

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

**DIVISION OF WATER RIGHTS**

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In the Matter of Water Right Applications 30687 and 30688

**Klein Foods, Inc. – Wild Oaks Ranch**

**ORDER CANCELING WATER RIGHT APPLICATIONS**

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SOURCE: Russian River

COUNTY: Sonoma

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**WHEREAS:**

1. Klein Foods Inc. - Wild Oaks Ranch (Applicant) filed two water right applications with the State Water Resources Control Board (State Water Board), Division of Water Rights (Division) on February 17, 1998. Under Application 30687, the Applicant requested the right to divert to storage up to 59 acre-feet of water per year from two unnamed streams tributary to the Russian River and from Russian River underflow. Under Application 30688, the Applicant requested the right to divert up to 150 acre-feet of water per year by direct diversion from Russian River underflow.
2. On December 4, 2017, the Division received notice from the Applicant's Agent requesting cancellation of Applications 30687 and 30688.
3. 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 October 19, 2017.

**THEREFORE, IT IS ORDERED THAT APPLICATIONS 30687 AND 30688 ARE HEREBY CANCELED.**

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:

GREG BROWN FOR:

*Erik Ekdhal, Deputy Director*

*Division of Water Rights*

Dated: MAR 22 2018