info	
I am required to report my diversion or storage data by telemetry as of the date this report is submitted	Yes
I report my diversion or storage data by telemetry to the following website	

Measurement ID number	M031772
This Device/Method was used to measure water during the current reporting period	Yes
Briefly describe the measurement device or method	
Nickname	
Type of device / method	
Device make	
Serial number	
Model number	
Approximate date of installation	
Additional info	
Approximate date the measuring device was last calibrated or the measurement method was updated	
Estimated accuracy of measurement	
Description of calibration method	
Describe the maintenance schedule for the device/method	
Information for the person who last calibrated the device or designed the measurement method	
Name	
Phone number	
Email	
Qualifications of the individual	
License number and type for the qualified individual above and/or any other relevant explanation	
Type of data recorder device / method	
Data recorder device make	
Data recorder serial number	
Data recorder model number	
Data recorder units of measurement	
Frequency of data recording	
Additional data recorder info	

I am required to report my diversion or storage data by telemetry as of the date this report is submitted	
I report my diversion or storage date by telemetry to the following website	

Measurement ID number	M031773
This Device/Method was used to measure water during the current reporting period	Yes
Briefly describe the measurement device or method	
Nickname	
Type of device / method	
Device make	
Serial number	
Model number	
Approximate date of installation	
Additional info	
Approximate date the measuring device was last calibrated or the measurement method was updated	
Estimated accuracy of measurement	
Description of calibration method	
Describe the maintenance schedule for the device/method	
Information for the person who last calibrated the device or designed the measurement method	
Name	
Phone number	
Email	
Qualifications of the individual	
License number and type for the qualified individual above and/or any other relevant explanation	
Type of data recorder device / method	
Data recorder device make	
Data recorder serial number	
Data recorder model number	
Data recorder units of measurement	
Frequency of data recording	
Additional data recorder info	
I am required to report my diversion or storage data by telemetry as of the date this report is submitted	
I report my diversion or storage date by telemetry to the following website	

Measurement Attachments			
Measurement ID Number	File Name	Description	Size
No attachments			

Measurement Data Files			
Measurement ID Number	File Name	Description	Size
No data files			

Maximum Rate of Diversion	
Month	Rate of Diversion (Gallons Per Minute)
2023	
October	0
November	0

December	0
2024	
January	0
February	0
March	0
April	0
May	0
June	0
July	0
August	0
September	0

Water Transfers	
Water transferred	No
Quantity transferred (Acre-Feet)	
Dates which transfer occurred	/ to /
Transfer approved by	

Water Supply Contracts	
Water supply contract	No
Contract with	
Contract number	
Source from which contract water was diverted	
Point of diversion same as identified water right	
Amount (Acre-Feet) authorized to divert under this contract	
Amount (Acre-Feet) authorized to be diverted in 2024	
Amount (Acre-Feet) projected for 2025	
Exchange or settlement of prior rights	
All monthly reported diversion claimed under the prior rights	
Amount (Acre-Feet) of reported diversion solely under contract	

Storage					
Reservoir name	Spilled this year	Feet below spillway at maximum storage	Completely emptied	Feet below spillway at minimum storage	Method used to measure water level
Reservoir 1	No	0	No	0	staff gauge

Credits Claimed			
	Conservation	Reclaimed Water Use	Conjunctive Groundwater Use
Claimed? (Yes/No)	No	No	Yes
2023			
October			0
November			0
December			0
2024			
January			0
February			0
March			0
April			0
May			0
June			2

July			4
August			3
September			2.84

Conservation Supporting Information	
Description of conservation methods	
Description of baseline water use and time period	
Description of conservation calculation methods	
Conserved water used?	

Additional Remarks
Conjunctive ground water was used in lieu of surface water. We have a well that we pump irrigation water from.

Attachments		
File Name	Description	Size
Villa 2024 Submittal.xlsx	Villa Amorosa Irrigation Records 2024	70 KB

Contact Information of the Person Submitting the Form	
First Name	Carter
Last Name	Mochizuki
Relation to Water Right	Agent

Information on Certification and Signatory	
Name of Person Signing and Certifying the Report	Carter Mochizuki
Date of Signature	02/18/2025

[SUMMARY OF FINAL SUBMITTED VERSION]**PROGRESS REPORT BY PERMITTEE FOR REPORTING PERIOD**

October 1, 2022 to September 30, 2023

Primary Owner: VILLA AMOROSA, INC
Primary Contact: CARTER MOCHIZUKI

Date Submitted: 01/17/2024

Application Number: A027032
Permit Number: 020603

Source(s) of Water	POD Parcel Number	County
NASH CREEK		Napa
NASH CREEK		Napa

MAX Direct Diversion Rate: 0 GPD
MAX Collection to Storage: 69 AC-FT
Face Value: 69 AC-FT

Permitted Use(s)	Acres	Direct Diversion Season	Storage Season
Irrigation	106		11/01 to 05/01
Heat Protection	0		11/01 to 05/01
Recreational	0		11/01 to 05/01
Domestic	0		11/01 to 05/01
Frost Protection	0		

Compliance with Permit Terms and Conditions

I have reviewed my water right permit and I am complying with all terms and conditions	Yes
Description of noncompliance with terms and conditions	

Changes to the Project

Intake location has been changed	
Description of intake location changes	
Type of use has changed	
Description of type of use changes	
Place of use has changed	
Description of place of use changes	
Other changes	
Description of other changes	

Permitted Project Status

Project Status	Complete
Construction work has commenced	
Construction is completed	
Beneficial uses of water has commenced	
Project will be completed within the time period specified in the permit	
Explanation of work remaining to be done	
Estimated date of completion	

Purpose of Use

No Use

Special Use Categories	
Are you using any water diverted under this right for the cultivation of cannabis?	No

Amount of Water Diverted and Used			
Month	Amount directly diverted (Acre-Feet)	Amount diverted or collected to storage (Acre-Feet)	Amount used (Acre-Feet)
2022			
October	0	0	0
November	0	0	0
December	0	0	0
2023			
January	0	0	0
February	0	0	0
March	0	0	0
April	0	0	0
May	0	0	0
June	0	0	0
July	0	0	0
August	0	0	0
September	0	0	0
Total	0	0	0
Type of Diversion	No Diversion		
Comments	Conjunctive ground water was used in lieu of surface water. We have a well that we pump irrigation water from.		

Water Diversion Measurement	
Required to measure as of the date this report is submitted	Yes
Is diversion measured?	Yes
An alternative compliance plan was submitted to the division of water rights on	
A request for additional time was submitted to the division of water rights on	

Measurement ID number	M001144
This Device/Method was used to measure water during the current reporting period	Yes
Briefly describe the measurement device or method	flow meter
Nickname	
Type of device / method	Flow meter (propeller)
Device make	
Serial number	
Model number	
Approximate date of installation	
Additional info	
Approximate date the measuring device was last calibrated or the measurement method was updated	
Estimated accuracy of measurement	
Description of calibration method	
Describe the maintenance schedule for the device/method	
Information for the person who last calibrated the device or designed the measurement method	
Name	

Phone number	
Email	
Qualifications of the individual	
License number and type for the qualified individual above and/or any other relevant explanation	
Type of data recorder device / method	
Data recorder device make	
Data recorder serial number	
Data recorder model number	
Data recorder units of measurement	
Frequency of data recording	
Additional data recorder info	
I am required to report my diversion or storage data by telemetry as of the date this report is submitted	Yes
I report my diversion or storage date by telemetry to the following website	

Measurement ID number	M031772
This Device/Method was used to measure water during the current reporting period	Yes
Briefly describe the measurement device or method	
Nickname	
Type of device / method	
Device make	
Serial number	
Model number	
Approximate date of installation	
Additional info	
Approximate date the measuring device was last calibrated or the measurement method was updated	
Estimated accuracy of measurement	
Description of calibration method	
Describe the maintenance schedule for the device/method	
Information for the person who last calibrated the device or designed the measurement method	
Name	
Phone number	
Email	
Qualifications of the individual	
License number and type for the qualified individual above and/or any other relevant explanation	
Type of data recorder device / method	
Data recorder device make	
Data recorder serial number	
Data recorder model number	
Data recorder units of measurement	
Frequency of data recording	
Additional data recorder info	
I am required to report my diversion or storage data by telemetry as of the date this report is submitted	
I report my diversion or storage date by telemetry to the following website	

Measurement ID number	M031773
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This Device/Method was used to measure water during the current reporting period	Yes
Briefly describe the measurement device or method	
Nickname	
Type of device / method	
Device make	
Serial number	
Model number	
Approximate date of installation	
Additional info	
Approximate date the measuring device was last calibrated or the measurement method was updated	
Estimated accuracy of measurement	
Description of calibration method	
Describe the maintenance schedule for the device/method	
Information for the person who last calibrated the device or designed the measurement method	
Name	
Phone number	
Email	
Qualifications of the individual	
License number and type for the qualified individual above and/or any other relevant explanation	
Type of data recorder device / method	
Data recorder device make	
Data recorder serial number	
Data recorder model number	
Data recorder units of measurement	
Frequency of data recording	
Additional data recorder info	
I am required to report my diversion or storage data by telemetry as of the date this report is submitted	
I report my diversion or storage data by telemetry to the following website	

Measurement Attachments			
Measurement ID Number	File Name	Description	Size
No attachments			

Measurement Data Files			
Measurement ID Number	File Name	Description	Size
No data files			

Maximum Rate of Diversion	
Month	Rate of Diversion (Gallons Per Minute)
2022	
October	0
November	0
December	0
2023	
January	0
February	0

March	0
April	0
May	0
June	0
July	0
August	0
September	0

Water Transfers	
Water transferred	No
Quantity transferred (Acre-Feet)	
Dates which transfer occurred	/ to /
Transfer approved by	

Water Supply Contracts	
Water supply contract	No
Contract with	
Contract number	
Source from which contract water was diverted	
Point of diversion same as identified water right	
Amount (Acre-Feet) authorized to divert under this contract	
Amount (Acre-Feet) authorized to be diverted in 2023	
Amount (Acre-Feet) projected for 2024	
Exchange or settlement of prior rights	
All monthly reported diversion claimed under the prior rights	
Amount (Acre-Feet) of reported diversion solely under contract	

Storage					
Reservoir name	Spilled this year	Feet below spillway at maximum storage	Completely emptied	Feet below spillway at minimum storage	Method used to measure water level
Reservoir 1	No	0	No	0	staff gauge

Credits Claimed			
	Conservation	Reclaimed Water Use	Conjunctive Groundwater Use
Claimed? (Yes/No)	No	No	Yes
2022			
October			0
November			0
December			0
2023			
January			0
February			0
March			0
April			0
May			1
June			3
July			3
August			3
September			3

Conservation Supporting Information	
Description of conservation methods	
Description of baseline water use and time period	
Description of conservation calculation methods	
Conserved water used?	

Additional Remarks
Conjunctive ground water was used in lieu of surface water. We have a well that we pump irrigation water from.

Attachments		
File Name	Description	Size
Villa 2023 Submittal.xlsx	Villa Amorosa Irrigation Records 2023	13 KB

Contact Information of the Person Submitting the Form	
First Name	Carter
Last Name	Mochizuki
Relation to Water Right	Agent

Information on Certification and Signatory	
Name of Person Signing and Certifying the Report	Carter Mochizuki
Date of Signature	01/17/2024

[SUMMARY OF FINAL SUBMITTED VERSION]**PROGRESS REPORT BY PERMITTEE FOR REPORTING PERIOD**

October 1, 2021 to September 30, 2022

Primary Owner: VILLA AMOROSA, INC
Primary Contact: CARTER MOCHIZUKI

Date Submitted: 10/24/2022

Application Number: A027032
Permit Number: 020603

Source(s) of Water	POD Parcel Number	County
NASH CREEK		Napa
NASH CREEK		Napa

MAX Direct Diversion Rate: 0 GPD
MAX Collection to Storage: 69 AC-FT
Face Value: 69 AC-FT

Permitted Use(s)	Acres	Direct Diversion Season	Storage Season
Irrigation	106		11/01 to 05/01
Heat Protection	0		11/01 to 05/01
Recreational	0		11/01 to 05/01
Domestic	0		11/01 to 05/01
Frost Protection	0		

Compliance with Permit Terms and Conditions	
I have reviewed my water right permit and I am complying with all terms and conditions	Yes
Description of noncompliance with terms and conditions	

Changes to the Project	
Intake location has been changed	
Description of intake location changes	
Type of use has changed	
Description of type of use changes	
Place of use has changed	
Description of place of use changes	
Other changes	
Description of other changes	

Permitted Project Status	
Project Status	Complete
Construction work has commenced	
Construction is completed	
Beneficial uses of water has commenced	
Project will be completed within the time period specified in the permit	
Explanation of work remaining to be done	
Estimated date of completion	

Purpose of Use	
No Use	

Special Use Categories	
Are you using any water diverted under this right for the cultivation of cannabis?	No

Amount of Water Diverted and Used			
Month	Amount directly diverted (Acre-Feet)	Amount diverted or collected to storage (Acre-Feet)	Amount used (Acre-Feet)
2021			
October	0	0	0
November	0	0	0
December	0	0	0
2022			
January	0	0	0
February	0	0	0
March	0	0	0
April	0	0	0
May	0	0	0
June	0	0	0
July	0	0	0
August	0	0	0
September	0	0	0
Total	0	0	0
Type of Diversion	No Diversion		
Comments	Conjunctive ground water was used in lieu of surface water. We have a well that we pump irrigation water from.		

