



WATER AUDIT CALIFORNIA

A PUBLIC BENEFIT CORPORATION

952 SCHOOL STREET #316 NAPA CA 94559
VOICE: (530) 575-5335
EMAIL: GENERAL@WATERAUDITCA.ORG

March 17, 2026

County of Napa
Planning Commission

meetingclerk@countyofnapa.org

Kara.Brunzell@countyofnapa.org, walter.brooks@countyofnapa.org,
molly.williams@countyofnapa.org, pete.richmond@countyofnapa.org,
megan.dameron@countyofnapa.org

RE: Hearing – March 18, 2026

8.B. SHELDON RICHARDS / PALOMA VINEYARD / USE PERMIT
MAJOR MODIFICATION NO. P19-00386-MOD

Water Audit California ("Water Audit") is an advocate for the public trust.

Water Audit comments as follows:

Overview

- Agenda Item 8B for the Napa County Planning Commission's March 18, 2026, meeting proposes a major modification to the Paloma Vineyard use permit.
- Staff proposes consideration and possible adoption of a Mitigated Negative Declaration, finding no potentially significant environmental impacts with mitigation for Biological Resources, and noting the project site is not on hazardous waste lists under Government Code Section 65962.5.
- The request seeks to modify the existing winery Use Permit to address noncompliance regarding daily visitation and visitation hours, and to expand entitlements for a hospitality building, storage conversion, production hours, visitation changes, on-site wine consumption, and added parking, with proposed driveway widening to meet County standards.
- The 17.11-acre project site is in the AW zoning district with an AWOS General Plan designation at 4013 Spring Mountain Road, St. Helena, APN 022-150-008.
- Staff recommends adopting the Mitigated Negative Declaration and approving the Use Permit Modification subject to conditions.

Project Request and Code Compliance Context

- The application participates in the County’s Code Compliance Program established by Resolution No. 2018-164, to bring certain activities into compliance and to obtain expanded entitlements.
- The modification seeks recognition and approval of noncompliant daily visitation and visitation hours, indicating existing operations exceeded or differed from prior entitlements.
- Proposed expansions include a new hospitality building, partial conversion of the main residence for winery storage, modified production hours, modified visitation, allowance for on-site consumption under specified Business and Professions Code sections, additional parking, and drive access widening to meet Road and Street Standards.

Environmental Review Status

- The CEQA status is a proposed Mitigated Negative Declaration, concluding no potentially significant impacts after mitigation for Biological Resources, and confirming the site is not on Section 65962.5 hazardous waste lists.
- The listed State Clearinghouse Number for the CEQA document is #2026020369.

Site Location and Zoning

- The site encompasses approximately 17.11 acres, within the Agricultural Watershed zoning and the Agriculture, Watershed, and Open Space General Plan designation, at 4013 Spring Mountain Road, St. Helena, California.
- The assessor’s parcel number for the project site is 022-150-008.

Project Setting and Production

- The parcel is near the top of Spring Mountain Road at the Sonoma County boundary, with the winery producing 10,000 gallons per year.
- Water Audit raises concerns about omission of a Tier 3 analysis and discovery of a third and fourth well appearing in County records but not recognized in the hearing packet.

The Public Trust Doctrine

- California law recognizes that groundwater and surface water systems are often hydrologically connected, creating a legal basis for public trust application. (*City of Barstow v. Mojave Water Agency* (2000) 23 Cal.4th 1224.)
- The *Audubon* court clearly rejected the concept that the comprehensive water rights system “subsumed” the public trust doctrine, making the important observation that even the comprehensive appropriative water rights system in California did not weaken or decimate the public trust doctrine. (*National Audubon Society v. Superior Court (“Audubon”)* (1983) 33 Cal.3d 419.)

- The distinction was clearly drawn in *California Water Impact Network v. County of San Luis Obispo* ((2018) 25 Cal.App.5th 666), a California Environmental Quality Act (CEQA) case that did not consider the public trust doctrine. That court held that whether well permits are exempt from CEQA, or as the County argues herein, whether the existing conduct constitutes a CEQA baseline, bears no relevance to the important questions involving the public trust doctrine and groundwater raised in this case. (*Environmental Law Foundation v. State Water Resources Control Bd.* (2018) 26 Cal.App.5th 844, 852.)
- The fish passage laws are specific rules concerning the public trust in the State's fishery resources, and no statute of limitations can bar enforcement of them. (*California Trout, Inc. v. State Water Resources Control Bd.* ("Cal. Trout I") (1989) 207 Cal.App.3d 585, 630.) These statutes share a common purpose: ensuring fish passage in California's rivers and streams. And California's fishery resources are public trust resources "the general right and ownership of which is in the people of the state." (California Trout, *ibid*; Fish & G. Code, §§ 711.7, 1600.)
- Second, *even if a limitations period could apply*, the doctrine of continuous accrual resets any such period where a party continues to violate those statutes by maintaining an injury to the public trust. (*Aryeh v. Canon Business Solutions, Inc.* (2013) 55 Cal. 4th 1185, 1197-1200.) Contrary to the County's argument of a baseline of protected injurious conduct, it is the applicant's alleged *continuing* violations of the public trust doctrine that Water Audit challenges.
- The public trust in fishery resources is a state property interest, and it is a well-established principle that "[o]ne may not oust the state from such an interest by operation of a statute of limitations." (*Cal. Trout I*, *supra*, 207 Cal.App.3d 585, 630, citing *People v. Kerber* (1908) 152 Cal. 731, 732-736.) In *Cal. Trout I*, the appellate court applied that rule to hold that no limitations period barred an action. Here, as in *Cal. Trout I*, "[a]n encroachment on the public trust interest shielded by [the relevant statutes] cannot ripen into a contrary right due to lapse of any statute of limitations." (*Id.* at p. 631.)
- "A county is a legal subdivision of the state and references to the "state" may include counties. (*Baldwin v. County of Tehama* (1994) 31 Cal.App.4th 166, 175-176.) Although the state as sovereign is primarily responsible for administration of the trust, the county, as a subdivision of the state, shares responsibility for administering the public trust and "may not approve of destructive activities without giving due regard to the preservation of those resources." (*Center for Biological Diversity, Inc. v. FPL Group, Inc.* (2008) 166 Cal.App.4th 1349, 1370, fn. 19; *Environmental Law Foundation v. State Water Resources Control Board* ("ELF") (2018) 26 Cal.App.5th 844, 867–868.)
- Water users and developers must now consider public trust impacts when planning groundwater extraction projects near interconnected surface waters, potentially

requiring additional environmental studies and mitigation measures. Groundwater users must demonstrate that their extraction activities will not harm public trust resources in connected navigable waters.

- The legal foundation for public trust application to groundwater extraction rests on both constitutional and statutory provisions. California Constitution Article X, Section 2 establishes that "the general welfare requires that the water resources of the State be put to beneficial use to the fullest extent of which they are capable, and that the waste or unreasonable use or unreasonable method of use of water be prevented" (CA CONST Art. 10, § 2.) This constitutional provision applies to all water use in California and serves as foundational authority for reasonable use regulation.
- The State Water Resources Control Board has actively enforced reasonable use principles under Article X, Section 2 of the California Constitution in groundwater and surface water extraction cases, particularly in the Scott River and Shasta River watersheds during drought conditions, with emergency regulations from 2021-2023 showing comprehensive application of the reasonable use doctrine and common source doctrine for interconnected groundwater and surface water (*Cal.St.Wat.Res.Bd. 2022 WL 1618925*; *Cal.St.Wat.Res.Bd. 2023 WL 9111309*.)
- Recent State Water Board orders demonstrate active enforcement of these principles, noting that "BSID's groundwater extractions directly affect flow levels in Big Spring Creek, which in turn directly affect minimum flows in the downstream Shasta River" and that "the Board is authorized to prevent and curtail these diversions, which unreasonably affect other instream uses and public trust resources" (*Cal.St.Wat.Res.Bd. 2022 WL 1618925*.)

