

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

**DIVISION OF WATER RIGHTS**

---

In the Matter of Water Right Applications (1) 29062, (2) 29066, (3) 30268, and (4) 30270

**Delta Wetlands Properties**

**ORDER CANCELING WATER RIGHT APPLICATION**

---

SOURCES: (1) False River and Fishermans Cut  
(2) Middle River, Old River, Santa Fe Dredge Cut, Connection Slough, and Rock Slough  
(3) San Joaquin River, False River, and Old River  
(4) Old River, Connection Slough, Middle River, and Santa Fe Dredge Cut

COUNTIES: San Joaquin and Contra Costa

---

**WHEREAS:**

1. Delta Wetlands Properties (Applicant) filed water right Application 29062 with the State Water Resources Control Board (State Water Board), Division of Water Rights (Division), on July 9, 1987, requesting the right to divert 106,900 acre-feet annually from False River and Fishermans Cut.
2. The Applicant filed water right Application 29066 with the State Water Board, Division, on July 9, 1987, requesting the right to divert 110,570 acre-feet annually from Middle River, Old River, Santa Fe Dredge Cut, Connection Slough, and Rock Slough.
3. The Applicant filed water right Application 30268 with the State Water Board, Division, on July 16, 1993, requesting the right to divert 417,000 acre-feet annually from San Joaquin River, False River, and Old River.
4. The Applicant filed water right Application 30270 with the State Water Board, Division, on July 16, 1993, requesting the right to divert 405,000 acre-feet annually from Old River, Connection Slough, Middle River, and Santa Fe Dredge Cut.
5. On July 18, 2016, the Division received notice from the Applicant requesting cancellation of Applications 29062, 29066, 30268, and 30270.
6. Pursuant to Resolution No. 2012-0029, the State Water Board has delegated authority to the Deputy Director for Water Rights (Deputy Director) to cancel applications. (Resolution No. 2012-0029, section 4.5.2.) Resolution No. 2012-0029 authorizes the Deputy Director to redelegate this authority, and this authority has been so redelegated by memorandum dated July 6, 2012.

**THEREFORE, IT IS ORDERED THAT APPLICATIONS 29062, 29066, 30268, AND 30270 ARE HEREBY CANCELED.**

The Applicant shall document any diversions made under claim of right independent of a permit, license, registration or certification issued by the State Water Board, such as diversions under riparian or pre-1914 rights. With limited exceptions, Water Code section 5101 requires that a Statement of Water Diversion and Use be filed for these diversions. Water Code section 5107 (c)(1) provides that the State Water Board may impose a civil liability of \$1,000, plus \$500 per day for each additional day on which the violation continues if the person fails to file a statement within 30 days after the board has called the violation to the attention of that person. These penalties are in addition to any penalties that may be imposed if the diverter does not hold a valid right or diverts in excess of what is authorized under that right.

STATE WATER RESOURCES CONTROL BOARD

ORIGINAL SIGNED BY:  
SCOTT MCFARLAND, FOR

*Barbara Evoy, Deputy Director*  
*Division of Water Rights*

Dated: JUL 18 2016