Water Diversion Measurement	
Required to measure as of the date this report is submitted	Yes
Is diversion measured?	Yes
An alternative compliance plan was submitted to the division of water rights on	
A request for additional time was submitted to the division of water rights on	

Measurement ID number	M001144
This Device/Method was used to measure water during the current reporting period	Yes
Briefly describe the measurement device or method	flow meter
Nickname	
Type of device / method	Flow meter (propeller)
Device make	
Serial number	
Model number	
Approximate date of installation	
Additional info	
Approximate date the measuring device was last calibrated or the measurement method was updated	
Estimated accuracy of measurement	
Description of calibration method	
Describe the maintenance schedule for the device/method	
Information for the person who last calibrated the device or designed the measurement method	
Name	

Phone number	
Email	
Qualifications of the individual	
License number and type for the qualified individual above and/or any other relevant explanation	
Type of data recorder device / method	
Data recorder device make	
Data recorder serial number	
Data recorder model number	
Data recorder units of measurement	
Frequency of data recording	
Additional data recorder info	
I am required to report my diversion or storage data by telemetry as of the date this report is submitted	Yes
I report my diversion or storage date by telemetry to the following website	

Measurement ID number	M031772
This Device/Method was used to measure water during the current reporting period	Yes
Briefly describe the measurement device or method	
Nickname	
Type of device / method	
Device make	
Serial number	
Model number	
Approximate date of installation	
Additional info	
Approximate date the measuring device was last calibrated or the measurement method was updated	
Estimated accuracy of measurement	
Description of calibration method	
Describe the maintenance schedule for the device/method	
Information for the person who last calibrated the device or designed the measurement method	
Name	
Phone number	
Email	
Qualifications of the individual	
License number and type for the qualified individual above and/or any other relevant explanation	
Type of data recorder device / method	
Data recorder device make	
Data recorder serial number	
Data recorder model number	
Data recorder units of measurement	
Frequency of data recording	
Additional data recorder info	
I am required to report my diversion or storage data by telemetry as of the date this report is submitted	
I report my diversion or storage date by telemetry to the following website	

Measurement ID number	M031773
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This Device/Method was used to measure water during the current reporting period	Yes
Briefly describe the measurement device or method	
Nickname	
Type of device / method	
Device make	
Serial number	
Model number	
Approximate date of installation	
Additional info	
Approximate date the measuring device was last calibrated or the measurement method was updated	
Estimated accuracy of measurement	
Description of calibration method	
Describe the maintenance schedule for the device/method	
Information for the person who last calibrated the device or designed the measurement method	
Name	
Phone number	
Email	
Qualifications of the individual	
License number and type for the qualified individual above and/or any other relevant explanation	
Type of data recorder device / method	
Data recorder device make	
Data recorder serial number	
Data recorder model number	
Data recorder units of measurement	
Frequency of data recording	
Additional data recorder info	
I am required to report my diversion or storage data by telemetry as of the date this report is submitted	
I report my diversion or storage data by telemetry to the following website	

Measurement Attachments			
Measurement ID Number	File Name	Description	Size
No attachments			

Measurement Data Files			
Measurement ID Number	File Name	Description	Size
No data files			

Maximum Rate of Diversion	
Month	Rate of Diversion (Gallons Per Minute)
2021	
October	0
November	0
December	0
2022	
January	0
February	0

March	0
April	0
May	0
June	0
July	0
August	0
September	0

Water Transfers	
Water transferred	No
Quantity transferred (Acre-Feet)	
Dates which transfer occurred	/ to /
Transfer approved by	

Water Supply Contracts	
Water supply contract	No
Contract with	
Contract number	
Source from which contract water was diverted	
Point of diversion same as identified water right	
Amount (Acre-Feet) authorized to divert under this contract	
Amount (Acre-Feet) authorized to be diverted in 2022	
Amount (Acre-Feet) projected for 2023	
Exchange or settlement of prior rights	
All monthly reported diversion claimed under the prior rights	
Amount (Acre-Feet) of reported diversion solely under contract	

Storage					
Reservoir name	Spilled this year	Feet below spillway at maximum storage	Completely emptied	Feet below spillway at minimum storage	Method used to measure water level
reservoir 1	No	0	No	3	staff Gauge

Credits Claimed			
	Conservation	Reclaimed Water Use	Conjunctive Groundwater Use
Claimed? (Yes/No)	No	No	Yes
2021			
October			0
November			0
December			0
2022			
January			0
February			0
March			0.26
April			1.64
May			2.93
June			5.19
July			3.91
August			1.6
September			0

Conservation Supporting Information	
Description of conservation methods	
Description of baseline water use and time period	
Description of conservation calculation methods	
Conserved water used?	

Additional Remarks

Attachments		
File Name	Description	Size
Villa Amorosa Water Rights Submittal 2022.xlsx	Villa Irrigation Summary 2022	15 KB

Contact Information of the Person Submitting the Form	
First Name	Carter
Last Name	Mochizuki
Relation to Water Right	Agent

Information on Certification and Signatory	
Name of Person Signing and Certifying the Report	Carter Mochizuki
Date of Signature	10/24/2022

[SUMMARY OF FINAL SUBMITTED VERSION]**PROGRESS REPORT BY PERMITTEE FOR REPORTING PERIOD**

January 1, 2021 to September 30, 2021

Primary Owner: VILLA AMOROSA, INC

Primary Contact: CARTER MOCHIZUKI

Date Submitted: 02/04/2022

Application Number: A027032

Permit Number: 020603

Source(s) of Water	POD Parcel Number	County
NASH CREEK		Napa
NASH CREEK		Napa

MAX Direct Diversion Rate: 0 GPD
 MAX Collection to Storage: 69 AC-FT
 Face Value: 69 AC-FT

Permitted Use(s)	Acres	Direct Diversion Season	Storage Season
Irrigation	106		11/01 to 05/01
Heat Protection	0		11/01 to 05/01
Recreational	0		11/01 to 05/01
Domestic	0		11/01 to 05/01
Frost Protection	0		11/01 to 05/01

Compliance with Permit Terms and Conditions

I have reviewed my water right permit and I am complying with all terms and conditions	Yes
Description of noncompliance with terms and conditions	

Changes to the Project

Intake location has been changed	
Description of intake location changes	
Type of use has changed	
Description of type of use changes	
Place of use has changed	
Description of place of use changes	
Other changes	
Description of other changes	

Permitted Project Status

Project Status	Complete
Construction work has commenced	
Construction is completed	
Beneficial uses of water has commenced	
Project will be completed within the time period specified in the permit	
Explanation of work remaining to be done	
Estimated date of completion	

Purpose of Use

No Use

Special Use Categories	
Are you using any water diverted under this right for the cultivation of cannabis?	No

Amount of Water Diverted and Used			
Month	Amount directly diverted (Acre-Feet)	Amount diverted or collected to storage (Acre-Feet)	Amount used (Acre-Feet)
January	0	0	0
February	0	0	0
March	0	0	0
April	0	0	0
May	0	0	0
June	0	0	0
July	0	0	0
August	0	0	0
September	0	0	0
Total	0	0	0
Type of Diversion	No Diversion		
Comments	Conjunctive ground water was used in lieu of surface water. We have a well that we pump irrigation water from.		

Water Diversion Measurement	
Required to measure as of the date this report is submitted	Yes
Is diversion measured?	Yes
An alternative compliance plan was submitted to the division of water rights on	
A request for additional time was submitted to the division of water rights on	

Measurement ID number	M001144
This Device/Method was used to measure water during the current reporting period	Yes
Briefly describe the measurement device or method	flow meter
Nickname	
Type of device / method	Flow meter (propeller)
Device make	
Serial number	
Model number	
Approximate date of installation	
Additional info	
Approximate date the measuring device was last calibrated or the measurement method was updated	
Estimated accuracy of measurement	
Description of calibration method	
Describe the maintenance schedule for the device/method	
Information for the person who last calibrated the device or designed the measurement method	
Name	
Phone number	
Email	
Qualifications of the individual	

License number and type for the qualified individual above and/or any other relevant explanation	
Type of data recorder device / method	
Data recorder device make	
Data recorder serial number	
Data recorder model number	
Data recorder units of measurement	
Frequency of data recording	
Additional data recorder info	
I am required to report my diversion or storage data by telemetry as of the date this report is submitted	Yes
I report my diversion or storage data by telemetry to the following website	

Measurement Attachments			
Measurement ID Number	File Name	Description	Size
No attachments			

Measurement Data Files			
Measurement ID Number	File Name	Description	Size
No data files			

Maximum Rate of Diversion	
Month	Rate of Diversion
January	
February	
March	
April	
May	
June	
July	
August	
September	

Water Transfers	
Water transfered	No
Quantity transfered (Acre-Feet)	
Dates which transfer occurred	/ to /
Transfer approved by	

Water Supply Contracts	
Water supply contract	No
Contract with	
Other provider	
Contract number	
Source from which contract water was diverted	
Point of diversion same as identified water right	
Amount (Acre-Feet) authorized to divert under this contract	
Amount (Acre-Feet) authorized to be diverted in 2021	
Amount (Acre-Feet) projected for 2022	
Exchange or settlement of prior rights	

All monthly reported diversion claimed under the prior rights	
Amount (Acre-Feet) of reported diversion solely under contract	

Storage					
Reservoir name	Spilled this year	Feet below spillway at maximum storage	Completely emptied	Feet below spillway at minimum storage	Method used to measure water level
reservoir 1	No	0	No	2	staff Gauge

Credits Claimed			
	Conservation	Reclaimed Water Use	Conjunctive Groundwater Use
Claimed? (Yes/No)	No	No	Yes
January			
February			
March			
April			
May			2
June			5
July			5
August			5
September			0.96

Conservation Supporting Information	
Description of conservation methods	
Description of baseline water use and time period	
Description of conservation calculation methods	
Conserved water used?	

Additional Remarks

Attachments		
File Name	Description	Size
Villa Irrigation 2021.xlsx	Villa Amorosa Irrigation Summary 2021	50 KB

Contact Information of the Person Submitting the Form	
First Name	Carter
Last Name	Mochizuki
Relation to Water Right	Agent

Information on Certification and Signatory	
Name of Person Signing and Certifying the Report	Carter Mochizuki
Date of Signature	02/04/2022

[SUMMARY OF FINAL SUBMITTED VERSION]**PROGRESS REPORT BY PERMITTEE FOR 2020**

Primary Owner: VILLA AMOROSA, INC
 Primary Contact: CARTER MOCHIZUKI

Date Submitted: 02/25/2021

Application Number: A027032
 Permit Number: 020603

Source(s) of Water	POD Parcel Number	County
NASH CREEK		Napa
NASH CREEK		Napa

MAX Direct Diversion Rate: 0 GPD
 MAX Collection to Storage: 69 AC-FT
 Face Value: 69 AC-FT

Permitted Use(s)	Acres	Direct Diversion Season	Storage Season
Irrigation	106		11/01 to 05/01
Heat Protection	0		11/01 to 05/01
Recreational	0		11/01 to 05/01
Domestic	0		11/01 to 05/01
Frost Protection	0		11/01 to 05/01

1. Compliance with Permit Terms and Conditions

I have reviewed my water right permit and I am complying with all terms and conditions	Yes
Description of noncompliance with terms and conditions	

2. Changes to the Project

Intake location has been changed	
Description of intake location changes	
Type of use has changed	
Description of type of use changes	
Place of use has changed	
Description of place of use changes	
Other changes	
Description of other changes	

3-5. Permitted Project Status

Project Status	Complete
5a. Construction work has commenced	
5b. Construction is completed	
5c. Beneficial uses of water has commenced	
5d. Project will be completed within the time period specified in the permit	
5e. Explanation of work remaining to be done	
5f. Estimated date of completion	

6. Purpose of Use

No Use

Special Use Categories

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C1. Are you using any water diverted under this right for the cultivation of cannabis?	No
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7. Amount of Water Diverted and Used			
Month	Amount directly diverted (Acre-Feet)	Amount diverted or collected to storage (Acre-Feet)	Amount used (Acre-Feet)
January	0	0	0
February	0	0	0
March	0	0	0
April	0	0	0
May	0	0	0
June	0	0	0
July	0	0	0
August	0	0	0
September	0	0	0
October	0	0	0
November	0	0	0
December	0	0	0
Total	0	0	0
Type of Diversion	No Diversion		
Comments	Conjunctive ground water was used in lieu of surface water. We have a well that we pump irrigation water from.		

