

DWR Prosecuting Team
Exhibit 27

Sierra Pacific Industries

Forestry Division • P.O. Box 496014 • Redding, California 96049-6014
Phone (530) 378-8000 • FAX (530) 378-8139

Anderson, November 22, 2004
Permits 19164 & 19165

Water Resource Control Board
Division of Water Rights
P.O. Box 2000
Sacramento, CA 95812-2000

Attn: Katherine Mrowka

Dear Ms. Mrowka:

In response to your November 16, 2004 concerning our Permits 19164 and 19165 and the issue of water availability over the past few years. We did have our meeting on site on March 30, 2004 as I mentioned in my previous letter. At that meeting I received documentation showing our water use for 2003 from Water Master Keith Dick and conformation of excess water that would be available in 2004. This information has been sent down to your office, and I've included a copy that documents with this letter.

I came away from the meeting feeling that progress had been made to resolve the issues brought up by DFG.

It was my understanding that the upstream diversion point seemed to meet their requirements but still needed a little work. The second diversion point is the area that needs to be improved for year around fish passage. We left that meeting with the intention of coming up with several solutions that would meet those requirements. We received a copy of the Shasta River Preliminary Engineering Report for Fish Screening/Passage Improvement prepared by Cascade Earth Sciences from Medford, Oregon, which was completed in April 2002. This was our first look at this report and after seeing the estimated cost of \$216,878 to \$250,628 to replace this existing structure we have been investigating some alternative options.

We hired a surveyor to come out and establish enough elevation points so that we could look at possibly relocating the point of diversion, put the water into a pipe and gravity feed it down into our irrigation system. We are currently trying to see if this will work.

During our meeting in March all the people involved felt that the river was in excellent shape, riparian areas were well developed and maintained so the only issue is juvenile fish passage during the summer months at the lower diversion point.

KDI
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26

Cont'd Page 2

We have received no further communications from DFG or your office until your recent letter. We feel we are working towards a solution and from the included water use report are using our excess water for the past two years. If you need further information about the water use, please contact the new Water Master, Joe Scott, at 1-800-700-2128 in the office at Red Bluff.

If you need anything further from me, please call me at (530) 378-8119.

Very truly yours,

SIERRA PACIFIC INDUSTRIES

A handwritten signature in cursive script, appearing to read "Jack G. Frost", written in black ink.

Jack G. Frost
Lands Forester

JGF/dz

EMERSON INVESTMENT INC.
2003 WATER YEAR
Shasto River

Stored water from Dwinell Res. was started on June 26 @ 6 C.F.S.

ON 8-1-03 release for Emerson was up to 8 C.F.S. and continued until September Sept. 30.

Due to Dwinell Res almost filling and late snow run off water supply stayed above 100% all water master season for The Shasta River.

Water was spilling over Emerson's diversion Dams all season

Flows for EMERSON Spring are Est.

Gravity Div. has a 2' Parshall Flume with a F-Type recorder.

Elec Pumps also has 2' Parshall Flume with F-Type Recorder

Est. Flows over 2 Six Foot Bays @ Lower Dam

		1-6'	1.6'	
5-30-03	.48	6.5	6.5	13 cfs
7-8-03	.38	4.6	4.6	9.2 cfs
8-13-03	.28	2.9	2.9	5.8 cfs
9-30-03	.10	.63	.63	1.2 cfs

Fish bypass were open and cleaned each visit

WATER MASTER
K.B. DICK

2003 WATER YEAR
EMERSON INVESTMENT, INC.

Date	April		May	
	Elect. Pumps GHT cfs	Gravity cft cfs	Elect. Pumps cft cfs	Gravity
1			0	
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12	^{12hr} .62 1.9	^{12hr} .70 2.3		
13	3.8	.70 4.6		0
14	3.8	4.6		.76 5.2
15	3.8	4.6		.80 5.7
16	3.8	4.6		.78 5.4
17	3.8	4.6		.75 5.1
18	3.8	4.6	0	.75 5.1
19	3.8	4.6	1.0 8.0	.75 5.1
20	.62 3.8	4.6	.76 5.2	.70 4.6
21	.62 3.6	4.6	.76 5.2	.75 5.1
22	.98 7.8	4.6	.76 5.2	.80 5.7
23	.98 7.8	4.6	.70 4.6	.82 5.8
24	.98 7.8	4.6	.77 5.3	.80 5.7
25	.98 7.8	4.6	1.0 8.0	.76 5.2
26	.98 7.8	4.6	1.0 8.0	.75 5.1
27	.98 7.8	4.6	1.0 8.0	.75 5.1
28	.98 7.8	4.6	1.0 8.0	.75 5.1
29	.98 7.8	4.6	1.0 8.0	.75 5.1
30	.76 5.2	^{12hr} .70 2.3	1.0 8.0	.72 4.8
31	--	--	1.0 8.0	.70 4.6
	105.5 cfs	78.2 cfs	89.5 cfs	93.5 cfs
	* 209 ac ft	155 ac ft	* 178 ac ft	185 ac ft

