

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

DIVISION OF WATER RIGHTS

In the Matter of Water Right Application A024768

Mark Elmore

ORDER CANCELING WATER RIGHT APPLICATION

SOURCE: Unnamed Springs tributary to Unnamed Streams thence Cabin Creek
thence the Truckee River

COUNTY: Placer

WHEREAS:

1. On February 28, 1975 Frederick and Mary Ann Haswell filed a water right application with the State Water Resources Control Board (State Water Board), Division of Water Rights (Division), requesting the right to divert 3.7 acre-feet per year from 4 Unnamed Springs tributary to Unnamed Streams thence Cabin Creek thence Truckee River.
2. On October 17, 2017, Mark Elmore (Applicant) was designated as the primary owner of application A024768.
3. On October 18, 2018 the Division received notice from the Applicant requesting cancellation of application A024768.
4. 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 A024768 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
MATT MCCARTHY, FOR

*Erik Ekdahl, Deputy Director
Division of Water Rights*

Dated: DEC 19 2018