8. Water Diversion Measurement	
a. Required to measure as of the date this report is submitted	No
b. Is diversion measured?	Yes
c. An alternative compliance plan was submitted to the division of water rights on	
d. A request for additional time was submitted to the division of water rights on	

Measurement ID number	M001144
This Device/Method was used to measure water during the current reporting period	Yes
M1. Briefly describe the measurement device or method	flow meter
M2. Nickname	
M3. Type of device / method	Flow meter (propeller)
M4. Device make	
M5. Serial number	
M6. Model number	
M7. Approximate date of installation	
M8. Additional info	
M9. Approximate date the measuring device was last calibrated or the measurement method was updated	
M10. Estimated accuracy of measurement	
M11. Description of calibration method	
M12. Describe the maintenance schedule for the device/method	
Information for the person who last calibrated the device or designed the measurement method	
M13. Name	
M14. Phone number	
M15. Email	
M16. Qualifications of the individual	

M17. License number and type for the qualified individual above and/or any other relevant explanation	
M18. Type of data recorder device / method	
M19. Data recorder device make	
M20. Data recorder serial number	
M21. Data recorder model number	
M22. Data recorder units of measurement	
M23. Frequency of data recording	
M24. Additional data recorder info	
M25. I am required to report my diversion or storage data by telemetry as of the date this report is submitted	Yes
M26. I report my diversion or storage date by telemetry to the following website	

Measurement Attachments			
Measurement ID Number	File Name	Description	Size
No attachments			

Measurement Data Files			
Measurement ID Number	File Name	Description	Size
No data files			

9. Maximum Rate of Diversion	
Month	Rate of Diversion
January	
February	
March	
April	
May	
June	
July	
August	
September	
October	
November	
December	

10. Water Transfers	
10a. Water transfered	No
10b. Quantity transfered (Acre-Feet)	
10c. Dates which transfer occurred	/ to /
10d. Transfer approved by	

Water Supply Contracts	
10e. Water supply contract	No
10f. Contract with	
10g. Other provider	
10h. Contract number	
10i. Source from which contract water was diverted	
10j. Point of diversion same as identified water right	
10k. Amount (Acre-Feet) authorized to divert under this contract	

10l. Amount (Acre-Feet) authorized to be diverted in 2020	
10m. Amount (Acre-Feet) projected for 2021	
10n. Exchange or settlement of prior rights	
10o. All monthly reported diversion claimed under the prior rights	
10p. Amount (Acre-Feet) of reported diversion solely under contract	

11. Storage					
Reservoir name	Spilled this year	Feet below spillway at maximum storage	Completely emptied	Feet below spillway at minimum storage	Method used to measure water level
reservoir 1	No	0	No	3	staff Gauge

Credits Claimed			
	Conservation	Reclaimed Water Use	Conjunctive Groundwater Use
Claimed? (Yes/No)	No	No	Yes
January			0
February			0
March			0
April			3
May			3
June			3
July			3
August			3
September			1.42
October			0
November			0
December			0

Conservation Supporting Information	
Description of conservation methods	
Description of baseline water use and time period	
Description of conservation calculation methods	
Conserved water used?	

Additional Remarks

Attachments		
File Name	Description	Size
Villa Irrigation 2020.xlsx	Villa Amorosa Irrigation Summary 2020	37 KB

Contact Information of the Person Submitting the Form	
First Name	Carter
Last Name	Mochizuki
Relation to Water Right	Agent

Information on Certification and Signatory	
Name of Person Signing and Certifying the Report	Carter Mochizuki
Date of Signature	02/25/2021

[SUMMARY OF FINAL SUBMITTED VERSION]**PROGRESS REPORT BY PERMITTEE FOR 2019**

Primary Owner: VILLA AMOROSA, INC
 Primary Contact: CARTER MOCHIZUKI

Date Submitted: 03/26/2020

Application Number: A027032
 Permit Number: 020603

Source(s) of Water	POD Parcel Number	County
NASH CREEK		Napa
NASH CREEK		Napa

MAX Direct Diversion Rate: 0 GPD
 MAX Collection to Storage: 69 AC-FT
 Face Value: 69 AC-FT

Permitted Use(s)	Acres	Direct Diversion Season	Storage Season
Irrigation	106		11/01 to 05/01
Heat Protection	0		11/01 to 05/01
Recreational	0		11/01 to 05/01
Domestic	0		11/01 to 05/01
Frost Protection	0		11/01 to 05/01

1. Compliance with Permit Terms and Conditions

I have reviewed my water right permit and I am complying with all terms and conditions	Yes
Description of noncompliance with terms and conditions	

2. Changes to the Project

Intake location has been changed	
Description of intake location changes	
Type of use has changed	
Description of type of use changes	
Place of use has changed	
Description of place of use changes	
Other changes	
Description of other changes	

3-5. Permitted Project Status

Project Status	Complete
5a. Construction work has commenced	
5b. Construction is completed	
5c. Beneficial uses of water has commenced	
5d. Project will be completed within the time period specified in the permit	
5e. Explanation of work remaining to be done	
5f. Estimated date of completion	

6. Purpose of Use

No Use

Special Use Categories

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C1. Are you using any water diverted under this right for the cultivation of cannabis?	No
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7. Amount of Water Diverted and Used			
Month	Amount directly diverted (Acre-Feet)	Amount diverted or collected to storage (Acre-Feet)	Amount used (Acre-Feet)
January	0	0	0
February	0	0	0
March	0	0	0
April	0	0	0
May	0	0	0
June	0	0	0
July	0	0	0
August	0	0	0
September	0	0	0
October	0	0	0
November	0	0	0
December	0	0	0
Total	0	0	0
Type of Diversion	No Diversion		
Comments	Conjunctive ground water was used in lieu of surface water. We have a well that we pump irrigation water from.		

8. Water Diversion Measurement	
a. Required to measure as of the date this report is submitted	No
b. Is diversion measured?	Yes
c. An alternative compliance plan was submitted to the division of water rights on	
d. A request for additional time was submitted to the division of water rights on	

Measurement ID number	M001144
This Device/Method was used to measure water during the current reporting period	Yes
M1. Briefly describe the measurement device or method	flow meter
M2. Nickname	
M3. Type of device / method	Flow meter (propeller)
M4. Device make	
M5. Serial number	
M6. Model number	
M7. Approximate date of installation	
M8. Additional info	
M9. Approximate date the measuring device was last calibrated or the measurement method was updated	
M10. Estimated accuracy of measurement	
M11. Description of calibration method	
M12. Describe the maintenance schedule for the device/method	
Information for the person who last calibrated the device or designed the measurement method	
M13. Name	
M14. Phone number	
M15. Email	
M16. Qualifications of the individual	

M17. License number and type for the qualified individual above and/or any other relevant explanation	
M18. Type of data recorder device / method	
M19. Data recorder device make	
M20. Data recorder serial number	
M21. Data recorder model number	
M22. Data recorder units of measurement	
M23. Frequency of data recording	
M24. Additional data recorder info	
M25. I am required to report my diversion or storage data by telemetry as of the date this report is submitted	Yes
M26. I report my diversion or storage date by telemetry to the following website	

Measurement Attachments			
Measurement ID Number	File Name	Description	Size
No attachments			

Measurement Data Files			
Measurement ID Number	File Name	Description	Size
No data files			

9. Maximum Rate of Diversion	
Month	Rate of Diversion
January	
February	
March	
April	
May	
June	
July	
August	
September	
October	
November	
December	

10. Water Transfers	
10a. Water transferred	No
10b. Quantity transferred (Acre-Feet)	
10c. Dates which transfer occurred	/ to /
10d. Transfer approved by	

Water Supply Contracts	
10e. Water supply contract	No
10f. Contract with	
10g. Other provider	
10h. Contract number	
10i. Source from which contract water was diverted	
10j. Point of diversion same as identified water right	
10k. Amount (Acre-Feet) authorized to divert under this contract	

10l. Amount (Acre-Feet) authorized to be diverted in 2019	
10m. Amount (Acre-Feet) projected for 2020	
10n. Exchange or settlement of prior rights	
10o. All monthly reported diversion claimed under the prior rights	
10p. Amount (Acre-Feet) of reported diversion solely under contract	

11. Storage					
Reservoir name	Spilled this year	Feet below spillway at maximum storage	Completely emptied	Feet below spillway at minimum storage	Method used to measure water level
Reservoir 1	No	3	No	15	staff gauge reading

Conservation of Water	
12. Are you now employing water conservation efforts?	Yes
Description of water conservation efforts	micro drip irrigation
13. Amount of water conserved	

Water Quality and Wastewater Reclamation	
14. During the period covered by this Report, did you use reclaimed water from a wastewater treatment facility, water from a desalination facility, or water polluted by waste to a degree which unreasonably affects the water for other beneficial uses?	No
15. Amount of reclaimed, desalinated, or polluted water used	

Conjunctive Use of Groundwater and Surface Water	
16. During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your permit?	Yes
17. Amounts of groundwater used	

Additional Remarks

Attachments		
File Name	Description	Size
Villa Irrigation 2019.xlsx	Villa Amorosa Irrigation Summary 2019	29 KB

Contact Information of the Person Submitting the Form	
First Name	Carter
Last Name	Mochizuki
Relation to Water Right	Other: Carter Mochizuki

Information on Certification and Signatory	
Name of Person Signing and Certifying the Report	Carter Mochizuki
Date of Signature	03/26/2020

[SUMMARY OF FINAL SUBMITTED VERSION]**PROGRESS REPORT BY PERMITTEE FOR 2018**

Primary Owner: VILLA AMOROSA, INC
 Primary Contact: CARTER MOCHIZUKI

Date Submitted: 04/03/2019

Application Number: A027032
 Permit Number: 020603

Source(s) of Water	POD Parcel Number	County
NASH CREEK		Napa
NASH CREEK		Napa

MAX Direct Diversion Rate: 0 GPD
 MAX Collection to Storage: 69 AC-FT
 Face Value: 69 AC-FT

Permitted Use(s)	Acres	Direct Diversion Season	Storage Season
Domestic	0		11/01 to 05/01
Irrigation	106		11/01 to 05/01
Heat Protection	0		11/01 to 05/01
Recreational	0		11/01 to 05/01
Frost Protection	0		11/01 to 05/01

1. Permit Review

I have reviewed my water right permit	Yes
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2. Compliance with Permit Terms and Conditions

I am complying with all terms and conditions	Yes
Description of noncompliance with terms and conditions	

3. Changes to the Project

Intake location has been changed	
Description of intake location changes	
Type of use has changed	
Description of type of use changes	
Place of use has changed	
Description of place of use changes	
Other changes	
Description of other changes	

4-6. Permitted Project Status

Project Status	Complete
6a. Construction work has commenced	
6b. Construction is completed	
6c. Beneficial uses of water has commenced	
6d. Project will be completed within the time period specified in the permit	
6e. Explanation of work remaining to be done	
6f. Estimated date of completion	

7. Purpose of Use

No Use

Special Use Categories

C1. Are you using any water diverted under this right for the cultivation of cannabis?	No
----------------------------------------------------------------------------------------	----

8. Maximum Rate of Diversion

Month	Rate of Diversion (Gallons Per Minute)
January	0
February	0
March	0
April	0
May	0
June	0
July	0
August	0
September	0
October	0
November	0
December	0

9. Amount of Water Diverted and Used

Month	Amount directly diverted (Acre-Feet)	Amount diverted or collected to storage (Acre-Feet)	Amount used (Acre-Feet)
January	0	0	0
February	0	0	0
March	0	0	0
April	0	0	0
May	0	0	0
June	0	0	0
July	0	0	0
August	0	0	0
September	0	0	0
October	0	0	0
November	0	0	0
December	0	0	0
Total	0	0	0
Type of Diversion	No Diversion		
Comments	Conjunctive ground water was used in lieu of surface water. We have a well that we pump irrigation water from.		

Water Transfers

9d. Water transfered	No
9e. Quantity transfered (Acre-Feet)	
9f. Dates which transfer occurred	/ to /
9g. Transfer approved by	

Water Supply Contracts

9h. Water supply contract	No
9i. Contract with	

9j. Other provider	
9k. Contract number	
9l. Source from which contract water was diverted	
9m. Point of diversion same as identified water right	
9n. Amount (Acre-Feet) authorized to divert under this contract	
9o. Amount (Acre-Feet) authorized to be diverted in 2018	
9p. Amount (Acre-Feet) projected for 2019	
9q. Exchange or settlement of prior rights	
9r. All monthly reported diversion claimed under the prior rights	
9s. Amount (Acre-Feet) of reported diversion solely under contract	

10. Water Diversion Measurement	
a. Required to measure as of the date this report is submitted	No
b. Is diversion measured?	Yes
c. An alternative compliance plan was submitted to the division of water rights on	
d. A request for additional time was submitted to the division of water rights on	

Measurement ID number	M001144
This Device/Method was used to measure water during the current reporting period	Yes
M1. Briefly describe the measurement device or method	flow meter
M2. Nickname	
M3. Type of device / method	Flow meter (propeller)
M4. Device make	
M5. Serial number	
M6. Model number	
M7. Approximate date of installation	
M8. Additional info	
M9. Approximate date the measuring device was last calibrated or the measurement method was updated	
M10. Estimated accuracy of measurement	
M11. Description of calibration method	
M12. Describe the maintenance schedule for the device/method	
Information for the person who last calibrated the device or designed the measurement method	
M13. Name	
M14. Phone number	
M15. Email	
M16. Qualifications of the individual	
M17. License number and type for the qualified individual above and/or any other relevant explanation	
M18. Type of data recorder device / method	
M19. Data recorder device make	
M20. Data recorder serial number	
M21. Data recorder model number	
M22. Data recorder units of measurement	
M23. Frequency of data recording	
M24. Additional data recorder info	
M25. I am required to report my diversion or storage data by telemetry as of the date this report is submitted	Yes
M26. I report my diversion or storage data by telemetry to the following website	