* Includes 2.0 cfs From Springs

No stored water was used in April and May

EMERSON Investment, Inc

PAG

Date	June Elect. Pumps		Gravity		July Stored Water To River		July Elect Pumps		Gr
	GHT	CFS	GHT	CFS	8 CFS	2.0	GHT	CFS	
1	1.0	8.0	.70	4.6			.75	5.1	.68
2		8.0	.70	4.6				5.1	.68
3		8.0	.70	4.6				5.1	.68
4		8.0	.68	4.4				5.1	.68
5		8.0	.68	4.4				5.1	.68
6		8.0	.70	4.6			.75	5.1	.68
7		8.0	.65	4.1			.76	5.2	.65
8		8.0	.70	4.6				5.2	.65
9		8.0	.65	4.1				5.2	.68
10		8.0	.70	4.6				5.2	.68
11		8.0	.70	4.6				5.2	.68
12		8.0	.70	4.6				5.2	.68
13		8.0	.72	4.8				5.2	.68
14		8.0	.72	4.8				5.2	.70
15	1.0	8.0	.70	4.6			.76	5.2	
16	1.05	8.6	.70	4.6			.75	5.1	
17		8.6	.70	4.6			.75	5.1	
18		8.6	.70	4.6			.75	5.1	
19		8.6	.65	4.1			.80	5.7	
20		8.6	.65	4.1				5.7	
21	1.03	8.6	.65	4.1				5.7	
22	1.04	8.5	.65	4.1				5.7	
23		8.5	.65	4.1				5.7	.70
24		8.5	.65	4.1				5.7	.68
25	1.04	8.5	.65	4.1				5.7	.68
26	1.02	8.2	.68	4.4				5.7	.68
27	1.0	8.0	.68	4.4				5.7	.70
28	1.0	8.0	.68	4.4				5.7	.70
29	1.0	8.0	.68	4.4				5.7	.70
30	1.0	8.0	.68	4.4				5.7	.70
31		8.0	.68	4.4				5.7	.70
					8 CFS	2.0	.80	5.7	.70
					8 CFS	2.0	.80	5.7	.70
					248 CFS	62 CFS		1668 CFS	
					492 acft	123 acft		331 acft	
						615 acft supply			
								606 acft Used	

Water Pumps started 6/6/04

2458 CFS
488 acft

123 CFS
244 acft

248 CFS
492 acft

62 CFS
123 acft

606 acft Used

EMERSON INVESTMENT, INC. AUG

Stored water
To River
8 CFS

EMERSON
Spring
2.0 CFS

Elect. Pumps
GFT, 80.57 CFS

Gravity
75 5.1 CFS

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
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- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28
- 29
- 30
- 31

8
 248 CFS
 492 ac FT
 2.0
 62 CFS
 123 ac FT
 615 ac FT Supply

Elect. Pumps GFT, 80.57 CFS	Gravity
.80 5.7	75 5.1 CFS
.80 5.7	75 5.1
.80 5.7	75 5.1
.80 5.7	74 5.0
.78 5.4	74
.78 5.4	
.78 5.4	
.80 5.7	
.80 5.7	
.80 5.7	
.80 5.7	74 5.0
.80 5.7	72 4.8
.78 5.4	75 5.1
.76 5.2	5.1
.76 5.2	5.1
.76 5.2	5.1
.76 5.2	5.1
.75 5.1	75 5.1
.75 5.1	72 4.8
.66 4.2	72 4.8
.67 4.3	70 4.6
.67 4.3	70 4.6
.68 4.4	69 4.5
.70 4.6	69 4.5
.62 3.8	74 5.0
.62 3.8	74 5.0
.61 3.7	74 5.0
	74 5.0

158.9 CFS
 315 ac FT
 148.6 CFS
 295 ac FT
 610 ac FT used

EMERSON INVESTMENT, INC.
September

	Stored water to River	Emerson Spring	Eject Pump		Gravity	
			G.Ht.	C.F.S.	G.Ht.	C.F.S.
1	8 CFS	2.0 CFS	.64	4.0	.75	5.1
2			.64	4.0	.78	5.4
3			.65	4.1	.78	5.4
4			.65	4.1	.78	5.4
5			.64	4.0	.72	4.8
6				4.0	.75	4.8
7				4.0	.75	4.8
8				4.0	.75	4.8
9				4.0	.74	5.4
10				4.0	.72	4.8
11				4.0	.72	4.8
12				4.0	.72	4.8
13				4.0	.72	4.8
14				4.0	.72	4.8
15				4.0	.72	4.8
16				4.0	.72	4.8
17			.64	4.0	.70	4.6
18			.65	4.1	.68	4.6
19				4.1	.80	5.7
20				4.1	.80	5.7
21				4.1	.85	6.1
22				4.1	.85	6.1
23				4.1	.85	6.1
24			.65	4.1	.85	6.1
25			.80	5.7	.90	6.7
26				5.7	.92	7.0
27				5.7	.92	7.0
28				5.7	.90	6.8
29				5.7	.90	6.8
30			.80	5.7	.90	6.8
31				5.7	.90	6.8
	<u>8</u>	<u>2.0</u> 60 CFS		<u>5.7</u> 131.1 CFS		<u>6.8</u> 196.8
	240 CFS	119 ac FT		260 ac FT		388
	476 ac FT		595 ac FT Supplied		648 ac FT Used	

