

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

**DIVISION OF WATER RIGHTS**

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In the Matter of License 4846 (Application 12139)  
**Larry Douglas Walton**

**ORDER REVOKING LICENSE**

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SOURCE: New World Tunnel tributary to White Rock Creek thence South Fork American River

COUNTY: El Dorado

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**WHEREAS:**

1. A request dated October 30, 2003 has been received from the Licensee, that the license be revoked by the State Water Resources Control Board (SWRCB), Division of Water Rights (Division).
2. The Division interprets the Licensee's request for revocation as a waiver of the notice and hearing requirements set forth in Water Code sections 1675 through 1675.2.

**THEREFORE:**

It is ordered that License 4846 is hereby revoked by the SWRCB and the water is declared to be subject to appropriation. This revocation may not result in additional water being available for new appropriations if there are applicable restrictions due to past SWRCB decisions regarding water availability.

  
Victoria A. Whitney, Chief  
Division of Water Rights

Dated: **APR 19 2004**

**MAILING LIST**

**REGULAR MAIL**

Larry Douglas Walton  
8881 Mosquito Road  
Placerville, CA 95667

El Dorado County Recorder  
360 Fair Lane  
Placerville, CA 95667

bcc: Field File, WT, BR

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STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

License for Diversion and Use of Water

APPLICATION 12139

PERMIT 7135

LICENSE 4846

THIS IS TO CERTIFY, That

John Capek  
Route 3, Box 429  
Placerville, California

Notice of Change (Over)

has made proof as of June 8, 1955  
(the date of inspection) to the satisfaction of the State Water Rights Board of a right to the use of the water of  
New World Tunnel in El Dorado County

tributary to White Rock Creek and South Fork American River

for the purpose of domestic and stockwatering uses  
under Permit 7135 of the State Water Rights Board and that said right to the use of said water has been  
perfected in accordance with the laws of California, the Rules and Regulations of the State Water Rights Board and the  
terms of the said permit; that the priority of the right herein confirmed dates from October 29, 1947;  
and that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited  
to the amount actually beneficially used for said purposes and shall not exceed two thousand two hundred  
twenty-five (2225) gallons per day to be diverted from January 1 to December 31  
of each year.

The point of diversion of such water is located South twenty-eight degrees forty-six  
minutes thirty seconds West ( $S28^{\circ} 46' 30''W$ ) one thousand two hundred ten and  
eight tenths (1210.8) feet from  $E\frac{1}{4}$  corner of Section 32, T11N, R11E, MDB&M, being  
within  $NE\frac{1}{4}$  of  $SE\frac{1}{4}$  of said Section 32.

A description of the lands or the place where such water is put to beneficial use is as follows: domestic and stock-  
watering uses within  $NE\frac{1}{4}$  of  $SE\frac{1}{4}$  of Section 32, T11N, R11E, MDB&M.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

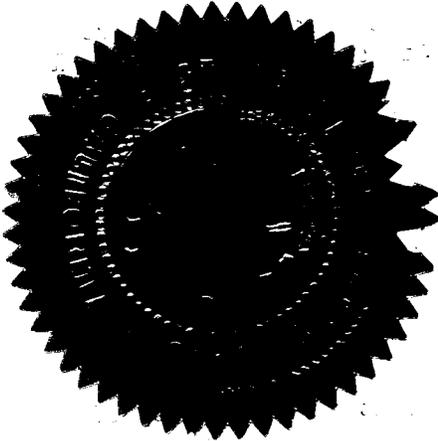
Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated: NOV 20 1957

STATE WATER RIGHTS BOARD

By Leslie C. Jopson  
LESLIE C. JOPSON  
Chief Engineer



7-14-49 RECEIVED NOTICE OF ASSIGNMENT TO E.R. + M.A. Wood  
10-18-50 RECEIVED NOTICE OF ASSIGNMENT TO John Capek  
2-22-72 RECEIVED NOTICE OF ASSIGNMENT TO Larry Douglas +  
Diana J. Walton