Water Availability Analysis (WAA) – Tier Analysis and Stream Proximity

- The WAA asserts no Tier II analysis is required because the project will reduce water usage from existing conditions, and no Tier III analysis is required as the site is not within 1,500 feet of a significant stream, citing an exhibit in Appendix 2.
- Appendix 2 exhibit altered the significant stream map by erasing a blueline near the project well and relying on County GIS rather than the California Aquatic Resources Inventory (CARI) recommended by CDFW, noting County GIS is less accurate per the exhibit's own disclaimer.
- Although not in the hearing packet, the CARI map shows a significant stream tributary to Mill Creek near the project well, and the County GIS measures the distance at 216 feet.
- The UP4.1 Process Wastewater Plan is said to omit symbolizing the blueline yet labels a fine-lined text "BLUELINE CREEK," indicating applicant and staff awareness of proximity.
- The UP1.0 Cover Sheet is alleged to omit required labeling of watercourses and distances between the well, septic field, and watercourse.

WAA – Wells Inventory and Data Gaps

- The WAA states the owner informed the consultant that two wells exist on the property, with only one on the west side in use, supplying domestic, process, irrigation, winery, visitor center, residence, and vineyards.
- Water Audit notes the absence of a well location map, recent pumping tests, or well completion reports in the analysis, asserting no supporting data for the project well.

Electronic Document Retrieval (EDR) Findings on Wells

- Water Audit notes three recorded wells in the EDR database not included in the hearing packet and state the project well on the west side does not match any of the three recorded wells, suggesting it is not on County record.
- The oldest well was reportedly drilled in 1981 near Spring Mountain Road, 110 feet deep, yielding 12 gpm, with a static level at 50 feet and a surface seal to 20 feet, for proposed domestic use.
- Two wells were drilled in 1985; the earlier March 25, 1985 well had a reported seal to 25 feet and, per completion report, was 205 feet deep, yielding 9 gpm with a 5-inch casing.
- The later July 25, 1985, well was proposed for domestic use with a seal to 23 feet and 6-inch casing, noted as 15 feet from the old well site; the completion report shows 270 feet deep, 6-inch casing to 113 feet and 5-inch to 270 feet, yielding 80 gpm with a 20-foot sanitary seal.
- An August 10, 2005, Oasis Pump & Drilling report indicates an old pump removal and new pump installation, with ambiguous identification of which well, noting unmatched casing diameter of 8 inches with 5-inch liner and a final yield of 12 gpm after 1.5 hours.
- There is reportedly no well destruction permit in the record, raising the question of abandoned or “ghost” wells on the parcel.
- Water Audit notes that the Department of Water Resources Well Completion Report map shows no wells located on the parcel, contrary to other records.
- Water Audit notes inconsistencies between applicant-provided facts and County records, and the lack of staff verification or pumping tests to assess well capacity and potential interference with groundwater, surface water, and the aquifer.

Conditions of Approval (COA) – Water and Monitoring Provisions

- Water Audit notes that there is no Public Works Groundwater Memorandum included.
- The COA scope allegedly omits the required destruction of an abandoned well, despite Environmental Health’s January 29, 2026 memorandum condition requiring either well destruction by a licensed driller or demonstration the well is not abandoned, with a permit required before work.
- Water Audit notes assert Condition 4.9 on Groundwater Management – Wells does not limit extraction to 2.546 acre-feet per year, referencing the WAA.
- The COA is said to omit language indicating implementation “jointly by Public Works and PBES.”

- Monitoring and reporting responsibilities are directed to the Planning Director rather than the Public Works Director, as reflected by language making the project well available for inclusion in the groundwater monitoring network if the PBES Director deems it useful.
- Water Audit requests the well be conditioned to be absolutely included in the groundwater monitoring network, not merely made available.

Findings – Role of Public Works

- The current project Findings do not incorporate the Public Works Department.
- Historical permit #98368 Findings, found in EDR but not in the hearing packet, reportedly show the Public Works Department previously determined that added winery water use would not significantly decrease static water levels to neighboring wells and required no further analysis.
- Water Audit questions why Public Works is withholding its determination in the current project.

Additional Procedural and Substantive Points

- The CEQA Mitigated Negative Declaration is premised on mitigation for Biological Resources, with no other significant impacts identified after mitigation, and absence from hazardous waste lists, which frames the environmental baseline for decision-making.
- The request's participation in the Code Compliance Program signifies a path to rectify existing noncompliance on visitation metrics while seeking operational and facility expansions, which heightens scrutiny on resource use and infrastructure adequacy.
- Stream proximity disputes between mapping sources (County GIS vs. CARI) affect whether a Tier III WAA analysis is triggered, influencing groundwater-surface water interaction considerations and potential mitigation.
- The alleged omission of explicit blueline stream labeling and required distance measurements on project graphics could impede proper environmental and public health review per submittal standards.

- The divergence between the WAA's two-well inventory and EDR-indicated three recorded wells, plus a potentially unrecorded project well, raises compliance, safety, and resource management issues, including permitting, abandonment, and monitoring obligations.
- The conflicting well records and absence of destruction permits could necessitate conditions to confirm well status, require destruction or reactivation compliance, and ensure accurate groundwater accounting.
- The lack of recent pumping tests and well completion reports in the packet, as alleged, undermines verification of water supply sufficiency and potential impacts on neighboring wells or nearby streams, especially given disputed stream proximity.

- The COA's monitoring framework, as described, centralizes oversight with PBES and makes monitoring network inclusion discretionary, which Water Audit seeks to strengthen by urging mandating inclusion and clarifying joint implementation with Public Works.
- The absence of a Public Works Groundwater Memorandum and exclusion of Public Works from Findings contrasts with historical practice in permit #98368 and may affect the adequacy of technical review on groundwater issues.