Measurement ID number	M001145
This Device/Method was used to measure water during the current reporting period	Yes
M1. Briefly describe the measurement device or method	staff gauge
M2. Nickname	Staff
M3. Type of device / method	Staff gauge
M4. Device make	
M5. Serial number	
M6. Model number	
M7. Approximate date of installation	
M8. Additional info	
M9. Approximate date the measuring device was last calibrated or the measurement method was updated	
M10. Estimated accuracy of measurement	
M11. Description of calibration method	
M12. Describe the maintenance schedule for the device/method	
Information for the person who last calibrated the device or designed the measurement method	
M13. Name	
M14. Phone number	
M15. Email	
M16. Qualifications of the individual	
M17. License number and type for the qualified individual above and/or any other relevant explanation	
M18. Type of data recorder device / method	
M19. Data recorder device make	
M20. Data recorder serial number	
M21. Data recorder model number	
M22. Data recorder units of measurement	
M23. Frequency of data recording	
M24. Additional data recorder info	
M25. I am required to report my diversion or storage data by telemetry as of the date this report is submitted	Yes
M26. I report my diversion or storage data by telemetry to the following website	

Measurement Attachments			
Measurement ID Number	File Name	Description	Size
No attachments			

Measurement Data Files			
Measurement ID Number	File Name	Description	Size
No data files			

11. Storage					
Reservoir name	Spilled this year	Feet below spillway at maximum storage	Completely emptied	Feet below spillway at minimum storage	Method used to measure water level
Reservoir 1	No	3	No	3	staff gauge

Conservation of Water	
12. Are you now employing water conservation efforts?	Yes
Description of water conservation efforts	Micro drip lines

13. Amount of water conserved	
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Water Quality and Wastewater Reclamation

14. During the period covered by this Report, did you use reclaimed water from a wastewater treatment facility, water from a desalination facility, or water polluted by waste to a degree which unreasonably affects the water for other beneficial uses?	No
15. Amount of reclaimed, desalinated, or polluted water used	

Conjunctive Use of Groundwater and Surface Water

16. During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your permit?	Yes
17. Amounts of groundwater used	

Additional Remarks

Irrigation records were used to report well water usage

Attachments

File Name	Description	Size
Villa Amorosa Irrigation 2018.xlsx	Villa Amorosa Irrigation Records 2018	24 KB

Contact Information of the Person Submitting the Form

First Name	Carter
Last Name	Mochizuki
Relation to Water Right	Other: AGENT

Information on Certification and Signatory

Name of Person Signing and Certifying the Report	Carter Mochizuki
Date of Signature	04/03/2019

[SUMMARY OF FINAL SUBMITTED VERSION]**PROGRESS REPORT BY PERMITTEE FOR 2017**

Primary Owner: VILLA AMOROSA, INC
 Primary Contact: CARTER MOCHIZUKI

Date Submitted: 06/14/2018

Application Number: A027032
 Permit Number: 020603

Source(s) of Water	POD Parcel Number	County
NASH CREEK		Napa
NASH CREEK		Napa

MAX Direct Diversion Rate: 0 GPD
 MAX Collection to Storage: 69 AC-FT
 Face Value: 69 AC-FT

Permitted Use(s)	Acres	Direct Diversion Season	Storage Season
Irrigation	106		11/01 to 05/01
Heat Protection	0		11/01 to 05/01
Recreational	0		11/01 to 05/01
Domestic	0		11/01 to 05/01
Frost Protection	0		11/01 to 05/01

1. Permit Review

I have reviewed my water right permit	Yes
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2. Compliance with Permit Terms and Conditions

I am complying with all terms and conditions	Yes
Description of noncompliance with terms and conditions	

3. Changes to the Project

Intake location has been changed	
Description of intake location changes	
Type of use has changed	
Description of type of use changes	
Place of use has changed	
Description of place of use changes	
Other changes	
Description of other changes	

4-6. Permitted Project Status

Project Status	Complete
6a. Construction work has commenced	
6b. Construction is completed	
6c. Beneficial uses of water has commenced	
6d. Project will be completed within the time period specified in the permit	
6e. Explanation of work remaining to be done	
6f. Estimated date of completion	

7. Purpose of Use

No Use

Special Use Categories

C1. Are you using any water diverted under this right for the cultivation of cannabis?	No
----------------------------------------------------------------------------------------	----

8. Maximum Rate of Diversion for each Month

Month	Maximum Rate of Diversion (GPM)
January	0
February	0
March	0
April	0
May	0
June	0
July	0
August	0
September	0
October	0
November	0
December	0

9. Amount of Water Diverted and Used

Month	Amount directly diverted (Acre-Feet)	Amount diverted or collected to storage (Acre-Feet)	Amount used (Acre-Feet)
January	0	0	0
February	0	0	0
March	0	0	0
April	0	0	0
May	0	0	0
June	0	0	0
July	0	0	0
August	0	0	0
September	0	0	0
October	0	0	0
November	0	0	0
December	0	0	0
Total	0	0	0
Type of Diversion	No Diversion		
Comments	Conjunctive ground water was used in lieu of surface water. We have a well that we pump irrigation water from.		

Water Transfers

9d. Water transfered	No
9e. Quantity transfered (Acre-Feet)	
9f. Dates which transfer occurred	/ to /
9g. Transfer approved by	

Water Supply Contracts

9h. Water supply contract	No
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9i. Contract with	
9j. Other provider	
9k. Contract number	
9l. Source from which contract water was diverted	
9m. Point of diversion same as identified water right	
9n. Amount (Acre-Feet) authorized to divert under this contract	
9o. Amount (Acre-Feet) authorized to be diverted in 2017	
9p. Amount (Acre-Feet) projected for 2018	
9q. Exchange or settlement of prior rights	
9r. All monthly reported diversion claimed under the prior rights	
9s. Amount (Acre-Feet) of reported diversion solely under contract	

10. Water Diversion Measurement	
a. Required to measure as of the date this report is submitted	Yes
b. Is diversion measured?	No
c. An alternative compliance plan was submitted to the division of water rights on	
d. A request for additional time was submitted to the division of water rights on	

Measurement ID number	M001144
This Device/Method was used to measure water during the current reporting period	Yes
M1. Briefly describe the measurement device or method	flow meter
M2. Nickname	
M3. Type of device / method	Flow meter (propeller)
M4. Device make	
M5. Serial number	
M6. Model number	
M7. Approximate date of installation	
M8. Additional info	
M9. Approximate date the measuring device was last calibrated or the measurement method was updated	
M10. Estimated accuracy of measurement	
M11. Description of calibration method	
M12. Describe the maintenance schedule for the device/method	
Information for the person who last calibrated the device or designed the measurement method	
M13. Name	
M14. Phone number	
M15. Email	
M16. Qualifications of the individual	
M17. License number and type for the qualified individual above and/or any other relevant explanation	
M18. Type of data recorder device / method	
M19. Data recorder device make	
M20. Data recorder serial number	
M21. Data recorder model number	
M22. Data recorder units of measurement	
M23. Frequency of data recording	
M24. Additional data recorder info	
M25. I am required to report my diversion or storage data by telemetry as of the date this report is submitted	Yes

M26. I report my diversion or storage data by telemetry to the following website	
M27. I have attached additional information on the method I used to calculate the volume of water	
M28. Describe any documents related to this measurement device or method that are attached to this water use report	

Measurement ID number	M001145
This Device/Method was used to measure water during the current reporting period	Yes
M1. Briefly describe the measurement device or method	staff gauge
M2. Nickname	Staff
M3. Type of device / method	Staff gauge
M4. Device make	
M5. Serial number	
M6. Model number	
M7. Approximate date of installation	
M8. Additional info	
M9. Approximate date the measuring device was last calibrated or the measurement method was updated	
M10. Estimated accuracy of measurement	
M11. Description of calibration method	
M12. Describe the maintenance schedule for the device/method	
Information for the person who last calibrated the device or designed the measurement method	
M13. Name	
M14. Phone number	
M15. Email	
M16. Qualifications of the individual	
M17. License number and type for the qualified individual above and/or any other relevant explanation	
M18. Type of data recorder device / method	
M19. Data recorder device make	
M20. Data recorder serial number	
M21. Data recorder model number	
M22. Data recorder units of measurement	
M23. Frequency of data recording	
M24. Additional data recorder info	
M25. I am required to report my diversion or storage data by telemetry as of the date this report is submitted	Yes
M26. I report my diversion or storage data by telemetry to the following website	
M27. I have attached additional information on the method I used to calculate the volume of water	
M28. Describe any documents related to this measurement device or method that are attached to this water use report	

11. Storage					
Reservoir name	Spilled this year	Feet below spillway at maximum storage	Completely emptied	Feet below spillway at minimum storage	Method used to measure water level
Reservoir 1	No	3	No	3	staff gauge

Conservation of Water

12. Are you now employing water conservation efforts?	Yes
Description of water conservation efforts	Micro drip irrigation
13. Amount of water conserved	

Water Quality and Wastewater Reclamation

14. During the period covered by this Report, did you use reclaimed water from a wastewater treatment facility, water from a desalination facility, or water polluted by waste to a degree which unreasonably affects the water for other beneficial uses?	No
15. Amount of reclaimed, desalinated, or polluted water used	

Conjunctive Use of Groundwater and Surface Water

16. During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your permit?	Yes
17. Amounts of groundwater used	

Additional Remarks

Irrigation records were used to report well water usage

Attachments

File Name	Description	Size
Villa Amorosa Irrigation 2017.xlsx	Villa Amorosa Irrigation Records 2017	18 KB

Contact Information of the Person Submitting the Form

First Name	Carter
Last Name	Mochizuki
Relation to Water Right	Other: AGENT

Information on Certification and Signatory

Name of Person Signing and Certifying the Report	Carter Mochizuki
Date of Signature	06/14/2018

[SUMMARY OF FINAL SUBMITTED VERSION]**PROGRESS REPORT BY PERMITTEE FOR 2016**

Primary Owner: VILLA AMOROSA, INC
 Primary Contact: CARTER MOCHIZUKI

Date Submitted: 03/29/2017

Application Number: A027032
 Permit Number: 020603

Source(s) of Water	POD Parcel Number	County
NASH CREEK		Napa
NASH CREEK		Napa

MAX Direct Diversion Rate: 0 GPD
 MAX Collection to Storage: 69 AC-FT
 Face Value: 69 AC-FT

Permitted Use(s)	Acres	Direct Diversion Season	Storage Season
Irrigation	106		11/01 to 05/01
Heat Protection	0		11/01 to 05/01
Recreational	0		11/01 to 05/01
Domestic	0		11/01 to 05/01
Frost Protection	0		11/01 to 05/01

1. Permit Review

I have reviewed my water right permit	Yes
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2. Compliance with Permit Terms and Conditions

I am complying with all terms and conditions	Yes
Description of noncompliance with terms and conditions	

3. Changes to the Project

Intake location has been changed	
Description of intake location changes	
Type of use has changed	
Description of type of use changes	
Place of use has changed	
Description of place of use changes	
Other changes	
Description of other changes	

4-6. Permitted Project Status

Project Status	Complete
6a. Construction work has commenced	
6b. Construction is completed	
6c. Beneficial uses of water has commenced	
6d. Project will be completed within the time period specified in the permit	
6e. Explanation of work remaining to be done	
6f. Estimated date of completion	

7. Purpose of Use

No Use

Special Use Categories

C1. Are you using any water diverted under this right for the cultivation of cannabis?

No

8. Maximum Rate of Diversion for each Month

Month	Maximum Rate of Diversion (GPM)
January	0
February	0
March	0
April	0
May	0
June	0
July	0
August	0
September	0
October	0
November	0
December	0

9. Amount of Water Diverted and Used

Month	Amount directly diverted (Acre-Feet)	Amount diverted or collected to storage (Acre-Feet)	Amount used (Acre-Feet)
January	0	0	0
February	0	0	0
March	0	0	0
April	0	0	0
May	0	0	0
June	0	0	1.21
July	0	0	2.21
August	0	0	3.21
September	0	0	3.21
October	0	0	1
November	0	0	0
December	0	0	0
Total	0	0	10.84
Type of Diversion	No Diversion		
Comments	Conjunctive ground water was used in lieu of surface water. We have a well that we pump irrigation water from.		

