

## STATE WATER RESOURCES CONTROL BOARD

## RESOLUTION NO. 81-11

Directing the Executive Director to refer to the Attorney General the matter of unauthorized diversion of water by storage in a reservoir (aka Pine Lake) of Cortese, Henry, Saum, Tucker and Does 1 through 3 on an unnamed stream tributary to Rattlesnake Creek in El Dorado County.

## WHEREAS:

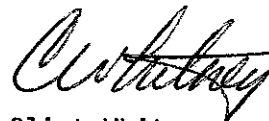
1. A complaint was received from Margaret Doan on July 22, 1980 expressing concern over decreased flows in the unnamed stream. Mrs. Doan attributed the decrease to the upstream existing reservoir.
2. On August 7, 1980, the reservoir was observed to be storing water without a valid water right permit or any other basis of right.
3. The property owners have been requested on three occasions, the last being by certified mail, to file an application for a water right permit.
4. Applications 26684 and 26689 have been filed as a result of the complaint.

## THEREFORE BE IT RESOLVED:

That the State Water Resources Control Board does direct and authorize the Executive Director to refer the matter of storage of water without a valid permit in Pine Lake to the Attorney General for appropriate action to require the release of water collected without a permit and to prevent any further storage of water. The Executive Director is authorized to defer referral to the Attorney General if a valid water right application for the project is pursued diligently.

## 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 February 19, 1981.



Clint Whitney  
Executive Director