Summary of Key Decision Points for the Commission

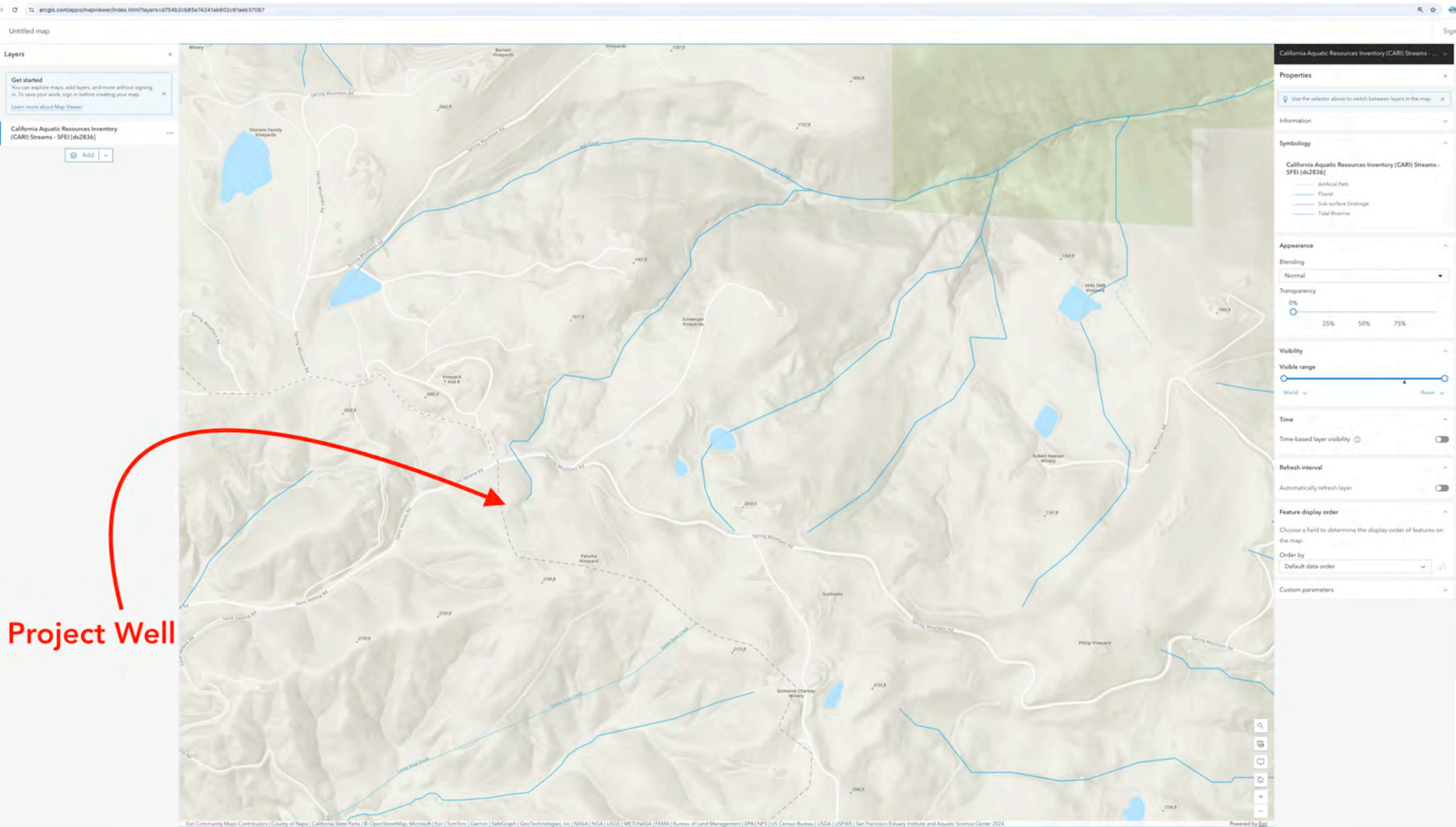
- Whether to adopt the Mitigated Negative Declaration given the Biological Resources mitigation and absence from hazardous waste lists, balanced against Water Audit's concerns regarding stream proximity and groundwater analysis tiers.
- Whether the Use Permit Modification adequately rectifies prior visitation noncompliance and appropriately authorizes expanded operations and facilities, including on-site consumption and added parking, with supporting infrastructure like driveway widening.
- Whether the WAA sufficiently supports water availability and impact conclusions without Tier II/III analyses, considering disputed mapping and potential stream adjacency.
- Whether the well inventory is accurate and compliant, including reconciliation of EDR-recorded wells, potential unrecorded active well, absence of destruction permits, and need for pumping tests and completion reports.
- Whether conditions of approval should be amended to include Public Works participation, explicit extraction limits, mandatory inclusion in the groundwater monitoring network, and enforcement of Environmental Health's abandoned well requirements.
- Whether to seek a Public Works Groundwater Memorandum and incorporate Public Works into the project Findings, consistent with historical permit review practice.

Respectfully,

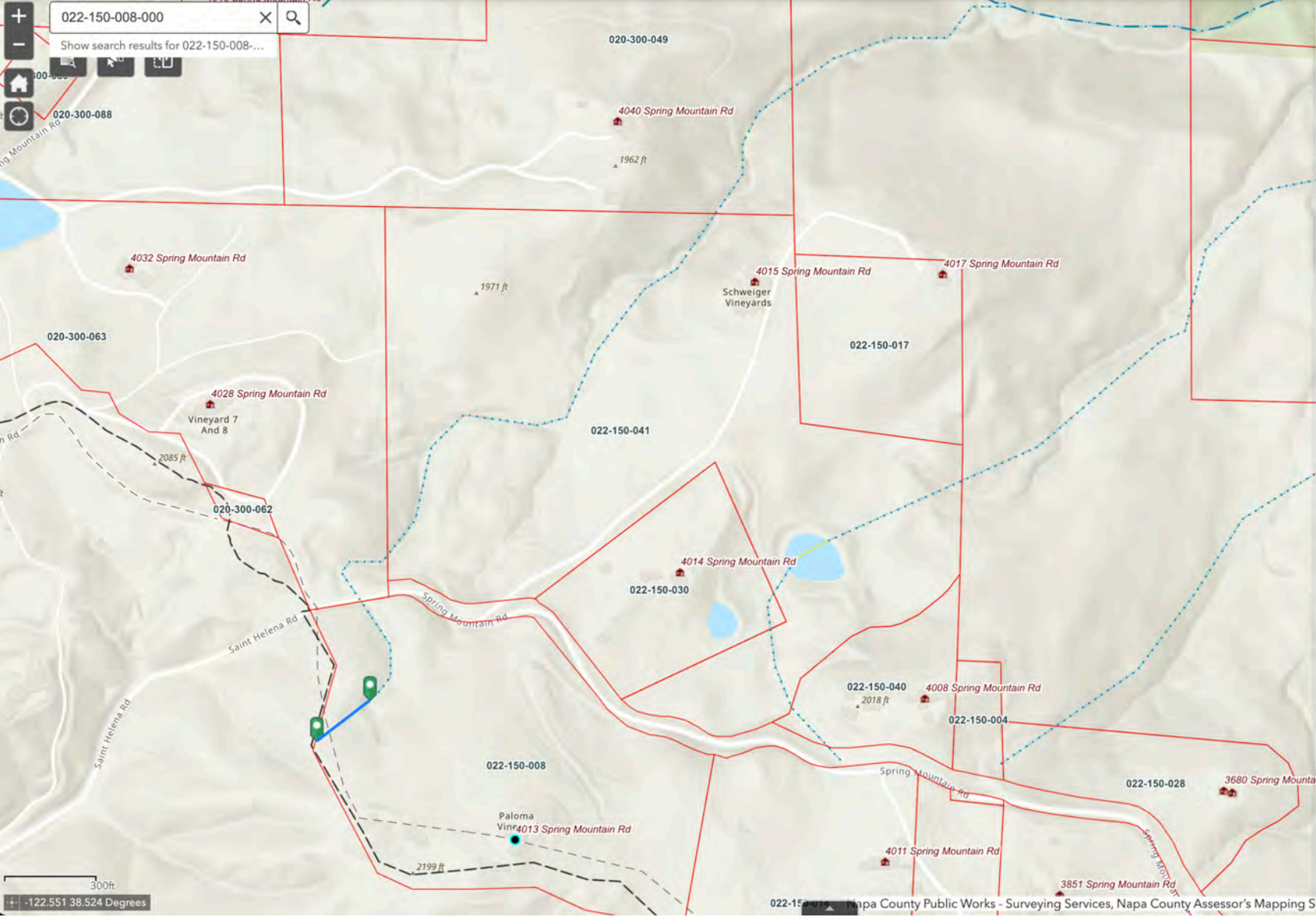
A handwritten signature in blue ink, appearing to read 'W. McKinnon', with a long horizontal stroke extending to the right.

