

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 Application A023502

**South Tahoe Public Utility District**

**ORDER CANCELING WATER RIGHT APPLICATION**

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SOURCE: Lake Tahoe tributary to Truckee River

COUNTY: El Dorado

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**WHEREAS:**

1. On May 7, 1970 Gardner Mountain Water Company 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 5,968 acre-feet per year from Lake Tahoe tributary to Truckee River.
2. Subsequently, South Tahoe Public Utility District (Applicant) was designated as the primary owner of Application A023502.
3. Per request dated May 2, 2019 the Division received notice from the Applicant requesting cancellation of Application A023502.
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 A023502 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: JUN 20 2019