Water Transfers

9d. Water transferred	No
9e. Quantity transferred (Acre-Feet)	
9f. Dates which transfer occurred	/ to /
9g. Transfer approved by	

Water Supply Contracts

9h. Water supply contract	No
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9i. Contract with	
9j. Other provider	
9k. Contract number	
9l. Source from which contract water was diverted	
9m. Point of diversion same as identified water right	
9n. Amount (Acre-Feet) authorized to divert under this contract	
9o. Amount (Acre-Feet) authorized to be diverted in 2016	
9p. Amount (Acre-Feet) projected for 2017	
9q. Exchange or settlement of prior rights	
9r. All monthly reported diversion claimed under the prior rights	
9s. Amount (Acre-Feet) of reported diversion solely under contract	

10. Water Diversion Measurement	
a. Required to measure as of the date this report is submitted	No
b. Is diversion measured?	Yes
c. An alternative compliance plan was submitted to the division of water rights on	
d. A request for additional time was submitted to the division of water rights on	

Measurement ID number	M001144
This Device/Method was used to measure water during the current reporting period	No
M1. Briefly describe the measurement device or method	flow meter
M2. Nickname	
M3. Type of device / method	Flow meter (propeller)
M4. Device make	
M5. Serial number	
M6. Model number	
M7. Approximate date of installation	
M8. Additional info	
M9. Approximate date the measuring device was last calibrated or the measurement method was updated	
M10. Estimated accuracy of measurement	
M11. Description of calibration method	
M12. Describe the maintenance schedule for the device/method	
Information for the person who last calibrated the device or designed the measurement method	
M13. Name	
M14. Phone number	
M15. Email	
M16. Qualifications of the individual	
M17. License number and type for the qualified individual above and/or any other relevant explanation	
M18. Type of data recorder device / method	
M19. Data recorder device make	
M20. Data recorder serial number	
M21. Data recorder model number	
M22. Data recorder units of measurement	
M23. Frequency of data recording	
M24. Additional data recorder info	
M25. I am required to report my diversion or storage data by telemetry as of the date this report is submitted	Yes

M26. I report my diversion or storage data by telemetry to the following website	
M27. I have attached additional information on the method I used to calculate the volume of water	
M28. Describe any documents related to this measurement device or method that are attached to this water use report	

Measurement ID number	M001145
This Device/Method was used to measure water during the current reporting period	No
M1. Briefly describe the measurement device or method	staff gauge
M2. Nickname	Staff
M3. Type of device / method	Staff gauge
M4. Device make	
M5. Serial number	
M6. Model number	
M7. Approximate date of installation	
M8. Additional info	
M9. Approximate date the measuring device was last calibrated or the measurement method was updated	
M10. Estimated accuracy of measurement	
M11. Description of calibration method	
M12. Describe the maintenance schedule for the device/method	
Information for the person who last calibrated the device or designed the measurement method	
M13. Name	
M14. Phone number	
M15. Email	
M16. Qualifications of the individual	
M17. License number and type for the qualified individual above and/or any other relevant explanation	
M18. Type of data recorder device / method	
M19. Data recorder device make	
M20. Data recorder serial number	
M21. Data recorder model number	
M22. Data recorder units of measurement	
M23. Frequency of data recording	
M24. Additional data recorder info	
M25. I am required to report my diversion or storage data by telemetry as of the date this report is submitted	Yes
M26. I report my diversion or storage data by telemetry to the following website	
M27. I have attached additional information on the method I used to calculate the volume of water	
M28. Describe any documents related to this measurement device or method that are attached to this water use report	

11. Storage					
Reservoir name	Spilled this year	Feet below spillway at maximum storage	Completely emptied	Feet below spillway at minimum storage	Method used to measure water level
reservoir 1	No	3	No	3	visual estimate

Conservation of Water

12. Are you now employing water conservation efforts?	Yes
Description of water conservation efforts	micro drip irrigation
13. Amount of water conserved	

Water Quality and Wastewater Reclamation	
14. During the period covered by this Report, did you use reclaimed water from a wastewater treatment facility, water from a desalination facility, or water polluted by waste to a degree which unreasonably affects the water for other beneficial uses?	No
15. Amount of reclaimed, desalinated, or polluted water used	

Conjunctive Use of Groundwater and Surface Water	
16. During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your permit?	Yes
17. Amounts of groundwater used	

Additional Remarks
Irrigation records were used to report well water usage

Attachments		
File Name	Description	Size
No Attachments		

Contact Information of the Person Submitting the Form	
First Name	Carter
Last Name	Mochizuki
Relation to Water Right	Other: Agent
Has read the form and agrees the information in the report is true to the best of his/her knowledge and belief	Yes

[SUMMARY OF FINAL SUBMITTED VERSION]**PROGRESS REPORT BY PERMITTEE FOR 2015**

Primary Owner: VILLA AMOROSA, INC
 Primary Contact: VILLA AMOROSA, INC

Date Submitted: 06/17/2016

Application Number: A027032
 Permit Number: 020603

Source(s) of Water	POD Parcel Number	County
NASH CREEK		Napa
NASH CREEK		Napa

MAX Direct Diversion Rate: 0 GPD
 MAX Collection to Storage: 69 AC-FT
 Face Value: 69 AC-FT

Permitted Use(s)	Acres	Direct Diversion Season	Storage Season
Domestic	0		11/01 to 05/01
Irrigation	106		11/01 to 05/01
Heat Protection	0		11/01 to 05/01
Frost Protection	0		11/01 to 05/01
Recreational	0		11/01 to 05/01

1. Permit Review

I have reviewed my water right permit	Yes
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2. Compliance with Permit Terms and Conditions

I am complying with all terms and conditions	Yes
Description of noncompliance with terms and conditions	

3. Changes to the Project

Intake location has been changed	
Description of intake location changes	
Type of use has changed	
Description of type of use changes	
Place of use has changed	
Description of place of use changes	
Other changes	
Description of other changes	

4-6. Permitted Project Status

Project Status	Complete
6a. Construction work has commenced	
6b. Construction is completed	
6c. Beneficial uses of water has commenced	
6d. Project will be completed within the time period specified in the permit	
6e. Explanation of work remaining to be done	
6f. Estimated date of completion	

7. Purpose of Use

No Use

8. Amount of Water Diverted and Used

Month	Amount directly diverted (Acre-Feet)	Amount diverted or collected to storage (Acre-Feet)	Amount used (Acre-Feet)
January	0	0	0
February	0	0	0
March	0	0	0
April	0	0	0
May	0	0	0
June	0	0	0
July	0	0	0
August	0	0	0
September	0	0	0
October	0	0	0
November	0	0	0
December	0	0	0
Total	0	0	0
Type of Diversion	No Diversion		
Comments	Conjunctive ground water was used in lieu of surface water. We have a well that we pump irrigation water from.		

Water Transfers

8e. Water transferred	No
8f. Quantity transferred (Acre-Feet)	
8g. Dates which transfer occurred	/ to /
8h. Transfer approved by	

Water Supply Contracts

8i. Water supply contract	No
8j. Contract with	
8k. Other provider	
8l. Contract number	
8m. Source from which contract water was diverted	
8n. Point of diversion same as identified water right	
8o. Amount (Acre-Feet) authorized to divert under this contract	
8p. Amount (Acre-Feet) authorized to be diverted in 2015	
8q. Amount (Acre-Feet) projected for 2016	
8r. Exchange or settlement of prior rights	
8s. All monthly reported diversion claimed under the prior rights	
8t. Amount (Acre-Feet) of reported diversion solely under contract	

9. Maximum Rate of Diversion for each Month

Month	Maximum Rate of Diversion (GPM)
January	0
February	0
March	0
April	0
May	0

June	0
July	0
August	0
September	0
October	0
November	0
December	0

10. Storage					
Reservoir name	Spilled this year	Feet below spillway at maximum storage	Completely emptied	Feet below spillway at minimum storage	Method used to measure water level
reservoir 1	No	3	No	3	visual estimate

Conservation of Water	
11. Are you now employing water conservation efforts?	Yes
Description of water conservation efforts	micro drip irrigation
12. Amount of water conserved	

Water Quality and Wastewater Reclamation	
13. During the period covered by this Report, did you use reclaimed water from a wastewater treatment facility, water from a desalination facility, or water polluted by waste to a degree which unreasonably affects the water for other beneficial uses?	No
14. Amount of reclaimed, desalinated, or polluted water used	

Conjunctive Use of Groundwater and Surface Water	
15. During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your permit?	Yes
16. Amounts of groundwater used	

Additional Remarks
Capacity of pond=21AF based upon field survey done on August 18, 2014 Meter from pond was not installed until 2015 Irrigation meter was not installed until 2015 Well water was used as primary source of irrigation water this season.

Attachments		
File Name	Description	Size
No Attachments		

Contact Information of the Person Submitting the Form	
First Name	Carter
Last Name	Mochizuki
Relation to Water Right	Other: AGENT
Has read the form and agrees the information in the report is true to the best of his/her knowledge and belief	Yes

[SUMMARY OF FINAL SUBMITTED VERSION]**PROGRESS REPORT BY PERMITTEE FOR 2014**

Primary Owner: VILLA AMOROSA, INC
 Primary Contact: VILLA AMOROSA, INC

Date Submitted: 06/26/2015

Application Number: A027032
 Permit Number: 020603

Source(s) of Water	POD Parcel Number	County
NASH CREEK		Napa
NASH CREEK		Napa

MAX Direct Diversion Rate: 0 GPD
 MAX Collection to Storage: 69 AC-FT
 Face Value: 69 AC-FT

Permitted Use(s)	Acres	Direct Diversion Season	Storage Season
Domestic	0		11/01 to 05/01
Recreational	0		11/01 to 05/01
Frost Protection	0		11/01 to 05/01
Irrigation	106		11/01 to 05/01
Heat Protection	0		11/01 to 05/01

1. Permit Review

I have reviewed my water right permit	Yes
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2. Compliance with Permit Terms and Conditions

I am complying with all terms and conditions	Yes
Description of noncompliance with terms and conditions	

3. Changes to the Project

Intake location has been changed	
Description of intake location changes	
Type of use has changed	
Description of type of use changes	
Place of use has changed	
Description of place of use changes	
Other changes	
Description of other changes	

4-6. Permitted Project Status

Project Status	Complete
6a. Construction work has commenced	
6b. Construction is completed	
6c. Beneficial uses of water has commenced	
6d. Project will be completed within the time period specified in the permit	
6e. Explanation of work remaining to be done	
6f. Estimated date of completion	

7. Purpose of Use

Irrigation	29 Acres Grapes
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8. Amount of Water Diverted and Used			
Month	Amount directly diverted (Acre-Feet)	Amount diverted or collected to storage (Acre-Feet)	Amount used (Acre-Feet)
January	0	0	0
February	0	0	0
March	0	0	0
April	0	0	0
May	0	0	0
June	0	0	0
July	0	0	1
August	0	0	1
September	0	0	1
October	0	0	0
November	0	0	0
December	0	0	0
Total	0	0	3
Comments	Conjunctive ground water was used in lieu of surface water. We have a well that we pump irrigation water from.		

Water Transfers	
8e. Water transferred	No
8f. Quantity transferred (Acre-Feet)	
8g. Dates which transfer occurred	/ to /
8h. Transfer approved by	

Water Supply Contracts	
8i. Water supply contract	No
8j. Contract with	
8k. Other provider	
8l. Contract number	
8m. Source from which contract water was diverted	
8n. Point of diversion same as identified water right	Yes
8o. Amount (Acre-Feet) authorized to divert under this contract	
8p. Amount (Acre-Feet) authorized to be diverted in 2014	
8q. Amount (Acre-Feet) projected for 2015	
8r. Exchange or settlement of prior rights	No
8s. All monthly reported diversion claimed under the prior rights	
8t. Amount (Acre-Feet) of reported diversion solely under contract	

9. Maximum Rate of Diversion for each Month	
Month	Maximum Rate of Diversion (GPM)
January	0
February	0
March	0
April	0
May	0
June	0

July	0
August	0
September	0
October	0
November	0
December	0

10. Storage					
Reservoir name	Spilled this year	Feet below spillway at maximum storage	Completely emptied	Feet below spillway at minimum storage	Method used to measure water level
Reservoir 1	No	3	No	3	visual estimate

Conservation of Water	
11. Are you now employing water conservation efforts?	Yes
Description of water conservation efforts	Drip irrigation
12. Amount of water conserved	

Water Quality and Wastewater Reclamation	
13. During the period covered by this Report, did you use reclaimed water from a wastewater treatment facility, water from a desalination facility, or water polluted by waste to a degree which unreasonably affects the water for other beneficial uses?	No
14. Amount of reclaimed, desalinated, or polluted water used	

Conjunctive Use of Groundwater and Surface Water	
15. During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your permit?	Yes
16. Amounts of groundwater used	

Additional Remarks
Capacity of pond=21AF based upon field survey done on August 18, 2014 Meter from pond was not installed until 2015 Irrigation meter was not installed until 2015 Well water was used as primary source of irrigation water this season.

Attachments		
File Name	Description	Size
No Attachments		

Contact Information of the Person Submitting the Form	
First Name	Carter
Last Name	Mochizuki
Relation to Water Right	Other: Agent
Has read the form and agrees the information in the report is true to the best of his/her knowledge and belief	Yes

[SUMMARY OF FINAL SUBMITTED VERSION]**PROGRESS REPORT BY PERMITTEE FOR 2013**

Primary Owner: VILLA AMOROSA, INC
 Primary Contact: VILLA AMOROSA, INC

Date Submitted: 05/25/2015

Application Number: A027032
 Permit Number: 020603

Source(s) of Water	POD Parcel Number	County
NASH CREEK		Napa
NASH CREEK		Napa

MAX Direct Diversion Rate: 0 GPD
 MAX Collection to Storage: 69 AC-FT
 Face Value: 69 AC-FT

Permitted Use(s)	Acres	Direct Diversion Season	Storage Season
Frost Protection	0		11/01 to 05/01
Domestic	0		11/01 to 05/01
Recreational	0		11/01 to 05/01
Heat Protection	0		11/01 to 05/01
Irrigation	106		11/01 to 05/01

1. Permit Review

I have reviewed my water right permit	Yes
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2. Compliance with Permit Terms and Conditions

I am complying with all terms and conditions	Yes
Description of noncompliance with terms and conditions	

3. Changes to the Project

Intake location has been changed	
Description of intake location changes	
Type of use has changed	
Description of type of use changes	
Place of use has changed	
Description of place of use changes	
Other changes	
Description of other changes	

4-6. Permitted Project Status

Project Status	Complete
6a. Construction work has commenced	
6b. Construction is completed	
6c. Beneficial uses of water has commenced	
6d. Project will be completed within the time period specified in the permit	
6e. Explanation of work remaining to be done	
6f. Estimated date of completion	

7. Purpose of Use

Irrigation	29.40 Acres Grapes
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8. Amount of Water Diverted and Used			
Month	Amount directly diverted (Acre-Feet)	Amount diverted or collected to storage (Acre-Feet)	Amount used (Acre-Feet)
January	0	0	0
February	0	0	0
March	0	0	0
April	0	0	0
May	0	0	2
June	0	0	2
July	0	0	2
August	0	0	2
September	0	0	2
October	0	0	0
November	0	0	0
December	0	0	0
Total	0	0	10
Comments	Water use is from evaporation only		