William McKinnon
General Counsel
Water Audit California

Attachments - Exs. 1-12 attached



Project Well



Measurement

Feet

Measurement Result

216.4 Feet

Clear

Press CTRL to enable snapping

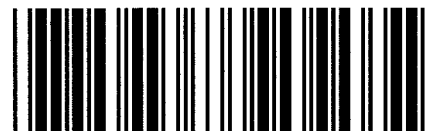
Exhibit 2

Environmental

Cover Sheet

APN	022 - 150 - 008 - 000
Permit #	
Program	WELL
DocType	PMT
Street #	4013
Street Name	SPRING MTN
Year	1981

Exhibit 4



FEE \$40 DATE 5-14-81
 RECEIPT NO. 9280 BY JH

A.P. NO. 22-150-08

NAPA COUNTY HEALTH DEPARTMENT
 DIVISION OF ENVIRONMENTAL HEALTH

APPLICATION & PERMIT TO CONSTRUCT A WATER WELL

NAME Chuck Dake (Owner) ADDRESS Spring Mtn Road (Job Location)

NAME Bill Pulliam (Well Driller) ADDRESS 2877 Piedmont DATE 5-12-81

TYPE OF WORK: NEW WELL RECONDITIONING _____ DEEPENING _____
 TYPE I PERMIT DESTROY _____ OTHER _____
 TYPE II PERMIT _____

PROPOSED USE: DOMESTIC IRRIGATION _____ INDUSTRIAL _____ MUNICIPAL _____
 TEST WELL _____ OTHER _____ HOT WATER _____

Sewage Disposal on site (existing or proposed) Public ~~_____~~ Individual Private _____
 Distance from well to any part of nearest sewage disposal system 1000' feet.
 (Sketch of site to accompany application) County road setback 50' feet from centerline.

TYPE OF EQUIPMENT TO BE USED: Rotary Cable _____ Hand Dug _____ Other _____

WORKER'S COMPENSATION COVERAGE: (Check one of the following)
 A certificate of current Worker's Compensation Insurance coverage is presently on file with this office.
 A certificate of current Worker's Compensation Insurance is being filed with this application.
 I certify that in the performance of the work for which this permit is issued I shall not employ any person in any manner so as to become subject to the Worker's Compensation laws in California.

Bill Pulliam
 Signature of Applicant

5-13-81
 Date

FOR OFFICE USE ONLY

	Date	By	Remarks
Pre-Inspection			
Class II Approval			
Permit Issued	5/13/81	KN	
Const. Inspection	5/14/81	MP	2" SPACE TO 22'
Final Inspection			
Final Approval			

Remarks: _____

BILL PULLIAM

Lic. No. 248677

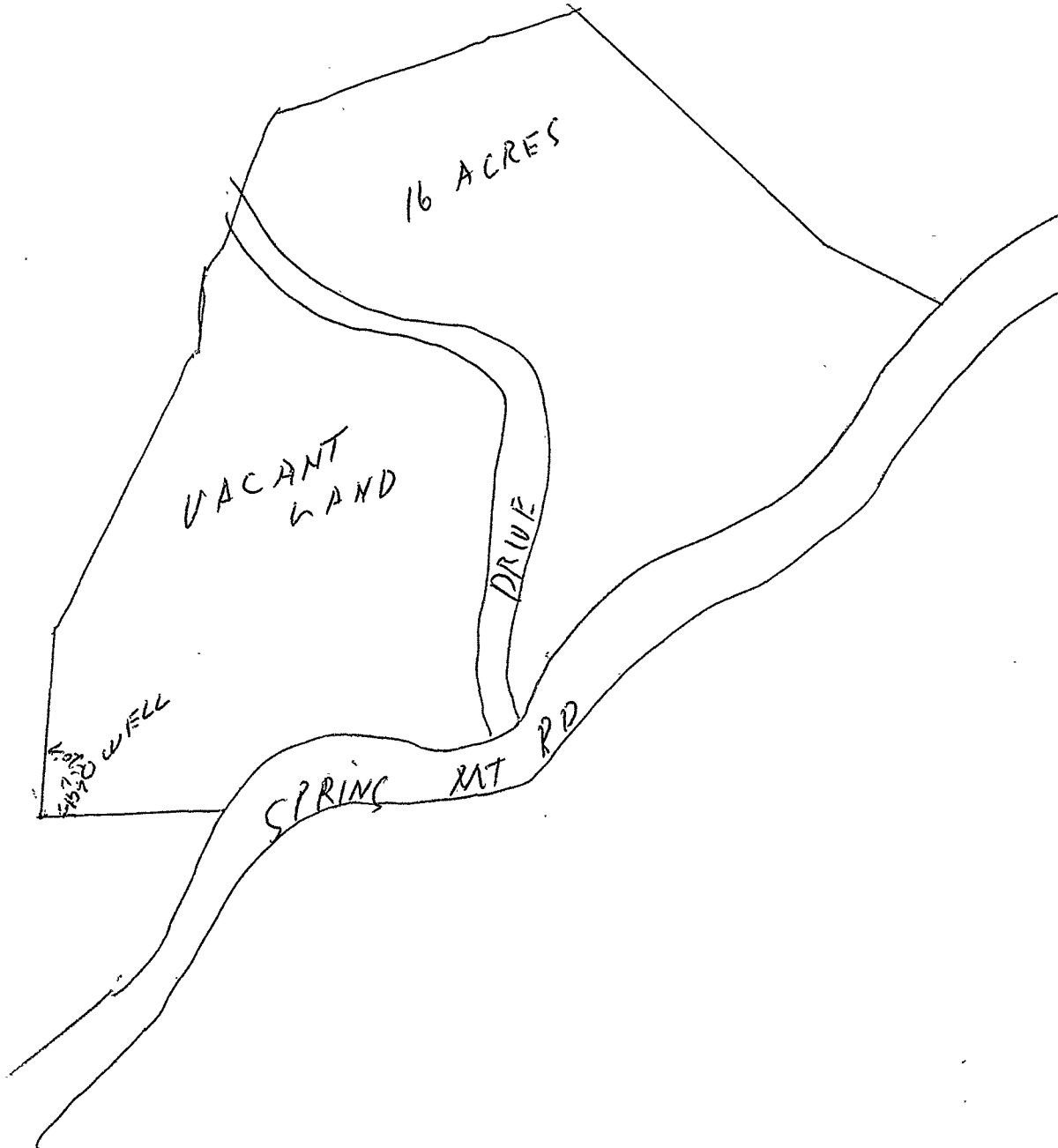
WELL DRILLING

2877 PIEDMONT AVE.—NAPA, CALIF. 94558

(707) 224-9396

Chock DATE
Spring Mtn Road.

A.P. 22-150-~~82~~⁰⁵

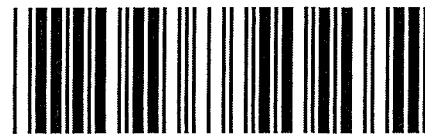


Environmental

Cover Sheet

APN	022-150-008-000
Permit #	
Program	WELL
DocType	WL
Street #	4013
Street Name	SPRING MTN
Year	1981

Exhibit 5



70675
 FEE \$40 DATE 5-14-81
 RECEIPT NO. 9280 BY [Signature]

A.P. NO. 22-150-08

NAPA COUNTY HEALTH DEPARTMENT
 DIVISION OF ENVIRONMENTAL HEALTH

APPLICATION & PERMIT TO CONSTRUCT A WATER WELL

NAME [Redacted] ADDRESS [Redacted]
 NAME Bill Pulliam (Owner) ADDRESS 2877 Piedmont DATE 5-12-81
 (Well Driller)

TYPE OF WORK: NEW WELL RECONDITIONING _____ DEEPENING _____
 TYPE I PERMIT DESTROY _____ OTHER _____
 TYPE II PERMIT _____

PROPOSED USE: DOMESTIC IRRIGATION _____ INDUSTRIAL _____ MUNICIPAL _____
 TEST WELL _____ OTHER _____ HOT WATER _____

Sewage Disposal on site (existing or proposed) Public Individual Private _____
 Distance from well to any part of nearest sewage disposal system 1000' feet.
 (Sketch of site to accompany application) County road setback 50' feet from centerline.

