

State Water Resources Control Board

December 16, 2016

VIA ELECTRONIC EMAIL

El Sur Ranch
Tom Berliner
Duane Morris LLP
One Market Plaza, Suite 2200
San Francisco, CA 94105
tberliner@duanemorris.com

California Department of Fish & Wildlife
c/o Kevin Takei
1416 Ninth Street, 12th Floor
Sacramento, CA 95814
Kevin.Takei@wildlife.ca.gov

WATER RIGHT APPLICATION 30166 OF EL SUR RANCH, BIG SUR RIVER IN MONTEREY COUNTY

Dear Messrs. Berliner and Takei:

The purpose of this letter is to request the status of: 1) California Department of Fish and Wildlife's (CDFW) final flow recommendations for the Big Sur River; and 2) settlement negotiations between CDFW and El Sur Ranch (ESR).

By letter dated [June 22, 2016](#), CDFW stated it anticipated providing final instream flow recommendations for the Big Sur River to the State Water Resources Control Board (State Water Board) in the fall of 2016. In a separate letter dated [June 22, 2016](#), CDFW and ESR (parties) reiterated their request that the State Water Board allow the parties to complete settlement negotiations and report to the State Water Board in four to six months, not later than December 31, 2016. On [August 24, 2016](#), hearing officer, Tam Doduc, granted the parties' request to hold any further actions regarding water right Application 30166 in abeyance until the parties concluded their negotiations, or until December 31, 2016, at the latest.

The State Water Board has not received the final instream flow recommendations for the Big Sur River from CDFW, or any communication from CDFW or ESR regarding the status of the negotiations.

CDFW and ESR are requested to advise the State Water Board on the status of the settlement negotiations and the final instream flow recommendations by December 31, 2016.

Should you have any questions, please contact me at (916) 341-5349 or jane.farwell-jensen@waterboards.ca.gov.

Sincerely,

Jane Farwell-Jensen

Jane Farwell-Jensen
Environmental Scientist

Cc: [CURRENT SERVICE LIST](#)