Water Transfers	
8e. Water transfered	No
8f. Quantity transfered (Acre-Feet)	
8g. Dates which transfer occurred	/ to /
8h. Transfer approved by	

Water Supply Contracts	
8i. Water supply contract	No
8j. Contract with	
8k. Other provider	
8l. Contract number	
8m. Source from which contract water was diverted	
8n. Point of diversion same as identified water right	Yes
8o. Amount (Acre-Feet) authorized to divert under this contract	69
8p. Amount (Acre-Feet) authorized to be diverted in 2013	69
8q. Amount (Acre-Feet) projected for 2014	10
8r. Exchange or settlement of prior rights	No
8s. All monthly reported diversion claimed under the prior rights	
8t. Amount (Acre-Feet) of reported diversion solely under contract	

9. Maximum Rate of Diversion for each Month	
Month	Maximum Rate of Diversion (GPD)
January	0
February	0
March	0
April	0
May	0
June	0
July	0

August	0
September	0
October	0
November	0
December	0

10. Storage					
Reservoir name	Spilled this year	Feet below spillway at maximum storage	Completely emptied	Feet below spillway at minimum storage	Method used to measure water level
Reservoir 1	Yes		No	2	gauge estimate

Conservation of Water	
11. Are you now employing water conservation efforts?	Yes
Description of water conservation efforts	Drip irrigation
12. Amount of water conserved	

Water Quality and Wastewater Reclamation	
13. During the period covered by this Report, did you use reclaimed water from a wastewater treatment facility, water from a desalination facility, or water polluted by waste to a degree which unreasonably affects the water for other beneficial uses?	No
14. Amount of reclaimed, desalinated, or polluted water used	

Conjunctive Use of Groundwater and Surface Water	
15. During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your permit?	Yes
16. Amounts of groundwater used	

Additional Remarks
No water was used from the reservoir this year. Irrigation water was used from our well. No pumping from reservoir occurred.

Attachments		
File Name	Description	Size
No Attachments		

Contact Information of the Person Submitting the Form	
First Name	Carter
Last Name	Mochizuki
Relation to Water Right	Other: Agent
Has read the form and agrees the information in the report is true to the best of his/her knowledge and belief	Yes

[SUMMARY OF FINAL SUBMITTED VERSION]**PROGRESS REPORT BY PERMITTEE FOR 2012**

Primary Owner: VILLA AMOROSA, INC
 Primary Contact: VILLA AMOROSA, INC

Date Submitted: 06/28/2013

Application Number: A027032
 Permit Number: 020603

Source(s) of Water	POD Parcel Number	County
NASH CREEK		Napa
NASH CREEK		Napa

MAX Direct Diversion Rate: 0 GPD
 MAX Collection to Storage: 69 AC-FT
 Face Value: 69 AC-FT

Permitted Use(s)	Acres	Direct Diversion Season	Storage Season
Recreational	0		11/01 to 05/01
Irrigation	106		11/01 to 05/01
Frost Protection	0		11/01 to 05/01
Heat Protection	0		11/01 to 05/01
Domestic	0		11/01 to 05/01
Irrigation			

1. Permit Review

I have reviewed my water right permit	Yes
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2. Compliance with Permit Terms and Conditions

I am complying with all terms and conditions	Yes
Description of noncompliance with terms and conditions	

3. Changes to the Project

Intake location has been changed	
Description of intake location changes	
Type of use has changed	
Description of type of use changes	
Place of use has changed	
Description of place of use changes	
Other changes	
Description of other changes	

4-6. Permitted Project Status

Project Status	Not Complete
6a. Construction work has commenced	Yes
6b. Construction is completed	Yes
6c. Beneficial uses of water has commenced	Yes
6d. Project will be completed within the time period specified in the permit	No
6e. Explanation of work remaining to be done	Potential for use of more water.

6f. Estimated date of completion	01/01/2015
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7. Purpose of Use

Irrigation	29.40 Acres Grapes
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8. Amount of Water Diverted and Used

Month	Amount directly diverted or collected to storage (Acre-Feet)	Amount used (Acre-Feet)
January	0	0
February	0	0
March	0	0
April	2	0
May	2	2
June	2	2
July	2	2
August	2	2
September	0	2
October	0	0
November	0	0
December	0	0
Total	10	10
Comments		

9. Maximum Rate of Diversion for each Month

Month	Maximum Rate of Diversion (GPD)
January	0
February	0
March	0
April	22000
May	22000
June	22000
July	22000
August	22000
September	0
October	0
November	0
December	0

10. Storage

Reservoir name	Spilled this year	Feet below spillway at maximum storage	Completely emptied	Feet below spillway at minimum storage	Method used to measure water level
Reservoir No. 1	Yes		No	2	gauge estimate

Conservation of Water

11. Are you now employing water conservation efforts?	No
Description of water conservation efforts	
12. Amount of water conserved	

Water Quality and Wastewater Reclamation

13. During the period covered by this Report, did you use reclaimed water from a wastewater treatment facility, water from a desalination facility, or water polluted by waste to a degree which unreasonably affects the water for other beneficial uses?	No
14. Amount of reclaimed, desalinated, or polluted water used	

Conjunctive Use of Groundwater and Surface Water

15. During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your permit?	Yes
16. Amounts of groundwater used	

Additional Remarks

Attachments		
File Name	Description	Size
Villa Amorosa pumping and use.xlsx		12 KB

Contact Information of the Person Submitting the Form

First Name	Carter
Last Name	Mochizuki
Relation to Water Right	Agent
Has read the form and agrees the information in the report is true to the best of his/her knowledge and belief	Yes

[SUMMARY OF FINAL SUBMITTED VERSION]**PROGRESS REPORT BY PERMITTEE FOR 2011**

Primary Owner: VILLA AMOROSA, INC
 Primary Contact: VILLA AMOROSA, INC

Date Submitted: 06/28/2013

Application Number: A027032

Permit Number: 020603

Source(s) of Water	POD Parcel Number	County
NASH CREEK		Napa
NASH CREEK		Napa

MAX Direct Diversion Rate: 0 GPD
 MAX Collection to Storage: 69 AC-FT
 Face Value: 69 AC-FT

Permitted Use(s)	Acres	Direct Diversion Season	Storage Season
Heat Protection	0		11/01 to 05/01
Frost Protection	0		11/01 to 05/01
Recreational	0		11/01 to 05/01
Irrigation	106		11/01 to 05/01
Domestic	0		11/01 to 05/01
Irrigation			

1. Permit Review

I have reviewed my water right permit	Yes
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2. Compliance with Permit Terms and Conditions

I am complying with all terms and conditions	Yes
Description of noncompliance with terms and conditions	

3. Changes to the Project

Intake location has been changed	
Description of intake location changes	
Type of use has changed	
Description of type of use changes	
Place of use has changed	
Description of place of use changes	
Other changes	
Description of other changes	

4-6. Permitted Project Status

Project Status	Not Complete
6a. Construction work has commenced	Yes
6b. Construction is completed	Yes
6c. Beneficial uses of water has commenced	Yes
6d. Project will be completed within the time period specified in the permit	No
6e. Explanation of work remaining to be done	Potential for use of more water

6f. Estimated date of completion	01/01/2015
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7. Purpose of Use

Irrigation	28.50 Acres Grapes
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8. Amount of Water Diverted and Used

Month	Amount directly diverted or collected to storage (Acre-Feet)	Amount used (Acre-Feet)
January	0	0
February	0	0
March	0	0
April	2	0
May	2	2
June	2	2
July	2	2
August	2	2
September	0	2
October	0	0
November	0	0
December	0	0
Total	10	10
Comments		

9. Maximum Rate of Diversion for each Month

Month	Maximum Rate of Diversion (GPD)
January	0
February	0
March	0
April	22000
May	22000
June	22000
July	22000
August	22000
September	0
October	0
November	0
December	0

10. Storage

Reservoir name	Spilled this year	Feet below spillway at maximum storage	Completely emptied	Feet below spillway at minimum storage	Method used to measure water level
Reservoir No. 1	Yes		No	2	gauge estimate

Conservation of Water

11. Are you now employing water conservation efforts?	No
Description of water conservation efforts	
12. Amount of water conserved	

Water Quality and Wastewater Reclamation

13. During the period covered by this Report, did you use reclaimed water from a wastewater treatment facility, water from a desalination facility, or water polluted by waste to a degree which unreasonably affects the water for other beneficial uses?	No
14. Amount of reclaimed, desalinated, or polluted water used	

Conjunctive Use of Groundwater and Surface Water

15. During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your permit?	Yes
16. Amounts of groundwater used	

Additional Remarks

Attachments		
File Name	Description	Size
Villa Amorosa pumping and use.xlsx		12 KB

Contact Information of the Person Submitting the Form

First Name	Carter
Last Name	Mochizuki
Relation to Water Right	Agent
Has read the form and agrees the information in the report is true to the best of his/her knowledge and belief	Yes

[SUMMARY OF FINAL SUBMITTED VERSION]**PROGRESS REPORT BY PERMITTEE FOR 2010**

Primary Owner: VILLA AMOROSA, INC
 Application Number: A027032
 Permit Number: 020603
 Date Submitted: 06/28/2011

Compliance with Permit Terms and Conditions	
I have reviewed my water right permit	Yes
I am complying with all terms and conditions	Yes
Description of noncompliance with terms and conditions	
Intake location has been changed	
Description of intake location changes	
Type of use has changed	
Description of type of use changes	
Place of use has changed	
Description of place of use changes	

Permitted Project Status	
Project Status	Not Complete
Construction work has commenced	Yes
Construction is completed	Yes
Beneficial uses of water has commenced	Yes
Project will be completed within the time period specified in the permit	No
Explanation of work remaining to be done	Potential for use of more water.
Estimated date of completion	01/01/2015

Purpose of Use	
Irrigation	28.50 Acres Grapes

Month	Amount directly diverted or collected to storage (Acre-Feet)	Amount used (Acre-Feet)
January	0	0
February	0	0
March	0	0
April	2	0
May	2	2
June	2	2
July	2	2
August	2	2
September	0	2
October	0	0
November	0	0
December	0	0
Total	10	10

Month	Maximum Rate of Diversion (GPD)
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January	0
February	0
March	0
April	22000
May	22000
June	22000
July	22000
August	22000
September	0
October	0
November	0
December	0

Reservoir name	Spilled this year	Feet below spillway at maximum storage	Completely emptied	Feet below spillway at minimum storage	Method used to measure water level
Reservoir No. 1	Yes		No	2.50	guage estimate

Conservation of Water	
Are you now employing water conservation efforts?	No
Description of water conservation efforts	
Amount of water conserved	

Water Quality and Wastewater Reclamation	
During the period covered by this Report, did you use reclaimed water from a wastewater treatment facility, water from a desalination facility, or water polluted by waste to a degree which unreasonably affects the water for other beneficial uses?	No
Amount of reclaimed, desalinated, or polluted water used	

Conjunctive Use of Groundwater and Surface Water	
During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your permit?	No
Amounts of groundwater used	

Additional Remarks

Attachments	
File Name	Size
No Attachments	

Contact Information of the Person Submitting the Form	
First Name	Brooks
Last Name	Painter
Relation to Water Right	Authorized Official
Has read the form and agrees the information in the report is true to the best of his/her knowledge and belief	Yes

Information on prior reports submitted by paper is not available using the eWRIMS Report Management System. For copies of prior reports, please contact the [Division of Water Rights File Room](#) or call (916) 341-5396.

