



Linda S. Adams.
Secretary for
Environmental Protection

State Water Resources Control Board



Arnold Schwarzenegger
Governor

Division of Water Rights

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NOTICE OF APPLICATION TO APPROPRIATE WATER APPLICATION 30966

Notice is hereby given that Stacy Holland, Dennis Miller, Gay Mast, Bruce Campbell and Fred Campbell filed an application for a water right permit. The State Water Resources Control Board (State Water Board) will determine whether a water right permit should be issued for the application and, if so, whether conditions are needed in the permit to protect the environment, the public interest, and downstream water users. This notice provides a description of the proposed project and also describes the procedure and time frame for submittal of protests against the application. This notice and the application may be viewed at the Division's website at www.waterrights.ca.gov. Any correspondence directed to the application should be mailed to:

Stacy Holland, Dennis Miller, Gay Mast,
Bruce Campbell and Fred Campbell
4879 Paradise Drive
Tiburon, CA 94920

Description of Project

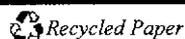
The applicant seeks a right to collect to storage 107 acre-feet (af) of water from Cahto Creek in five existing reservoirs (one on-stream and four off-stream reservoirs). On-stream reservoir No. 5 has a 20 af storage capacity, formed behind a 24.8-foot high dam, and is a point of diversion and a point of re-diversion of water to off-stream storage. The conveyance rate is 0.167 cubic foot per second to four pit-type impoundments. From the upper reservoir down to the lower pit-type reservoir, the capacities are as follows: Reservoir No. 4 is 0.5 af, Reservoir No. 3 is 6.5 af, Reservoir No. 2 is 1.0 af, and Reservoir No. 1 is 18.3 af.

Frost protection will be for a net 80 acres of the gross 133 acres. The Applicants anticipate three fillings during the collection season are necessary to meet their water demands.

Summary of Application

County: Mendocino
Applicants: Stacy Holland, Dennis Miller, Gay Mast,
Bruce Campbell and Fred Campbell
Source: Cahto Creek tributary to Tenmile Creek thence South Fork Eel River.
Point of
Diversion: Within the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 22, T21N, R15W, MDB&M.

California Environmental Protection Agency



Purpose of Use: Irrigation, domestic, stockwatering, frost protection, aquaculture, fire protection and recreation.

Amount and Season: 107 acre-feet collected to storage October 1 to June 30. The maximum diversion rate to offstream storage shall not exceed 0.167 cubic foot per second.

Place of Use: As shown on a map on file with the State Water Board, stockwatering, aquaculture, fire protection, and recreation use at reservoirs located within NW $\frac{1}{4}$ of Section 22, T21N, R15W, MDB&M. Irrigation for 133 acres are as follows:

22 acres within SW $\frac{1}{4}$ of SW $\frac{1}{4}$ section 15, T21N, R15W, MDB&M
 17 acres within SE $\frac{1}{4}$ of SE $\frac{1}{4}$ section 16, T21N, R15W, MDB&M
 18 acres within NE $\frac{1}{4}$ of NE $\frac{1}{4}$ section 21, T21N, R15W, MDB&M
 28 acres within NW $\frac{1}{4}$ of NW $\frac{1}{4}$ section 22, T21N, R15W, MDB&M
 32 acres within NE $\frac{1}{4}$ of NW $\frac{1}{4}$ section 22, T21N, R15W, MDB&M
 5 acres within SE $\frac{1}{4}$ of NW $\frac{1}{4}$ section 22, T21N, R15W, MDB&M
 8 acres within SW $\frac{1}{4}$ of NE $\frac{1}{4}$ section 22, T21N, R15W, MDB&M
 3 acres within NW $\frac{1}{4}$ of NE $\frac{1}{4}$ section 22, T21N, R15W, MDB&M

Environmental Information

The lead agency will prepare the appropriate environmental documents for the project according to the California Environmental Quality Act (CEQA) and its guidelines, and will determine whether or not the project will cause a significant effect on the environment. If you are not filing a protest, but wish to submit information that indicates the project may cause a significant effect on the environment, please send this information to Steven Herrera; State Water Board, Division of Water Rights; P.O. Box 2000; Sacramento, CA 95812-2000. This information will be reviewed in accordance with CEQA.

