

State Water Resources Control Board

TO: Alan Lilly
Presiding Hearing Officer
Administrative Hearings Office

FROM: Eileen Sobeck 
Executive Director
State Water Resources Control Board

DATE: December 9, 2021

SUBJECT: ASSIGNMENT OF MATTER OF ALLEGED WASTE, UNREASONABLE USE, UNREASONABLE METHOD OF USE, AND UNREASONABLE METHOD OF DIVERSION OF WATER BY DOUGLAS AND HEIDI COLE AND MARBLE MOUNTAIN RANCH TO THE ADMINISTRATIVE HEARINGS OFFICE

The Division of Water Rights (Division) recommends assignment of the matter of alleged waste, unreasonable use, unreasonable method of use, and unreasonable method of diversion of water by Douglas and Heidi Cole and Marble Mountain Ranch to the Administrative Hearings Office (AHO) for additional work, pursuant to Water Code section 1112, subdivisions (c)(2) and (3). The Division states that additional work may include preparation of a proposed order, solicitation and consideration of any public comments, and facilitation of the Board's consideration of the proposed order.

Following the Division's recommendation, I am assigning this matter to the AHO for further proceedings, including preparation of a proposed order and transmittal of it to the Board for the Board's consideration. As necessary and appropriate and upon request from the AHO, Division environmental scientist Mara Irby may assist the AHO.

If you have any questions regarding this memo, please contact Conny Mitterhofer, Chief of the Hearings and Special Projects Section, at 916-341-5720 or by email at conny.mitterhofer@waterboards.ca.gov.

cc: Erik Ekdahl, Deputy Director, Division of Water Rights
Michael Lauffer, Chief Counsel, Office of Chief Counsel
Diane Riddle, Assistant Deputy Director, Bay-Delta and Hearings Branch
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E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR