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July 19, 2017

Via Electronic Mail Only

Steven Moore, Vice Chair  
State Water Resources Control Board  
1001 I Street, 2<sup>nd</sup> Floor  
Sacramento, California 95814  
[wrhearing@waterboards.ca.gov](mailto:wrhearing@waterboards.ca.gov)

**Re: Comments from Klamath Riverkeeper Regarding Scheduling of Hearing and Evidentiary Submission Dates for SWRCB Hearing on Marble Mountain Ranch Diversions on Stanshaw Creek**

Dear Mr. Moore:

This law firm represents Klamath Riverkeeper in connection with the upcoming SWRCB water rights hearing on Marble Mountain Ranch diversions from Stanshaw Creek, a tributary to the Klamath River. This letter responds to the July 11, 2017 request from Marble Mountain Ranch's attorney Barbara Brenner to postpone the currently scheduled August 22, 2017 hearing and the July 11, 2017 letter from the Kenneth Petruzelli (SWRCB Office of Enforcement) in connection with this request.

Klamath Riverkeeper is in agreement with the position set forth in the July 11, 2017 letter from Kenneth Petruzelli, namely that while a limited postponement of the current August 22, 2017 SWRCB hearing date may be appropriate the hearing should be scheduled for before the end of November 2017.

Klamath Riverkeeper also wishes to request that, if the August 22, 2017 SWRCB hearing date is rescheduled for some time in October or early November 2017, that the current date for evidentiary submissions (July 25, 2017) also be pushed back until September 1, 2017. The current July 25, 2017 date for evidentiary submissions was based on the August 22, 2017 hearing date. This limited extension will provide all of the parties involved in the hearing with additional time to prepare to their submissions, which hopefully will better assist the SWRCB in its hearing deliberations. There are many complex factual questions involved in this matter, relating to such issues as the impact of current Stanshaw Creek diversions on coho salmon populations, the

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economic feasibility of Marble Mountain Ranch arranging for return flow to Stanshaw Creek, and the economic feasibility of Marble Mountain Ranch switching to non-hydropower sources of energy. The requested additional time would allow Klamath Riverkeeper, SWRCB enforcement staff and other parties to more fully address these considerations in their submissions.

Thank you for your consideration of these comments and this request to extend the date for evidentiary submissions until September 1, 2017.

Yours,



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