[SUMMARY OF FINAL SUBMITTED VERSION]

PROGRESS REPORT BY PERMITTEE FOR 2009

Primary Owner: VILLA AMOROSA, INC

Application Number: A027032

Permit Number: 020603

Date Submitted: 04/01/2010

Compliance with Permit Terms and Conditions	
I have reviewed my water right permit	
I am complying with all terms and conditions	
Description of noncompliance with terms and conditions	
Intake location has been changed	
Description of intake location changes	
Type of use has changed	
Description of type of use changes	
Place of use has changed	
Description of place of use changes	

Permitted Project Status	
Project Status	
Construction work has commenced	
Construction is completed	
Beneficial uses of water has commenced	
Project will be completed within the time period specified in the permit	
Explanation of work remaining to be done	
Estimated date of completion	

Purpose of Use	
Data Not Available	

Month	Amount directly diverted or collected to storage (Gallons)	Amount beneficially used (Gallons)
January	0	0
February	0	0
March	0	0
April	0	0
May	0	0
June	0	0
July	0	0
August	0	0
September	0	0
October	0	0
November	0	0
December	0	0

Total	0	0
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Reservoir name	Spilled this year	Feet below spillway at maximum storage	Completely emptied	Feet below spillway at minimum storage	Method used to measure water level

Conservation of Water

Are you now employing water conservation efforts?	
Description of water conservation efforts	
Amount of water conserved	

Water Quality and Wastewater Reclamation

During the period covered by this Report, did you use reclaimed water from a wastewater treatment facility, water from a desalination facility, or water polluted by waste to a degree which unreasonably affects the water for other beneficial uses?	
Amount of reclaimed, desalinated, or polluted water used	

Conjunctive Use of Groundwater and Surface Water

During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your permit?	
Amounts of groundwater used	

Additional Remarks

Contact Information of the Person Submitting the Form

First Name	
Last Name	
Relation to Water Right	

**GENERAL INFORMATION REGARDING GROUNDWATER PERMITS
FOR PROJECTS WITHIN THE MST GROUNDWATER DEFICIENT AREA
July 2005 (updated 2023)**

The following are provided as general guidelines only for projects located within the Milliken-Sarco-Tulocay (MST) Groundwater Deficient Area (see attached map or Napa County Water Map at [Planning, Building & Environmental Services | Napa County, CA \(countyofnapa.org\)](http://www.countyofnapa.org)). These guidelines may be modified from time to time depending upon additional information that may become available to the County. The requirements for your specific project or situation may be different. Prior to the submittal of an application for a building permit for a structure or an erosion control plan for a new or expanded agricultural project within the MST groundwater basin you should consult the Department of Planning, Building and Environmental Services (PBES) regarding the possible need for the issuance of a groundwater permit. If you are proposing a new or expanded winery in the MST you should consult with the Planning Division within PBES about a Use Permit or Use Permit modification. The following information applies to projects using groundwater located in the MST:

1. **NO GROUNDWATER PERMIT REQUIRED** (project considered exempt, see definitions of convenience and minor improvements, NCC Section 13.15.010)
 1. Additions and/or alterations to existing dwellings. This includes bedroom and bathroom additions, additional living space, etc.
 2. Replacement dwellings where an existing legal dwelling previously existed.
 3. Guest houses (no kitchen) as they are considered "detached" bedrooms and junior accessory dwelling units (JADUs) approved and constructed per NCC 18.104.180.
 4. Replacement wells are exempt; however, the existing well must be destroyed and the new well must be the same diameter or smaller than the existing well.
 5. Pools, if filled with hauled in water (from a source outside the MST) and if provided with a pool cover.
 6. Agricultural land development less than or equal to a quarter (1/4) of an acre (see NCC Section 13.15.010, definition of agricultural land development).
2. **MINISTERIAL GROUNDWATER PERMIT REQUIRED** (project considered ministerial, NCC 13.15.030)
 1. For parcels with no existing structures or agriculture: Applications for a single-family dwelling of any size (and may include a guest house) and the associated well and associated landscaping shall be issued a ministerial groundwater permit provided the applicant does the following: Limits the total water used on the parcel to 0.6 acre feet per year; meters the total water used on the parcel; and reports those water use numbers to the Department of Public Works as required.
 2. For parcels with existing agricultural land development that wish to re-plant or re-develop: Applications for agricultural land re-development shall be issued a ministerial groundwater permit provided the applicant does the following: Limits the water use to an average of 0.3 acre feet of water per acre per year (calculated as the average water used over a three-year period with no yearly use exceeding the total average allotment by more than fifteen (15) percent); meters all wells serving the parcel to measure all groundwater used on the parcel; and reports all water use to the Department of Public Works as required.
3. **GROUNDWATER PERMIT REQUIRED** (project considered discretionary, NCC 13.15.060)
 1. For parcels that do not meet the criteria for exemption or a ministerial permit: To add any additional use (including, but not limited to, a second residence, a new or expanded vineyard, or a winery), an environmental assessment in the form of an initial study most likely leading to an EIR (Environmental Impact Report) will be required to be completed

unless the applicant is able to prove that there will be “no net increase” in water consumption.

“No net increase” means that the applicant will have to show that no additional water will be necessary. This can be done by giving up an existing use, changing practices to reduce the amount of water that is used by existing uses, or by bringing in water from outside of the MST in sufficient quantities to compensate for the new use. So-called “trucked-in” water may only be used for agricultural activities.

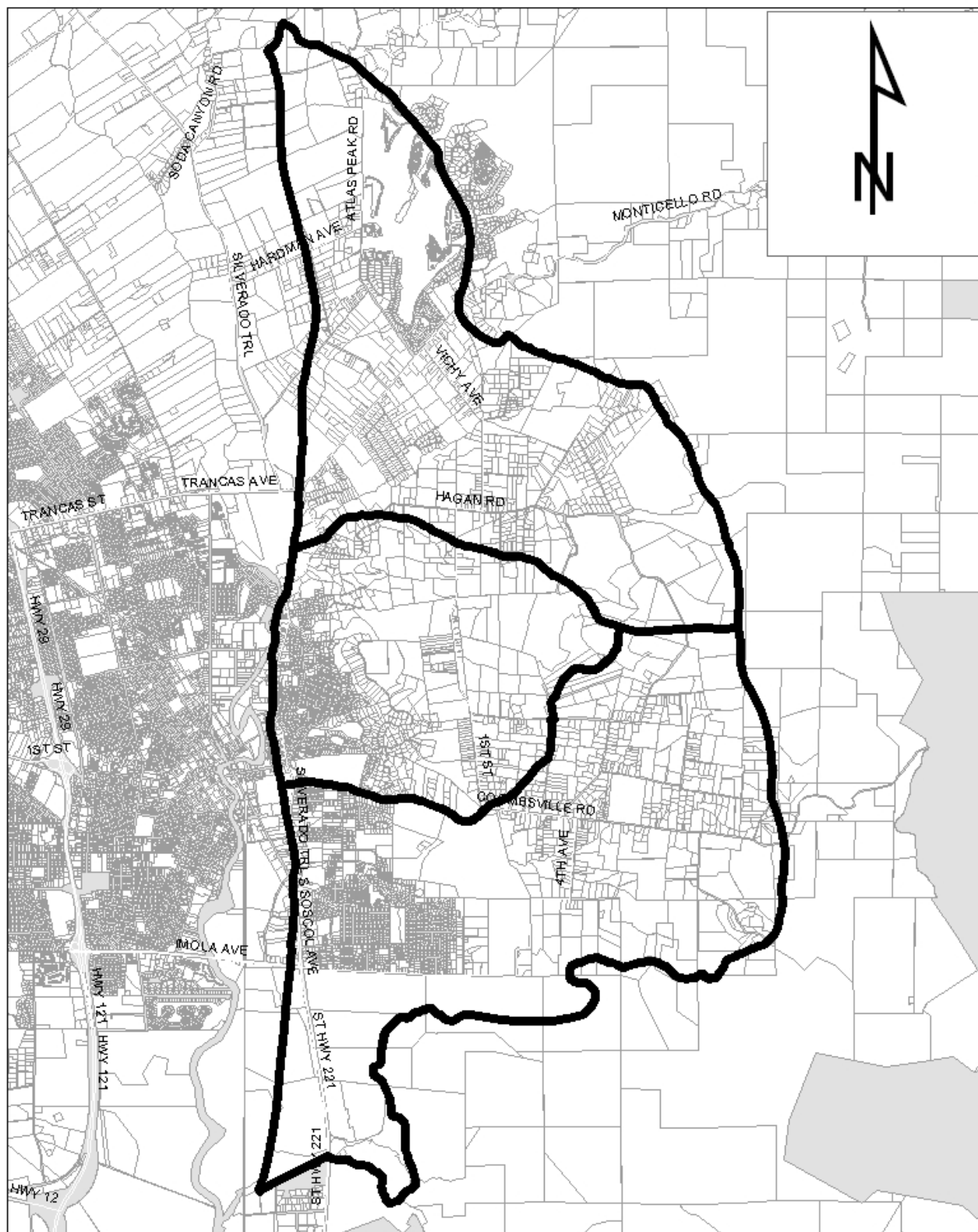
If you are going to document an “existing use” that you wish to give up for a proposed new use, you must confer with the Department of Public Works and PBES prior to submittal of a groundwater permit application. These departments will evaluate your proposal for accuracy (i.e. are the water use estimates reasonable based on the existing use) and will make an initial determination whether your claim of the existing use can be supported (i.e. is the use one that ceased in the last few years or is it an ongoing use, etc.).

Along with the “no net increase” standard, applicants are also required to meet the “fair share” (0.3 acre-ft of groundwater/acre of land owned) specified in the Department of Public Works policy report.

The no net increase standard for CEQA review may be lifted by the Napa County Board of Supervisors when a plan (such as bringing a recycled water pipeline to the MST) is fully in place and operating.

GROUNDWATER PERMIT PROCESSING PROCEDURE

1. Ministerial Permits: Applications are available from PBES. If your project meets the criteria for a ministerial permit, a complete application will be processed, and the permit issued within a couple of weeks.
2. Discretionary Permits:
 - Applications and instructions are available from PBES. Applications shall be returned with the required fees and certified list of adjoining property owners.
 - The complete application and all supporting material will be referred to the Department of Public Works for review of water use estimations and projections.
 - The application, along with the Department of Public Works analysis, is then referred to the Planning Division of PBES for environmental review.
 - Once the environmental review process has been completed, the environmental document is transmitted to the Environmental Health Division for their review.
 - Following notice to the neighbors, and any requested public hearing (if a hearing request is not submitted, then no hearing is held), the groundwater permit is either issued or denied by the Environmental Health Division.
 - Appeals to either an approval or denial of a groundwater permit application are submitted to the Napa County Board of Supervisors.



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Application of Public Trust Doctrine to Projects Dependent on Groundwater

To: Brian D. Bordona, Director PBES	From: Laura J. Anderson, Deputy County Counsel Chris R. Y. Apallas, Deputy County Counsel
Date: January 10, 2024	Re: Public Trust Doctrine and Water Availability Analysis Reviews

I. Summary.

Under public trust doctrine (the Doctrine), Napa County has an affirmative duty to take the public trust into account in the planning and allocation of trust resources, and to protect public trust uses whenever feasible. The Doctrine applies if extraction of groundwater adversely impacts a navigable waterway to which the public trust doctrine applies. In Napa County, the Napa River is the navigable waterway protected by the public trust doctrine. An analysis of impacts to trust resources is triggered by whether the groundwater extraction (whether new or the continued extraction or a reduction over existing extraction levels) is hydrologically connected to a navigable waterway or non-navigable tributaries of those waters. The analysis begins and ends with whether the proposed project harms a navigable waterway and thereby violates the public trust.

To comply with longstanding California Supreme Court and Court of Appeal holdings, Napa County has determined that projects extracting water from wells within 1,500 feet of defined Significant Streams must submit a Tier 3 or equivalent analysis for the County to discharge its legal duties under public trust doctrine, whether the proposed project is proposing to extract more or less groundwater or remain at status quo (e.g., no net increase). Although there is no single method to evaluate impacts to the Napa River, County's groundwater consultants, Luhdorff & Scalmanini Consulting Engineers (LSCE), have determined that complying with the Tier 3 analysis from the County's 2015 Water Availability Analysis Guidance Document (the 2015 WAA Guidance Document) satisfies its legal obligations. Therefore, PBES cannot find applications which use a project well within 1,500 feet of a Significant Stream complete unless accompanied by a Tier 3 analysis or an equivalent analysis (see options below).

II. Background.

The Doctrine dates back to ancient Roman and English common law and has been part of California law since the State's admission to the Union in 1850.¹ The Doctrine is borne out of the concept "that the public rights of commerce, navigation, fishery and recreation are so intrinsically important and vital to free citizens that their unfettered availability to all is essential in a democratic society."² The Doctrine is an affirmation of state power to use public property for public purposes, and the state's duty to protect the people's common heritage of streams, lakes, marshlands and tidelands.³

"Under the public trust doctrine, the state has title as trustee to all tidelands and navigable lakes and streams and is charged with preserving these waterways for navigation, commerce, and fishing, as well as for scientific study, recreation, and as open space and habitat for birds and marine life."⁴ In Napa County, the Napa River is the only navigable waterway to which the Doctrine applies. Napa County has a duty under the Doctrine to evaluate projects which may cause harm to public trust resources. The duty has existed since 1850 but gained renewed significance in 1983 when the California Supreme Court decided National Audubon Society v. Superior Court (1983) 33 Cal.3d 419.

III. Application to Groundwater.

The Doctrine is only implicated by groundwater use if the groundwater in question is hydrologically interconnected to the Napa River. A public trust analysis begins and ends with whether the project allegedly harms a navigable waterway.⁵ The Doctrine applies only if the project approval "will result in extraction of groundwater adversely affecting the public's right to use [a navigable waterway] for trust purposes, [then] the County must take the public trust into consideration and protect public trust uses when feasible."⁶ The County's obligation is to consider and give due regard but not necessarily to prohibit uses or to fully mitigate impacts as required by CEQA.

The County's 2015 WAA Guidance Document was adopted by the Board of Supervisors on May 12, 2015. It contains three tiers of groundwater review with which groundwater-using projects must comply. A Tier 3 considers groundwater and surface water interaction if the groundwater comes from a well within 1,500 feet of a "Significant Stream" which the County has determined has a high probability of being hydrologically connected to the Napa River, a "navigable waterway" for public trust purposes. A Tier 3 review is the County's adopted method for complying with its duties under the Doctrine. Alternatively, applicants may forego a Tier 3 analysis under the 2015 WAA Guidance Document by assuming connectivity and proposing modifications to the project well(s) to reduce impacts (hereafter referred to as an equivalent analysis).

Any project which is using groundwater from a well within 1,500 feet of a Significant Stream must complete a Tier 3 or an equivalent analysis regardless of whether more water is being withdrawn from the project well or if there is no net increase or a reduction in water extraction because the County's duties under the

¹ Environmental Law Foundation v. State Water Resources Control Bd. (2018) 26 Cal.App.5th 844, 856; World Business Academy v. California State Lands Commission (2018) 24 Cal.App.5th 476, 508.

² Zack's Inc. v. City of Sausalito (2008) 165 Cal.App.4th 1163, 1175.

