

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 30594

**Grgich Hills Cellar**

**ORDER CANCELING WATER RIGHT APPLICATION**

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SOURCE: Unnamed Stream Tributary to Fagan Creek thence Fagan Slough thence Napa River  
thence San Pablo Bay

COUNTY: Napa County

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**WHEREAS:**

1. Grgich Hills Cellar (Applicant) filed a water right application with the State Water Resources Control Board (State Water Board), Division of Water Rights (Division), on February 27, 1997, requesting the right to divert 98 acre-feet from Unnamed Stream tributary to Fagan Creek thence Fagan Slough thence Napa River thence San Pablo Bay.
2. On March 8, 2012, the Division received notice from the Applicant's agent requesting cancellation of Application 30594.
3. The State Water Board has delegated the authority to cancel applications to the Deputy Director for Water Rights (Deputy Director) 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 30594 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

*Barbara Evoy*  
FOR *Barbara Evoy, Deputy Director*  
*Division of Water Rights*

Dated: **MAR 23 2012**