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## State Water Resources Control Board

### **STATUS CONFERENCE RULING AND NOTICE OF STATUS CONFERENCE**

The State Water Resources Control Board  
Administrative Hearings Office  
will hold Status Conferences on  
pending Application 30166 filed by

#### **EI Sur Ranch**

for a permit to appropriate water from  
the Big Sur River in Monterey County.

**The Status Conference will be held on  
October 4, 2022, at 1:00 p.m.**

The status conference will be held by Zoom teleconference.

You may participate in the Zoom teleconference by using the link:

<https://waterboards.zoom.us/j/97355727363?pwd=ZllkWTllcmhCUVRtTUdwNVg0T0lOQT09>

Meeting ID: 973 5572 7363

Passcode: 496267

or by calling in at: +16699009128,,97355727363#,,,,\*496267# US (San Jose)

**Interested members of the public who would like to watch the status conference without participating may do so through the Administrative Hearings Office YouTube channel, accessible by clicking on “Watch AHO Hearings” at:**  
[https://www.waterboards.ca.gov/water\\_issues/programs/administrative\\_hearings\\_office/](https://www.waterboards.ca.gov/water_issues/programs/administrative_hearings_office/)

## **BACKGROUND**

On July 27, 1992, James J. Hill III (Applicant) filed water-right Application 30166 on behalf of El Sur Ranch with the State Water Resources Control Board's (State Water Board or Board) Division of Water Rights (Division) for a permit to appropriate water from the Big Sur River in Monterey County. The Applicant amended Application 30166 in November and December 2005, October 2006, and June 2011. The current application is for a water-right permit that would authorize diversion of water at a rate not to exceed 5.84 cfs, with an annual maximum of 1,320 acre-feet, a maximum 20-year rolling average of 1,087 acre-feet per year, a seasonal limit of 676 acre-feet from July 1 through October 31, and a monthly limit for July, August, September, and October of 203 acre-feet per month.

The State Water Board held a public hearing on Application 30166 in June and July 2011. On December 9, 2021, the Board's Executive Director assigned Application 30166 to the State Water Board's Administrative Hearings Office (AHO). The AHO held status conferences in this matter on June 30, 2022; August 23, 2022; and September 8, 2022. Additional information about this proceeding is in the AHO's May 23, 2022 Notice of Status Conference.

## **STATUS CONFERENCE**

The AHO hearing officer will hold the status conference by Zoom teleconference. No in-person appearances will be allowed. The status conference will be held and electronically recorded by Zoom teleconference. The AHO will not retain a court reporter for the status conference. Any party may arrange for a court reporter at the party's own expense.

Parties do not need to file status conference statements. If any party wants to file a status conference statement, the party shall file the status conference statement with the AHO and serve copies of it on the other parties listed in the attached service list. The AHO will post the statements on the Water Board AHO-FTP site in the folder for this matter.

## **PROCEDURAL RULING**

In accordance with the discussion during the September 9 status conference, the Applicant shall:

1. Meet and confer with active parties to the proceeding and prepare a revised list of proposed mediation issues (or issues in dispute) and submit it to the AHO, with copies to the service list, by **September 22, at 12:00 p.m.**
2. Submit to the AHO, with copies to the service list, a draft petition for change and draft amended Application 30166 that reflects the Applicant's current proposed

project, with an electronic copy sent to the AHO and the service list, by **November 1, 2022, at 12:00 p.m.**

3. The Applicant and California Department of Fish and Wildlife (CDFW) have agreed upon a general method of reporting diversions by the Applicant from its wells, which will occur on a weekly basis during critical streamflow periods and a monthly basis during the remainder of the year. This reporting will be made by the Applicant using an Excel spreadsheet to be developed by the Applicant in consultation with CDFW. The Applicant shall transmit these reports to the AHO when it transmits the reports to CDFW. The AHO will make the reports available in the AHO-FTP folder for this matter.

### **DEADLINES AND SCHEDULE**

Deadline for Applicant to submit revised list of mediation issues to the AHO.	<b>September 22, 2022, at 12:00 p.m.</b>
Status conference.	<b>October 4, 2022, at 1:00 p.m.</b>
Deadline for Applicant to submit draft amended application and change petition to AHO and parties.	<b>November 1, 2022, at 12:00 p.m.</b>

### **STATUS CONFERENCE LIVE-STREAM AND RECORDING**

The status conferences will be live streamed through the Administrative Hearings Office YouTube channel, accessible by clicking on the link provided below. After the conclusion of the conference, a recording of the YouTube live-stream of the conference will be available on the Administrative Hearings Office YouTube channel. These recordings will include automatic captions for accessibility.

The live stream and recordings may be accessed at the following link:  
<https://www.youtube.com/channel/UCM-gmipRyd7Nw-g8l-C7Nig/videos?view=57m>

September 23, 2022

/s/ Nicole L. Kuenzi  
Nicole Kuenzi, Hearing Officer

Enclosures:  
- Service List

# SERVICE LIST

Updated September 19, 2022

## **By e-mail only**

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