

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 7418 (Application 18909)

**John C. Smith**

**ORDER REVOKING LICENSE**

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SOURCE: Upper Truckee River

COUNTY: El Dorado

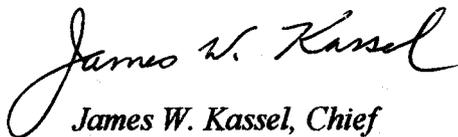
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**WHEREAS:**

1. A request dated February 2, 2004, 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 1410 and 1410.1.
3. The SWRCB has found that Licensee failed to apply the water to beneficial use under the terms and conditions of this license.

**THEREFORE:**

It is ordered that License 7418 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.



*James W. Kassel, Chief  
Hearings and Special Projects Section*

Dated: **FEB - 8 2005**

THE UNIVERSITY OF CHICAGO  
DEPARTMENT OF CHEMISTRY

PHYSICAL CHEMISTRY

PHYSICAL CHEMISTRY LABORATORY

PHYSICAL CHEMISTRY



STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

License for Diversion and Use of Water

APPLICATION 18909

PERMIT 12586

LICENSE 7418

THIS IS TO CERTIFY, That

Richard W. Dennis and Marilyn Dennis  
2197 Euclid Avenue  
Napa, California 94558

have made proof as of July 8, 1964,  
(the date of inspection) to the satisfaction of the State Water Rights Board of a right to the use of the water of  
Upper Truckee River in El Dorado County

tributary to Lake Tahoe

for the purpose of domestic and fire protection uses  
under Permit 12586 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 August 11, 1959,  
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 three hundred (300) gallons  
per day to be diverted from about June 1 to about November 1 of each year.

The point of diversion of such water is located :

North six hundred twelve (612) feet and east seven hundred seventy-two (772)  
feet from SW corner of Section 32, T12N, R18E, MDB&M, being within SW $\frac{1}{4}$  of SW $\frac{1}{4}$   
of said Section 32.

A description of the lands or the place where such water is put to beneficial use is as follows:

Within Lot 21 of Rainbow Special Use Tract of Eldorado National Forest, being  
within SW $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 32, T12N, R18E, MDB&M.

The rights under this license are of equal priority with the rights under License 7419.

All rights and privileges under this license including method of diversion, method of use and quantity of water  
diverted are subject to the continuing authority of the State Water Rights Board in accordance with law and in the  
interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of  
diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time  
to time by the State Water Rights Board.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein  
specified and to the lands or place of use herein described.

This license is granted and the 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.

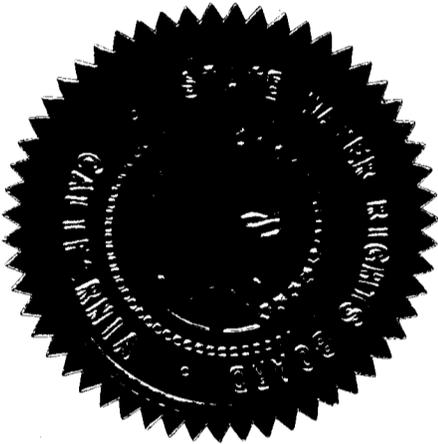
Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

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: **SEP 1** 1965



*L. K. Hill*  
L. K. Hill  
Executive Officer

LICENSE 7418

STATE OF CALIFORNIA  
STATE WATER RIGHTS BOARD

LICENSE  
TO APPROPRIATE WATER

Richard W. Dennis and  
ISSUED TO Marilyn Dennis

SEP 1 1965

DATED

47585 8-61 3M ① SPO

MAR 26 '65  
MAR 26 '65 ALS