TYPE OF EQUIPMENT TO BE USED: Rotary Cable _____ Hand Dug _____ Other _____

WORKER'S COMPENSATION COVERAGE: (Check one of the following)
 A certificate of current Worker's Compensation Insurance coverage is presently on file with this office.
 A certificate of current Worker's Compensation Insurance is being filed with this application.
 I certify that in the performance of the work for which this permit is issued I shall not employ any person in any manner so as to become subject to the Worker's Compensation laws in California.

Bill Pulliam
 Signature of Applicant

5-13-81
 Date

CASING

CONSTRUCTION:
 Total Depth 110 Ft. Depth of Casing 110
 Surface Seal to 20 Ft.
 Any Stratas Sealed: Yes _____ No
 If yes, depth of stratas: _____
 From _____ Ft. to _____ Ft. From _____ Ft. to _____ Ft.
 Perforations:
 From 50 Ft. to 110 Ft./From _____ Ft. to _____ Ft.
 From _____ Ft. to _____ Ft.

WELL LOG

(Formation; described by color; size of material, structure)

Ft.	to	Ft.
0-20		brown clay
20-65		grey clay
65-105		hard black rock
105-110		blue shale

RECEIVED

JUN 24 1981

DIVISION OF ENVIRONMENTAL HEALTH

WATER LEVELS

First Water at 65 Ft. Static level at 50 Ft.

WELL TESTS

How performed DAILY
 Yield 12 GPM with 80 Ft. Drawdown after 1
 Hrs. Annular space depth 20 Ft./Thickness 2
 in. Diameter of casing 5 Material PLASTIC
 Gravel Pack: Yes No _____ Conductor Casing:
 Yes _____ No Sealed with: Concrete
 Grout _____ Neat Cement _____ Pudd. Clay _____
 Other _____ Chlorination by: Owner
 Pump Co. _____ Driller _____
 Water Temp. _____

CONTRACTOR'S STATEMENT: I, Bill Pulliam, contractor for the above work, hereby certify that the above was installed according to all applicable rules and regulations covered by this permit, and that the information is true and correct to the best of my knowledge.

Bill Pulliam
 Contractor's Signature

Environmental

Cover Sheet

APN	022-150-008-000
Permit #	
Program	WELL
DocType	PMT
Street #	4013
Street Name	SPRING MTN
Year	1985

Exhibit 6



FEE 440. DATE 3/28/85
 RECEIPT NO. 15420 BY AK

A.P. NO. 22-150-08

NAPA COUNTY HEALTH DEPARTMENT
 DIVISION OF ENVIRONMENTAL HEALTH

APPLICATION & PERMIT TO CONSTRUCT A WATER WELL

NAME Jim + Barbara Richards ADDRESS 4013 SPRING 11TH RD
 (Owner) (Job Location)

NAME Fisch Bros Drilling Inc ADDRESS 5001 Cravenston Hwy DATE 3/25/85
 (Well Driller)

TYPE OF WORK
 NEW WELL RECONDITIONING _____ DEEPENING _____
 TYPE I PERMIT DESTROY _____ OTHER _____
 TYPE II PERMIT _____ TEST HOLE _____

PROPOSED USE
 DOMESTIC IRRIGATION _____ INDUSTRIAL _____ MUNICIPAL _____
 TEST WELL _____ OTHER _____ HOT WATER _____

Sewage Disposal on site (existing or proposed) Public _____ Individual Private _____
 Distance from well to any part of nearest sewage disposal system over 500 feet.
 (Sketch of site to accompany application) County road setback _____ feet from centerline.

TYPE OF EQUIPMENT TO BE USED: Rotary Cable _____ Hand Dug _____ Other _____

WORKER'S COMPENSATION COVERAGE: (Check one of the following)
 A certificate of current Worker's Compensation Insurance coverage is presently on file with this office.
 A certificate of current Worker's Compensation Insurance is being filed with this application.
 I certify that in the performance of the work for which this permit is issued I shall not employ any person in any manner so as to become subject to the Worker's Compensation laws in California.

[Signature]
 Signature of Applicant

3/28/85 RECEIVED
 Date

FOR OFFICE USE ONLY

MAR 27 1985

	Date	By	Remarks
Pre-Inspection			
Class II Approval			
Permit Issued	<u>3/29/85</u>	<u>[Signature]</u>	
Const. Inspection	<u>6/21/85</u>	<u>[Signature]</u>	<u>SENT TO 25'</u>
Final Inspection			
Final Approval			

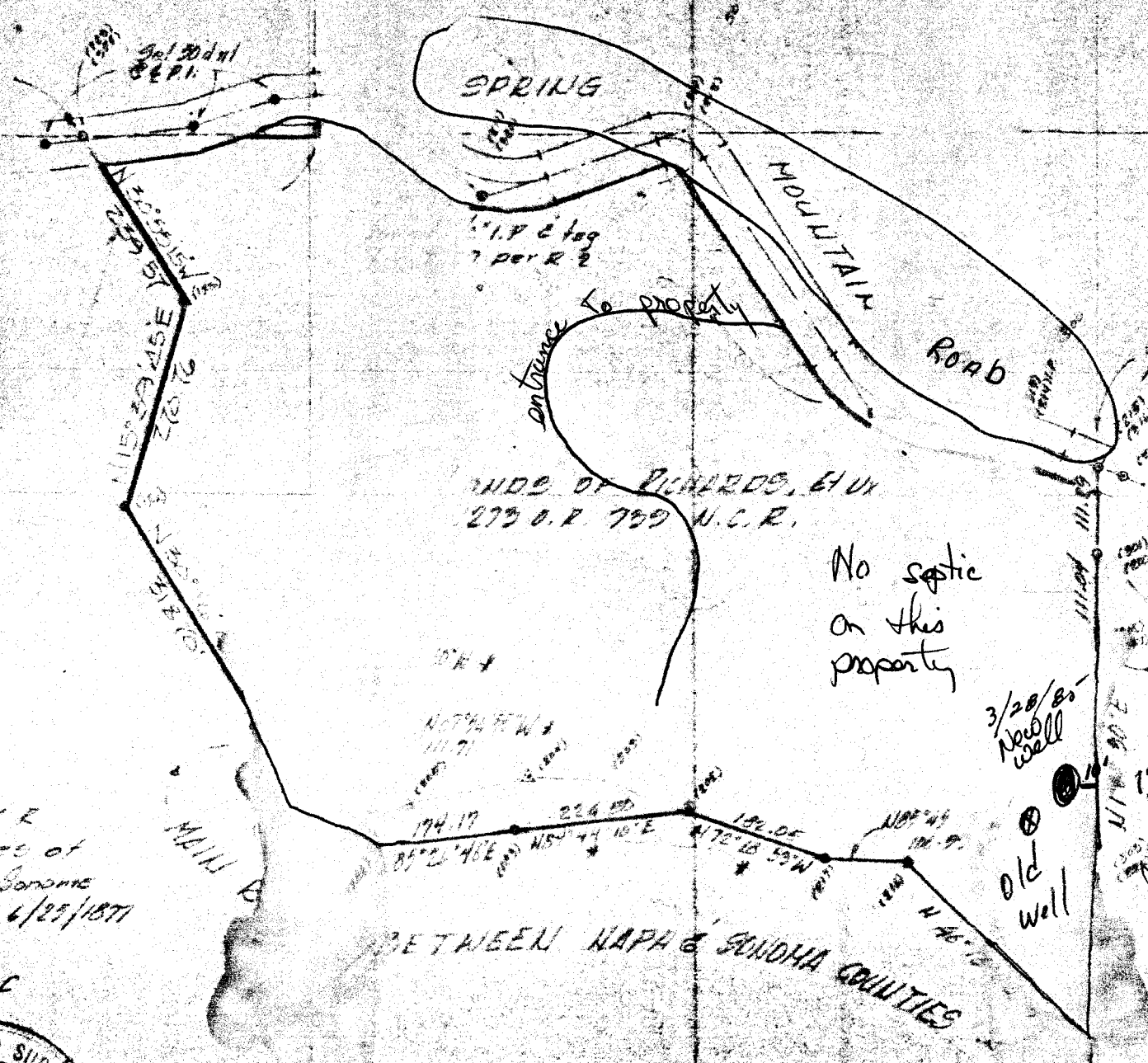
Remarks: See attached

Jim Richards
 4013 Spring Mt Road
 Napa, Ca.

