

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

DIVISION OF WATER RIGHTS

In the Matter of Water Right Application 31027

Peninsula Open Space Trust

ORDER CANCELING WATER RIGHT APPLICATION

SOURCE: Arroyo De Los Frijoles

COUNTY: San Mateo

WHEREAS:

1. Peninsula Open Space Trust (Applicant) filed a water right application with the State Water Resources Control Board (State Water Board), Division of Water Rights (Division), on February 29, 2000, requesting the right to divert 30.5 acre-feet per annum from Arroyo De Los Frijoles.
2. On January 11, 2012, the Division received notice from the Applicant requesting cancellation of Application 31027.
3. The State Water Board has delegated the authority to cancel applications to the Deputy Director of the Division pursuant to Resolution No. 2007-0057. The Deputy Director has redelegated this authority to the Assistant Deputy Director and Program Managers, pursuant to redelegation order dated October 4, 2007.

THEREFORE, IT IS ORDERED THAT APPLICATION 31027 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: KDM for

Barbara Evoy, Deputy Director
Division of Water Rights

Dated: February 2, 2012