

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 77-63

DIRECTING THE EXECUTIVE DIRECTOR, WATER RIGHTS AND ADMINISTRATION, TO REFER TO THE ATTORNEY GENERAL THE MATTER OF UNAUTHORIZED DIVERSION OF WATER BY STORAGE IN THE RESERVOIRS OF ROSS ON UNNAMED STREAM TRIBUTARY TO DEEP HOLE CREEK IN SHASTA COUNTY

WHEREAS:

1. A complaint was received on May 17, 1977 from Mr. and Mrs. Simon Baimas and about 60 other interested persons concerning the construction of dams on an unnamed stream tributary to Deep Hole Creek thence E. F. Stillwater Creek.
2. On June 10, 1977 an investigation found that two dams on an unnamed stream within SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 22, T33N, R4W, MDB&M had been recently constructed by Ross and that waters of said unnamed stream had been illegally collected to storage in 1977.
3. By certified letter dated June 29, 1977, the Division of Water Rights directed Mr. Ross to breach said dams and release all such water stored therein back into the stream by July 5, 1977. Ross was advised that if not breached by July 5, 1977, the staff would recommend that the Board refer the matter to the Attorney General's office for appropriate action.
4. An inspection of the Ross dams on July 8, 1977 showed that the dams had not been breached and the water therein had not been released back to the stream.

THEREFORE BE IT RESOLVED:

1. That the State Water Resources Control Board does direct and authorize the Executive Director, Water Rights and Administration, to refer the matter of storage of water without a valid permit in the Ross reservoirs to the Attorney General for appropriate action including requiring the release of water collected without a permit and restraint against any further storage of water until a permit is issued.

CERTIFICATION

The undersigned Executive Director of the State Water Resources Control Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on July 21, 1977.

Dated: JUL 21 1977

Larry J. Walker
Executive Director