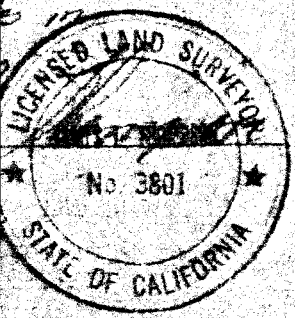
22-150-08

823-3891

P.R. Spk B
 road per
 889.C.R.



3801
 53 N.C.R
 89670 N.C.R
 Survey Notes of
 Napa & Sonoma
 Kingsbury, 6/25/1871
 14, 1984
 West of



3/20/85
 New well
 old well
 Base Road

BETWEEN NAPA & SONOMA COUNTIES

found Tiber & tag
 L.S. 3197 per E-1
 (not tied)

Environmental

Cover Sheet

APN	022-150 -008 -000
Permit #	
Program	WEU
DocType	WL
Street #	4013
Street Name	SPRING MTN
Year	1985

Exhibit 7



QUADRUPPLICATE
Use of comply with
local requirements

STATE OF CALIFORNIA
THE RESOURCES AGENCY
DEPARTMENT OF WATER RESOURCES
WATER WELL DRILLERS REPORT

Do not fill in
No. 181656

Notice of Intent No. _____
Local Permit No. or Date _____

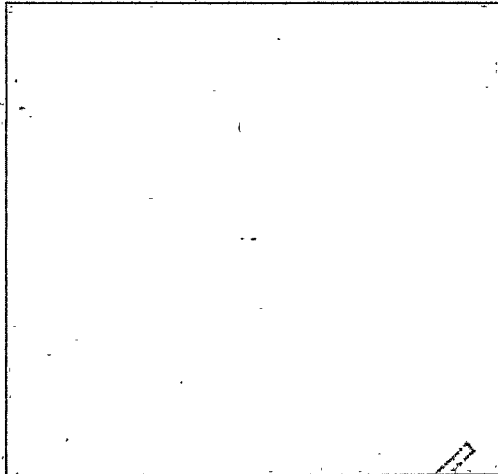
State Well No. _____
Other Well No. _____

(1) OWNER: Name _____
Address _____
City _____ Zip _____

(12) WELL LOG: Total depth _____ ft. Depth of completed well _____ ft.
from ft. to ft. Formation (Describe by color, character, size or material)

(2) LOCATION OF WELL (See instructions):
County Sonoma Owner's Well Number _____
Well address if different from above 4013 Spring Mt. Rd.
Township _____ Range _____ Section _____
Distance from cities, roads, railroads, fences, etc. _____

0 - 60 sonoma volcanic
60 - 183 sandstone
183 - 205 blue clay



(3) TYPE OF WORK:
New Well Deepening
Reconstruction
Reconditioning
Horizontal Well
Destruction (Describe destruction materials and procedures in Item 12)
(4) PROPOSED USE:
Domestic
Irrigation
Industrial
Test Well
Stock
Municipal
Other

(5) EQUIPMENT:
Rotary Reverse
Cable Air
Other Bucket

(6) GRAVEL PACK:
Yes No Size 20
Diameter of bore _____
Packed from 20 to 205 ft.

(7) CASING INSTALLED:
Steel Plastic Concrete
From ft. To ft. Dia. in. Cage or Wall

(8) PERFORATIONS:
Type of perforation or size of screen
From ft. To ft. Slot size

(9) WELL SEAL:
Was surface sanitary seal provided? Yes No If yes, to depth 20 ft.
Were strata sealed against pollution? Yes No Interval _____ ft.
Method of sealing cement

Work started June 19 85 Completed June 24 85

(10) WATER LEVELS:
Depth of first water, if known _____ ft.
Standing level after well completion 80 ft.

WELL DRILLER'S STATEMENT:
This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

(11) WELL TESTS:
Was well test made? Yes No If yes, by whom? driller
Type of test Pump Bailer Air lift
Depth to water at start of test 80 ft. At end of test _____ ft.
Discharge 9 gal/min after 4 hours Water temperature _____
Chemical analysis made? Yes No If yes, by whom? _____
Was electric log made? Yes No If yes, attach copy to this report

SIGNED FISCH BROS. DRILLING INC. (Well Driller)
NAME ED FISCH kathy baker (Person, firm, or corporation) (Typed or printed)
Address 5001 Gravenstein Hwy. N.
City Sebastopol, CA. Zip 95472
License No. 399226 Date of this report 6-21-85

Environmental

Cover Sheet

APN	022-150-008-000
Permit #	
Program	WELL
DocType	PMT
Street #	4013
Street Name	SPRING MTN
Year	1985

Exhibit 8



FEE \$140 DATE 7/29/85
 RECEIPT NO. 16203 BY [Signature]

A.P. NO. 72-150-08

NAPA COUNTY HEALTH DEPARTMENT
 DIVISION OF ENVIRONMENTAL HEALTH

APPLICATION & PERMIT TO CONSTRUCT A WATER WELL

NAME Jim + Barbara Richards (Owner) ADDRESS 1701 Huntington St. Midland Texas (Job Location)
 NAME Fusch Bros Drilling Inc (Well Driller) ADDRESS 5001 Cravenston Hwy 11 DATE 7/25/85

TYPE OF WORK: NEW WELL RECONDITIONING _____ DEEPENING _____
 TYPE I PERMIT DESTROY _____ OTHER _____
 TYPE II PERMIT _____

PROPOSED USE: DOMESTIC IRRIGATION _____ INDUSTRIAL _____ MUNICIPAL _____
 TEST WELL _____ OTHER _____ HOT WATER _____

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 (Sketch of site to accompany application) County road setback _____ feet from centerline.

TYPE OF EQUIPMENT TO BE USED: Rotary Cable _____ Hand Dug _____ Other _____

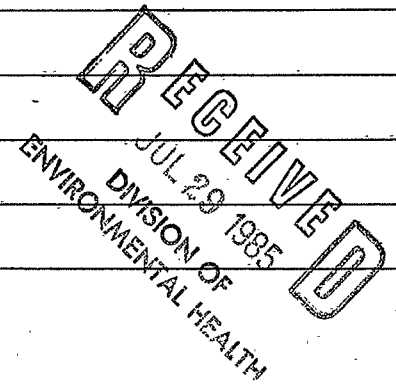
WORKER'S COMPENSATION COVERAGE: (Check one of the following)
 A certificate of current Worker's Compensation Insurance coverage is presently on file with this office.
 A certificate of current Worker's Compensation Insurance is being filed with this application.
 I certify that in the performance of the work for which this permit is issued I shall not employ any person in any manner so as to become subject to the Worker's Compensation laws in California.

Signature of Applicant: Kathryn P. Baker (Fusch Bros) Date: 7/25/85

FOR OFFICE USE ONLY

	Date	By	Remarks
Pre-Inspection			
Class II Approval			
Permit Issued	8/2/85	[Signature]	
Const. Inspection	8/16/85	[Signature]	2" Ann Space, 23' Seal, 6" PVC casing
Final Inspection			
Final Approval			

Remarks: Permit taken out 3/28/85. Drilling on same property 15' from old well site.

