

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD

**ORDER WR 2008-0041-EXEC**

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In the Matter of the Petition for Reconsideration of

**ROBERT V. SCIAINI**

Regarding Revocation of License 11661 (Application 24951)

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**ORDER APPROVING IN PART RECONSIDERATION OF REVOCATION**

BY THE EXECUTIVE DIRECTOR:<sup>1</sup>

This matter comes before the State Water Resources Control Board (State Water Board) on a request to set aside an Order by the Division of Water Rights (Division) revoking water right License 11661. The holder of the license, Robert Sciaini (Licensee), requests that the State Water Board reinstate License 11661, in part. In this Order, the State Water Board approves the request.

**1.0 INTRODUCTION**

On December 5, 1975, Robert Sciaini filed Application 24951 to appropriate water from the Russian River for irrigation and domestic use. The Division issued License 11661 on January 29, 1985. The license covered three points of diversion - two offset wells diverting Russian River underflow, and one direct diversion ditch from the Russian River. Licensee reports for 1985-2003 show that water was diverted for domestic and agricultural purposes, but the Licensee report for 2004-2006 states that the pump for the diversion ditch was abandoned in 2003.

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<sup>1</sup> State Water Board Resolution No. 2002-0104 delegates to the Executive Director the authority to supervise the activities of the State Water Board. Unless a petition for reconsideration raises matters that the State Water Board wishes to address or requires an evidentiary hearing before the State Water Board, the Executive Director's consideration of a petition for reconsideration falls within the scope of the authority delegated under Resolution No. 2002-0104. Accordingly, the Executive Director has the authority to refuse to reconsider a petition for reconsideration, deny the petition, set aside or modify the decision or order, or take other appropriate action. The State Water Board has not designated decisions by the Executive Director as precedent decisions pursuant to the Administrative Procedures Act. (WR Order 96-1, at p. 17, fn. 11.)