³ National Audubon Society v. Superior Court, (1983) 33 Cal.3d 419, 441.

⁴ Santa Teresa Citizen Action Group v. City of San Jose (2003) 114 Cal.App.4th 689, 709 [citing National Audubon].

⁵ Environmental Law Foundation, 26 Cal.App.5th at 859.

⁶ (Id. at 85 1, 853-54.)

Doctrine are ongoing.⁷ An adequate Tier 3 or an equivalent analysis will allow County to discharge its duty and review a legally defensible project. Applicants can satisfy the Tier 3 or an equivalent analysis in one of the following ways:

- Retain a qualified professional to analyze whether connectivity exists and if no connectivity exists, the Tier 3 analysis is complete and no further analysis is needed.
- Retain a qualified professional to analyze whether connectivity exists and if there is some degree of connectivity, upon demonstrating compliance with Tables 3, 4 and 5 of the WAA Guidance, the Tier 3 analysis is complete.
- Retain a qualified professional to prepare an equivalent analysis. This equivalent analysis would forego the connectivity analysis, assume connectivity exists, and propose modifications to the project well(s) to reduce impacts. Such modifications may include, but not be limited to, changes to the location of the well (e.g., more than 1,500 feet from a Significant Stream), to well construction, well operations (e.g., duration and timing of pumping), and/or a reduction in the volume of groundwater pumped in accordance with the Groundwater Sustainability Plan (GSP), as determined by a qualified professional.

Please see updated well permitting table which has been revised to clearly reflect the Doctrine's requirement and applicant options given the evolution of common law and the decision from 2018 in Environmental Law Foundation v. State Water Resources Control Bd. (2018) 26 Cal.App.5th 844.

File: 2000.170/Doc. No. 107871

⁷ Unless the applicant can point to some documentation in the record that it has performed some level of review and consideration of trust resource impacts during a prior project's permitting.

Interim Napa County Well Permit Standards and WAA Requirements - January 2024

WAA Tier 1: Groundwater Use for Napa County					WAA Tier 2: Well & Spring Interference	WAA Tier 3: Groundwater / Surface Water Interaction	
Napa County new regulatory requirements for the a Tier 1 analysis are pursuant to CEQA, Napa County's Water Availability Analysis (WAA) Guidelines, dated May 12, 2015, Napa County's Drought Emergency, Governor's Executive Order N-7-22/N-3-23, Napa Valley Subbasin Groundwater Sustainability Plan, Napa County Resolution 2022-178, Napa County Code Groundwater Conservation Ordinance - Chapter 13.15, recent court decisions, and pending State-litigation.					Tier 2 analysis is governed by the WAA and the Governor's Executive Order N-7-22/N-3-23. Tier 2 analysis must be performed by licensed professional retained by applicant or through County services and paid for by applicant.	Tier 3 analysis is governed by CEQA, the WAA, and the Public Trust Doctrine, and County Resolution 2022-178. Tier 3 analysis must be performed by licensed professional retained by applicant or through County services and paid for by applicant.	
Well Type	Groundwater Use	Inside Napa Valley Subbasin	Inside Napa County Groundwater Deficient Area (MST)	Outside Napa Valley Subbasin & MST	Less than 500-feet to neighboring well(s) and/or 1,500-feet to a natural spring(s)	Less than 1,500- feet to a Significant Stream <u>Inside</u> the Napa River Watershed	Less than 1,500- feet to a Significant Stream <u>Outside</u> the Napa River Watershed
NEW WELL	Domestic - Individual User	0.3 AF/acre ^{2,3}	0.6 AF/year	NA ¹	NA ^{1,7}	Tier 3 Required	NA ^{1,7}
	Commercial, Industrial, or Agricultural	0.3 AF/acre ³	No Net Increase and 0.3 AF/acre	Parcel Specific Recharge ⁴	Tier 2 Required	Tier 3 Required	Tier 3 Required
	Public Water System	0.3 AF/acre ³	No Net Increase and 0.3 AF/acre	Parcel Specific Recharge ⁴	NA ⁷	Tier 3 Required	NA ⁷
REPLACEMENT WELL	Domestic - Individual User	0.3 AF/acre ³	No Net Increase	Parcel Specific Recharge ¹	NA ^{1,7}	Tier 3 Required ⁶	NA ^{1,7}
	Commercial, Industrial, or Agricultural	0.3 AF/acre ³	No Net Increase	Parcel Specific Recharge ⁴	Tier 2 Required ⁵	Tier 3 Required ⁶	Tier 3 Required ⁵
	Public Water System	0.3 AF/acre ³	No Net Increase	Parcel Specific Recharge ⁴	NA ⁷	Tier 3 Required ⁶	Tier 3 Required ⁵
EXISTING WELL	New, Altered or Increased Water Use for Discretionary Project	0.3 AF/acre ³	No Net Increase and 0.3 AF/acre	Parcel Specific Recharge ⁴	Tier 2 Required ⁸	Tier 3 Required ⁶	Tier 3 Required ⁸

NA = Not Applicable

¹ Assumes less than 2-acre-feet per year of groundwater for individual domestic users.

² Requirement can be met by submitting a "Water Use Declaration" that reflects the allowed water usage.

³ Where existing groundwater use exceeds the 0.3 ac-ft/ac, No Net Increase in Groundwater use is required (Subject to change by the GSA), and shall be demonstrated through a water demand analysis.

⁴ Where existing groundwater use exceeds the Parcel Specific Recharge, No Net Increase or reduction in Groundwater use is required, and shall be demonstrated through a water demand analysis.

⁵ The analysis is not required when the replacement well is located further away from the neighboring well, natural spring, or Significant Stream and there is no increase in groundwater use.

⁶ The analysis is not required if modifications to the location, construction, or operations of the project well(s) are made to reduce harm relative to current conditions based on the conclusions by a qualified professional.

⁷ Unless associated with a Discretionary Project; and every effort should be made to locate the well as far as possible from neighboring wells and springs.

⁸ The analysis is only required for an increase in groundwater use.



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Brian Bordona
Director

MEMORANDUM

To:	All interested parties	From:	Division of Environmental Health
Date:	January 5, 2005 Revised December 6, 2018	Re:	Use Permits and Regulated Water Systems

The purpose of this memo is to provide information regarding requirements for regulated water system permitting. The Division of Environmental Health has a contract with the California State Water Resources Control Board (Water Board) to administer the small water system program. Public water systems are required to be permitted by Water Board or the local delegated agency.

In Napa County, the most commonly proposed small public water systems serve wineries. During the use permit process, the division reviews the number of anticipated visitors, employees and onsite residents and makes a determination if the proposed facility is required to be served by a regulated water system. A public water system is required if the project includes either (1) a combined number of users (visitors, employees, residents) greater than 24 daily for at least 60 days of the year, or (2) the total number of employees and residents is greater than 24 daily for 6 months or more of the year. If either threshold is met, the water system will be regulated. If you have questions on whether the proposed project will be regulated as a public water system, contact this division to discuss with the district inspector. If the project does not meet these thresholds but will have a regulated kitchen used for food service for food and wine pairings or marketing events, a different type of regulated water system is required.

If your project will be regulated as a small public water system, a water system feasibility report will be required as a completeness item at the time a Use Permit application is submitted. This report ensures that the proposed project can satisfy the technical, managerial and financial requirements set forth by the Water Board and must include the information listed on the attached worksheet. There is a possibility that existing wells may not meet the construction requirements for a regulated water system. If the source does not meet the requirements, a new water supply will have to be developed, which must be reflected in the feasibility report. Prior to issuance of a building permit, the new water supply must be developed and full plans for the water system must be submitted and approved by this division. In addition to the local requirements, the Water Board requires a water system to also submit a preliminary technical report demonstrating the water system is viable and ensuring the water system has evaluated whether consolidating with another water system is possible. The County must receive concurrence from the Water Board before any related building permits can be issued. Additional information regarding the preliminary technical report required by the Water Board can be found at: https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/Permits.html

New Community and Non-Community Water Systems Technical, Managerial and Financial Capacity Worksheet

(Use Permit Applications and Water System Feasibility Reports)

1. **Water system name**
2. **Name of person who prepared the report**
3. **Technical Capacity:**
 - 1 System description-from source to point of use-what is expected (including treatment, etc).
 - 1 One year projection for water demand and an analysis of the water system to meet the projected demand (project expansion and improvements for a ten year period).
 - 1 Source adequacy:
 - Groundwater: Does the well have a 50-foot seal with a 3-inch annular space? Is a well log available?
 - Surface water treatment: Can the water system comply with the Surface Water Treatment Rule?
 - 1 Water supply capacity. Can the water system (including all sources and storage facilities) supply a minimum of three gallons per minute for at least 24 hours for each service connection served?
 - 1 Provide a characterization of the water quality (or expected water quality if a new source is required), including a comparison with established or proposed drinking water standards and the feasibility of meeting these standards.
 - 1 An evaluation of the feasibility of consolidation with other (existing) water systems.
4. **Managerial:**
 - 1 Description of the organization's ability to manage a water system (personnel to be hired and/or job descriptions for water system maintenance responsibilities). For systems that use land that is not owned by the water system, the terms for a long-term agreement for use of the land/facilities must be disclosed.
 - 1 Document the system's water rights.
5. **Financial:**
 - 1 Budget projection and description of system's financial capacity (your ability to financially support the operation of a water system).

Questions on this worksheet or the information required should be addressed to the water specialist in the Division of Environmental Health.

SITE PLANS

Site Plan Requirements:

A Site Plan gives a clear view of the existing development on the project property. It shows all existing property improvements and the proposed improvements you are applying for with your permit application. A property improvement includes dwellings, structures, tanks, generators, septic systems, wells, bridges, driveways, turnarounds, etc. A site plan can also show the location and size of sources of electrical, gas and utility trenching if those features are part of your project.

The Site Plan gives our divisions the information needed to ensure that a proposed structure/improvement or alteration or addition to a structure/improvement on your property will be safe, conform to setbacks (distance from property line, center of road, sanitary systems and water sources, etc.). It ensures that any natural elements of the property such as creeks and streams are safe from the negative effects of proposed construction. It also assists Fire and Engineering with the details of access routes to your property in the event of an emergency.

Aerial photographs will not be accepted as Site Plans

The Site Plan page will be consistent with the size of plans at a minimum of 11 x 17" (**with legible, easy to read font**). Site Plans will not be accepted unless they are a part of the plans, unless it is directed otherwise. Plans must contain a Title Page, Site Plan and project drawings and or details.

What to Include on your Site Plan:

- (A) **Title Block** shall include the following:
 - *Parcel number and property address
 - *Owner name and address
 - *Draftsman (may be yourself), Architect or Engineer and contact information.
 - *Date the plans were drawn and/or amended
- (B) **Property line boundaries** The Site Plan must be a drawing of the entire project property. As some properties are large, it may be difficult to include the details that are needed. We can accept two or more drawings with one of the entire property and one or more of the developed areas drawn as an enlargement. Mark the location of the enlarged developed areas with a square/s on the entire property drawing. Please include a North Arrow.
- (C) **Label existing and proposed structures and uses** Provide dimensions and distance between existing and proposed structures/development. Show all property improvements, such as buildings/dwellings/decks, storage tanks of any kind (including propane tanks), etc. Setbacks from these improvements will enable our divisions to establish safe distance from possible safety/sanitary issues.

Be sure to label all existing (E) and proposed (P) improvements, including area of addition, area of remodel, new structure, etc.
- (D) **Setbacks** Provide the setbacks that we need to review your submittal for permit. Setbacks are the distance between existing and proposed property improvements. They are the distance of your project from property lines, septic systems, wells, tanks, structures, dwellings (and in case of generator exhaust, the distance from the nearest opening on the structure closest to the installation). Indicate the distance from the center of road for all improvements.
- (E) **Roads/Driveways/Turnarounds** Show all driveways, access roads (including Public Roads that border the project property), turnarounds. Our Fire and Engineering Divisions will establish if your proposed project may interfere with emergency access to the project property.
- (F) **Identify Natural Features** such as creeks as there are creek setbacks that must be maintained to protect the natural feature from damage and prevent possible flood issues. Identify required creek setback distance pursuant to County Code 18.108.025.

Site Plan Requirements (Continued):

- G Existing and proposed water, wastewater, and stormwater treatment systems** must be shown and include:
- Wells on the property
 - Wells within 100 feet of the project property
 - Septic system tanks and sewer line location
 - Leach fields (existing and proposed)
 - 100% reserve area (existing and proposed). This is the area that will be used in the event of a septic system failure.
 - Storage tanks (Water, grey-water, waste storage)
 - Label distances between well(s), septic tank, leach field, and creek, streams, rivers or lakes, if applicable
- H Flood Zone** If the project property is in a Special Flood Hazard Area (SFHA) or a portion thereof, illustrate the SFHA boundary on the site plan. To determine this visit the FEMA website at <https://msc.fema.gov/portal/home>. Enter your address and click on Search.
- I Utilities** Show utility lines or service points of connection (water, sewer, electrical, gas, cable). Indicate work areas under overhead lines or above buried lines. If a utility line crosses over a structure/improvement, show clearance above the structure/improvement.
- J Easements** Show any easements that exist. Indicate the location of all easements (water, sewer, roadways, open space, etc.)
- K Fire** Locations of fire water storage tanks, fire hydrants and Fire Department Connections/Post Indicator Valves (FDC's/PIV's.) Contact CalFire for additional information.

Example