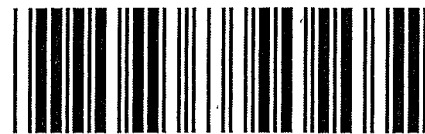


Environmental

Cover Sheet

APN	022 - 150 - 008 - 000
Permit #	
Program	WELL
DocType	WEL
Street #	4013
Street Name	SPRING MTN
Year	1985

Exhibit 9



QUADRUPPLICATE
Use of comply with
local requirements

STATE OF CALIFORNIA
THE RESOURCES AGENCY
DEPARTMENT OF WATER RESOURCES
WATER WELL DRILLERS REPORT

Do not fill in
No. 179689

Notice of Intent No. _____
Local Permit No. or Date. _____

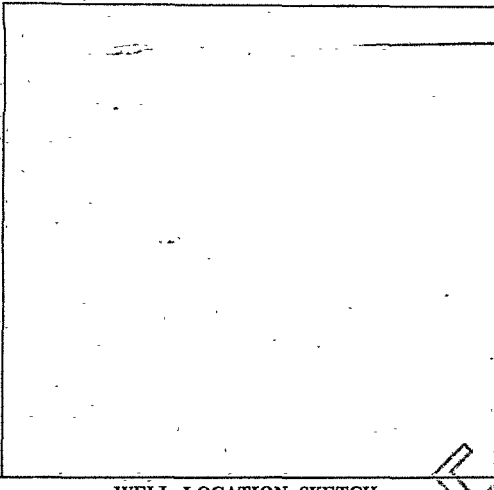
State Well No. _____
Other Well No. _____

(1) OWNER: Name _____
Address _____
City _____ Zip _____

(12) WELL LOG: Total depth _____ ft. Depth of completed well _____ ft.
from ft. to ft. Formation (Describe by color, character, size or material)

(2) LOCATION OF WELL (See instructions):
County _____ Owner's Well Number _____
Well address if different from above 4013 Spring Mt, Rd.
Township _____ Range _____ Section _____
Distance from cities, roads, railroads, fences, etc. _____

0 - 120 brn. sandstone
120 - 270 blue sandstone



(3) TYPE OF WORK:
New Well Deepening
Reconstruction
Reconditioning
Horizontal Well
Destruction (Describe destruction materials and procedures in Item 12)
(4) PROPOSED USE:
Domestic
Irrigation
Industrial
Test Well
Stock
Municipal
Other

(5) EQUIPMENT:
Rotary Reverse
Cable Air
Other Bucket

(6) GRAVEL PACK:
Yes No Size 3/8
Diameter of bore _____
Packed from 20 to 270

(7) CASING INSTALLED:

From ft.	To ft.	Dia. in.	Gage or Wall
0	113	8	PVC
0	270	5	PVC
			c160

(8) PERFORATIONS:

From ft.	To ft.	Slot size
80	270	1/8

(9) WELL SEAL:
Was surface sanitary seal provided? Yes No If yes, to depth 20 ft.
Were strata sealed against pollution? Yes No Interval _____ ft.
Method of sealing cement

(10) WATER LEVELS:
Depth of first water, if known _____ ft.
Standing level after well completion 110 ft.

(11) WELL TESTS:
Was well test made? Yes No If yes, by whom? drillor
Type of test Pump Bailer Air lift
Depth to water at start of test 110 ft. At end of test _____ ft.
Discharge 80 gal/min after 4 hours Water temperature _____
Chemical analysis made? Yes No If yes, by whom? _____
Was electric log made? Yes No If yes, attach copy to this report

FOR PUBLIC USE

SEP 5 1985

ENVIRONMENTAL HEALTH

Work started Aug 85 19 85 Completed Aug 13 19 85

WELL DRILLER'S STATEMENT:
This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.
SIGNED JOHN FISCH by kathy baker
(Well Driller)
NAME FISCH BROS. DRILLING INC.
(Person, firm, or corporation) (Typed or printed)
Address 5001 Gravenstein Hwy. N.
City Sebastopol, Ca. Zip 95672
License No. 399226 Date of this report 8-30-85

Environmental

Cover Sheet

APN	022 - 150 - 008 - 000
Permit #	
Program	WELL
DocType	YT
Street #	4013
Street Name	SPRING MTN
Year	2005

Exhibit 10





Oasis PUMP & DRILLING

5208 Sonoma Hwy.
Santa Rosa, CA 95409
707-539-6866
Lic. 751101

B05-01001

022-150-008

RECEIVED

Date 8-10-05

AUG 11 2005

INVOICE

DEPT. OF ENVIRONMENTAL MANAGEMENT

Customer Jim + Barbara Richards Phone: H: 963-7504 W: _____

Mailing Address _____

Job Site 4013 Spring Mt Road - St. Helena 94574

WELL DATA		SOURCE (*SEE CODES BELOW)			
DRILLED WELL <input checked="" type="checkbox"/>	HAND DUG <input type="checkbox"/>	SPRING <input type="checkbox"/>			
Depth of well	<u>260'</u>	MDT <input checked="" type="checkbox"/>	CR <input type="checkbox"/>	OR <input type="checkbox"/>	NM <input type="checkbox"/>
Diameter of well	<u>8" w/ 5" Liner</u>	MDT <input checked="" type="checkbox"/>	CR <input type="checkbox"/>	OR <input type="checkbox"/>	NM <input type="checkbox"/>
Depth of perforation		MDT <input type="checkbox"/>	CR <input type="checkbox"/>	OR <input type="checkbox"/>	NM <input checked="" type="checkbox"/>
Type of perforation		MDT <input type="checkbox"/>	CR <input type="checkbox"/>	OR <input type="checkbox"/>	NM <input checked="" type="checkbox"/>
Pump HP and type	<u>1/2 hp Grundfos Submersible</u>	MDT <input checked="" type="checkbox"/>	CR <input type="checkbox"/>	OR <input type="checkbox"/>	NM <input type="checkbox"/>
Depth pump set	<u>185'</u>	MDT <input checked="" type="checkbox"/>	CR <input type="checkbox"/>	OR <input type="checkbox"/>	NM <input type="checkbox"/>

* SOURCE CODES: MDT=measured during testing CR= company records OR= owner records NM=not measured, requires additional testing beyond the scope of report.

WELL TEST		DATE OF TEST	
Water level at start	ft <u>133'</u>	Observed final pumping level	ft <u>136'</u>
Draw down	ft <u>3'</u>	Total pumping duration	hrs <u>2</u>
Max pump discharge	gpm <u>16</u>	Average yield for pumping duration	gpm

MEASURED PRODUCTION TEST			
Observed total production	gal <u>1480,</u>	Pump broke suction during test	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

CONSTANT PUMPING LEVEL			
Final observed yield rate	gpm <u>12</u>	Pumping duration at final observed yield rate	hrs <u>1/2</u>
Calc. Observed yield production	gal <u>1080,</u>		

WATER QUALITY ANALYSIS IF PERFORMED IN CONJUNCTION WITH THIS REPORT.				
Nitrate	Yes <input type="checkbox"/>	Dated	No <input checked="" type="checkbox"/>	Not sampled in testing <input type="checkbox"/>
Bacteriological analysis	Yes <input type="checkbox"/>	Dated	No <input checked="" type="checkbox"/>	Not sampled in testing <input type="checkbox"/>
Chemical analysis	Yes <input type="checkbox"/>	Dated	No <input checked="" type="checkbox"/>	Not sampled in testing <input type="checkbox"/>
	Yes <input type="checkbox"/>	Dated	No <input type="checkbox"/>	Not sampled in testing <input type="checkbox"/>
	Yes <input type="checkbox"/>	Dated	No <input type="checkbox"/>	Not sampled in testing <input type="checkbox"/>