PROTEST SUBMITTAL INFORMATION

Protest Requirements

A person may file a protest based on any of the following factors:

- Interference with prior water rights.
- Adverse environmental impact.
- Not in the public interest.
- Contrary to law.
- Not within the jurisdiction of the State Water Board.

All protests must clearly describe the objections to approval of the application and the factual basis for those objections. There must be a clear link between the proposed project and the objection to its approval. If the objection is based on interference with prior water rights, the protest must describe specifically what injury would result if the

application is approved. In addition, the party claiming interference with prior rights must provide specific information describing the basis of the prior right, the date the use began, the quantity of water used, the purpose of use and the place of use. Please note that any water right permit issued by the State Water Board is subject to vested water rights and will include conditions to protect such rights.

If the protest is based on an allegation that the proposed appropriation would not be within the State Water Board's jurisdiction, would not best conserve the public interest or public trust uses, would have an adverse environmental impact, or would be contrary to law, the protest must be accompanied by a statement of facts supporting the allegation.

For example, public interest protests should clearly indicate how the appropriation will affect the public; environmental protests should identify specific impacts and provide supporting recitals on the effect of the proposed project on plants, animals, fish, erosion, pollution, aesthetics, etc.; public trust protests must identify the navigable waters and public trust values that would be affected by the proposed project and how the project will impact public trust values.

All protests should include a description of any measures that could be taken to resolve the protest. The protest also must indicate the manner in which the protestant served upon the applicant a duplicate copy of the protest.

If sufficient information is not submitted, the State Water Board may reject the protest or request that the protestant submit additional information. Protests of a general nature (not project specific) or protests that are inconsistent with constitutional or legislated state policy will not be accepted. A request for information or a request that studies be conducted does not constitute a protest.

Procedure for Submitting Protests

Protests should be submitted on standard protest forms available from the Division's website at www.waterrights.ca.gov/forms/ or upon request from the Division. A pamphlet that provides additional information relating to water rights and the procedure for filing protests is also available on the website or by mail. Any requests or the submittal of the completed protest form should be directed to the engineer listed as the contact person at the end of this notice. **A copy of the completed protest form must also be mailed to the application and should include a description of any measures that could be taken to resolve the protest.**

Protest Submittal Deadline

Protests submitted in response to this notice must be **received by the Division by 3:00 p.m. of August 28, 2007** (40th day after the date of this notice), the close of the protest period. Protests may be submitted by any of the following methods:

1. Mailed to Division of Water Rights; P. O. Box 2000; Sacramento, CA 95812-2000
2. Faxed to the Division at (916) 341-5400
3. E-mailed to the Division staff listed below under the heading "Contact Person"
4. Hand-delivered to the Division office located at 1001 "I" Street, 14th Floor, Sacramento, CA

If you choose to fax or e-mail the protest due to the constraints of the noticing period, the fax or e-mail must be followed by timely delivery of an original signed copy, either personally or by mail, to the Division in order for the protest to be accepted. The State Water Board will respond to all protests within 60 days of the final day to file a protest. **Protests not submitted by the close of the protest period will be subject to rejection.**

For good cause, the State Water Board may grant an extension of time to file a protest. It is the protestant's responsibility to contact the engineer listed below as "Contact Person" to request the extension prior to the end of the protest period.

Resolution of Protests

The applicant will have 30 days to respond to a protest once it is accepted by the Division. The protestant and the applicant are expected to make a good faith effort to resolve the protest within 180 days from the close of the protest period.

CONTACT PERSON

To obtain additional information regarding this project, or to obtain copies of protest forms, or general information pamphlets, please contact Patricia Meroney by phone at (916) 341-5354 or by electronic mail at pmeroney@waterboards.ca.gov. Information and protest forms are also available at the Division's website: www.waterrights.ca.gov/forms/.

Date of Notice: **July 19, 2007**