

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

DIVISION OF WATER RIGHTS

In the Matter of Application 30804

Moreno & Company

ORDER CANCELING APPLICATION

SOURCE: West Branch Russian River tributary to Russian River

COUNTY: Mendocino

BY THE DEPUTY DIRECTOR FOR WATER RIGHTS:

WHEREAS:

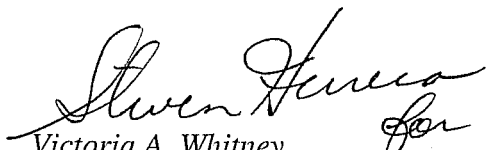
1. Moreno & Company (Applicant) filed a water right application with the State Water Resources Control Board (State Water Board), Division of Water Rights (Division), on August 12, 1998. The application requests the right to divert 30 acre-feet to storage from West Branch - Russian River from December 15 of each year through March 31 of the succeeding year.
2. The Division issued public notice of Application 30804 on July 02, 1999. The Department of Fish and Game, and Trout Unlimited submitted protests based on environmental considerations. The protests remain unresolved.
3. On December 6, 2008, the Division received notice from the Applicant's representative requesting cancellation of Application 30804.
4. The State Water Board has delegated the authority to cancel applications to the Deputy Director for Water Rights pursuant to Resolution No. 2007-0057, dated September 18, 2007. In a memorandum dated October 4, 2007, this authority was re-delegated to the manager of the Permitting Section.

THEREFORE, IT IS ORDERED THAT APPLICATION 30804 IS HEREBY CANCELED.

Applicant is hereby put on notice that any diversion of water from the points of diversion proposed under this application may be subject to administrative civil liability of up to \$500 per day without further notice, pursuant to Water Code section 1052. The State Water Board also may issue a cease and desist order in response to an unauthorized diversion or threatened unauthorized diversion pursuant to Water Code section 1831.

Applicant shall document any diversions made under claim of riparian or pre-1914 water rights by filing a Statement of Water Diversion and Use with the State Water Board in accordance with Water Code sections 5100 through 5108.

STATE WATER RESOURCES CONTROL BOARD


Victoria A. Whitney
Deputy Director for Water Rights

Dated: **FEB 19 2009**