

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

DIVISION OF WATER RIGHTS

In the Matter of Water Right Application 31521

Nimble Vineyards

ORDER CANCELING WATER RIGHT APPLICATION

SOURCES: Unnamed Stream and Wallace Creek

COUNTY: Sonoma

WHEREAS:

1. Nimble (formerly Wallace Creek) Vineyards (Applicant) filed a water right application with the State Water Resources Control Board (State Water Board), Division of Water Rights (Division), on June 25, 2004. Under Application 31521, the Applicant requested the right to divert to storage up to 60 acre-feet of water per year from an unnamed stream tributary to Wallace Creek, thence Mill Creek, thence Dry Creek, thence the Russian River and from Wallace Creek tributary to Mill Creek, thence Dry Creek, thence the Russian River.
2. On May 11, 2014, the Division received notice from the Applicant requesting cancellation of Application 31521.
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 APPLICATION 31521 IS 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: JUN 05 2018