WATER SYSTEM VISUAL INSPECTION			
Well pump operation	Functional <input checked="" type="checkbox"/>	Deficient <input type="checkbox"/>	Not observed <input type="checkbox"/>
Electrical operation	Functional <input checked="" type="checkbox"/>	Deficient <input type="checkbox"/>	Not observed <input type="checkbox"/>
Pressure tanks <u>WX 302</u>	Functional <input checked="" type="checkbox"/>	Deficient <input type="checkbox"/>	Not observed <input type="checkbox"/>
Water pipes	Functional <input type="checkbox"/>	Deficient <input type="checkbox"/>	Not observed <input type="checkbox"/>
Storage tanks	Functional <input checked="" type="checkbox"/>	Deficient <input type="checkbox"/>	Not observed <input type="checkbox"/>
Booster pump operation <u>Galbe J10</u>	Functional <input checked="" type="checkbox"/>	Deficient <input type="checkbox"/>	Not observed <input type="checkbox"/>

COMMENTS:
 Remove old pump from well - Measure Depth + Standing Water Level.
 Install New pump + Motor + Controls on 1 1/2" Sch 80 pipe w/ 8-4 Sub Cable.
 Startup + Measure gpm + draw down - Stabilized at 136' @ 12 gpm.

Dated 8-10-05 Signed A. Carlson

This report is for informational use only and is in lieu of and supercedes any other representation or statements of the agent or employee of the company; and all other such representations or statements shall be relied upon at the customer's own risk. The data and conclusions provided herein are based upon the best information available to the company using standard and accepted practices of the water well drilling industry. However, conditions in water wells are subject to dramatic changes even in short periods of time. Therefore, the data and conclusions are valid only as of the date of the test and should not be relied upon to predict either the future quantity or quality that the well will produce. The company makes no warranties either expressed or implied as to future water production and expressly disclaims and excludes any liability for consequential or incidental damages arising out of the breach of any expressed or implied warranty of future water production or out of any further use of the report by the customer.

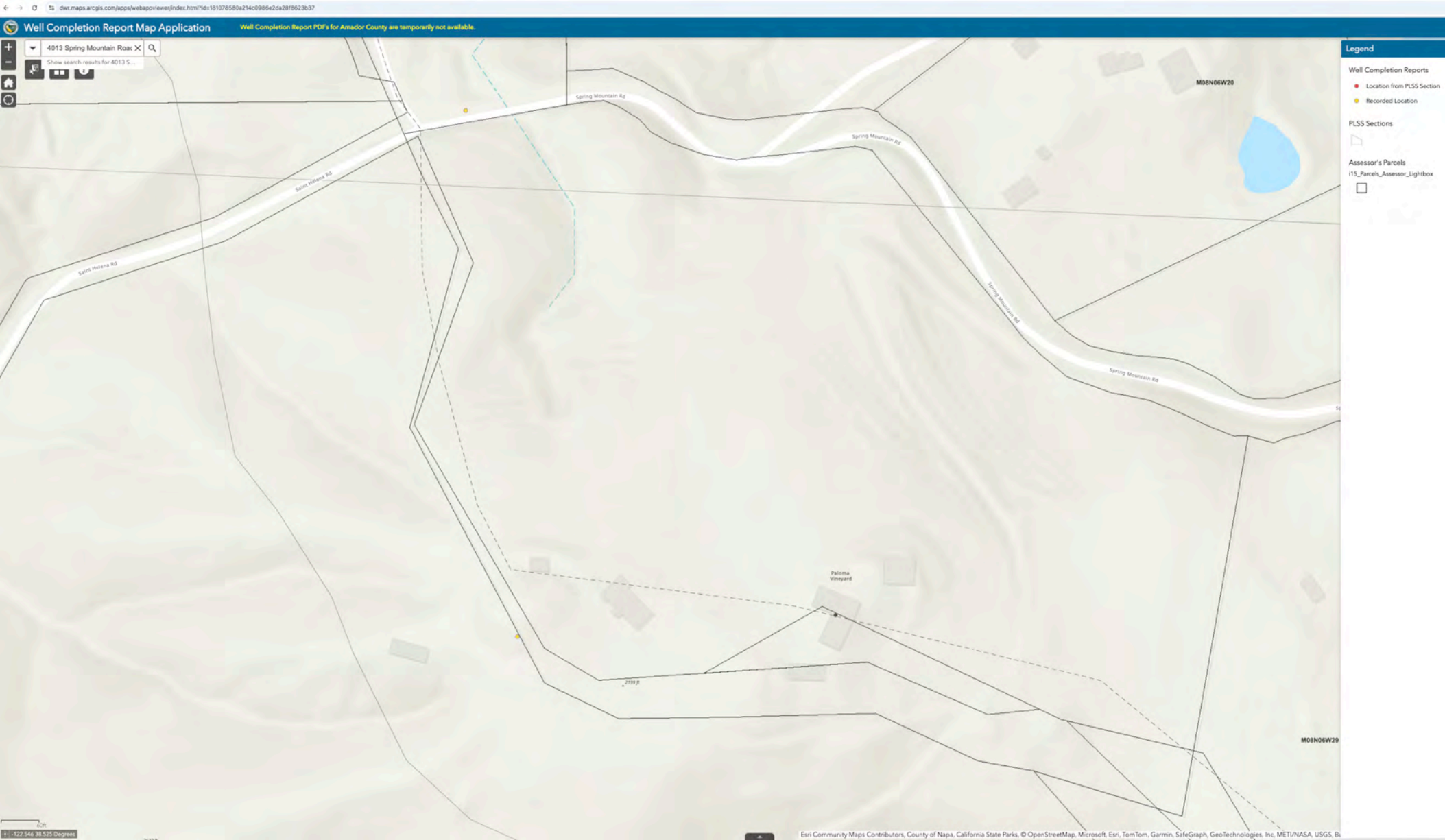


Exhibit 11

Agenda Item # 12

Page 2

CDPC Meeting Date: July 7, 1999

Use Permit # 98368-UP (Richards)

3. Details of the proposal are contained in the attached supplemental information sheet.
4. Comments and recommendations from various County departments and other agencies are attached.

ENVIRONMENTAL ANALYSIS:

5. This "project site" is not geologically nor archaeologically sensitive, no rare or endangered plants or animals would be affected, although there is geologic sensitivity to the north, rare plants to the northwest and archaeological sensitivity in the vicinity. Traffic impact is below a level of concern; this is an Estate Bottled operation which removes trips hauling grapes during crush and replaces them with shipments and deliveries which are spread out more. Concerns over sediment in the runoff are minimized by the requirement for an Erosion Control Plan to cover all the required grading. The building is removed from the closest public road and neighboring properties reducing visual impacts to below any significant level. The nearest visible off-site houses are approximately 1000 feet away.

The Public Works Department reviewed the Phase I Water Study and found that the additional water use associated with the winery operation will not significantly decrease static water levels to neighboring wells and no further analysis was required.

The project will not have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code. A Negative Declaration is recommended.

PLANNING AND ZONING ANALYSIS:

6. The following findings must be made in order to approve the use permit:
 - a. Commission has the power to issue a Use Permit under the Zoning Regulations in effect as applied to the property.

Analysis: The project is consistent with the AW (Agricultural Watershed) zoning district regulations which apply to this property which permits winery operations with use permit approval. The Winery Definition Ordinance provisions which apply regarding parcel size and winery coverage can be met.