L. Lighthall

September 1, 1977

Mr. Nelson W. Richardson
Mountain Home Properties
One Lake Shastina Drive
Weed, CA 96094

Dear Mr. Richardson:

Les Lighthall, Shasta River Watermaster, asked that I send you information about the measuring devices we propose to install on the Hole-in-the-Ground Ranch so that the water may be properly regulated. Having inspected the diversion sites we have concluded that the following structures are needed.

Diversion #165, Gravity Diversion

A metal Parshall flume 24-inch throat, 24-inches high, with a stilling well for a recorder installed 20-feet below headgate. Cost - \$394 plus tax, freight, and installation.

A metal headgate is required on the 10-inch culvert pipe. The headgate could be built locally.

Diversion #166, (3 pumps on Shasta River)

A metal Parshall flume, 24-inch throat, 18-inches high, with stilling well for a recorder. The Parshall should be installed 20-feet + below upper ditch discharge pipe. Cost - \$363 plus tax, freight, and installation.

The lower pipe from the 10 H.P. pump should be removed. Measurements were made on August 30, 1977 and it was found that the 10 H.P. pump discharges more water in the upper ditch and uses the same power consumption. The same land could be irrigated from the upper ditch as the lower ditch. By diverting all of the water through the upper ditch, the watermaster could record the total flow at the proposed Parshall flume.

Marvin Miller recently constructed and installed a weir, recorder, well, and headgate in the Shasta River (T43N, R5W, Section 26) that measures the Hole-in-the-Ground water released from Lake Shastina. This installation is very satisfactory.

Mr. Nelson W. Richardson

Page 2

September 1, 1977

Les Lighthall will supervise the installation of the Parshall flumes and headgate. The Parshall flumes can be ordered by our Department and shipped to Lake Shastina C.O.D. if you so desire.

Jan Goldsmith of Adolf Moskovitz's office recently made inquiry about this matter. I am sending her a copy of this letter.

Please let us know if these proposals meet with your approval.

Sincerely,

Thomas C. Mackey
Supervising Watermaster

cc: Ms. Jan Goldsmith
Kronick, Moskovitz, Tiedemann
& Girard Professional Corp.
555 Capitol Mall
Sacramento, CA 95814

Les Lighthall

TMackey:jd

Shasta River Watermaster Service
Dwinnell Prior Rights User Log

Acre-Feet
WY-2004

Control Board Permit #: 019164

Date	April		May		June	
	G.H.	A.F.	G.H.	A.F.	G.H.	A.F.
1			0.75	10.20	0.71	9.4
2			0.77	10.60	0.75	10.2
3			0.78	10.80	0.78	10.8
4			0.75	10.20	0.80	11.4
5			0.72	9.60	0.80	11.4
6			0.70	9.20	0.80	11.4
7			0.74	10.00	0.80	11.4
8			0.77	10.60	0.80	11.4
9			0.75	10.20		
10			0.77	10.60		
11			0.77	10.60		
12			0.75	10.20		
13			0.75	10.20		
14			0.74	10.00		
15			0.73	9.80		
16	0.55	3.20	0.73	9.80		
17	0.57	6.70	0.75	10.20		
18	0.58	6.80	0.72	9.60		
19	0.60	7.20	0.72	9.60		
20	0.62	7.60	0.72	9.60		
21	0.66	8.40	0.73	9.80		
22	0.70	9.20	0.77	10.60		
23	0.72	9.60	0.75	10.20		
24	0.70	9.20	0.75	10.20		
25	0.66	8.40	0.76	10.40		
26	0.74	10.00	0.72	9.60		
27	0.70	9.20	0.77	10.60		
28	0.70	9.20	0.75	10.20		
29	0.72	9.60	0.75	10.20		
30	0.74	10.00	0.75	10.20		
31			0.75	10.20		
Monthly Sub-Tot.		124.3		313.8		87.4
Daily Ave. A.F.		4.0		10.1		2.8
Yearly Totals A.F.		124.3		438.10		525.50

Note: All Gage Heights are from continuous records located at the point of diversion. The measuring device is a 2 foot wide Parshall Flume.

Shasta River Watermaster Service

WY-2004

Area-1102

Control Board Permit #: 019165

Date	April			May			June					
	F-Recorder Data G.H.	F-Recorder Data A.F.	Spring Credit Permit #:	Total A.F. Diverted	F-Recorder Data G.H.	F-Recorder Data A.F.	Spring Credit Permit #:	Total A.F. Diverted	F-Recorder Data G.H.	F-Recorder Data A.F.	Spring Credit Permit #:	Total A.F. Diverted
1					0.66	8.33	4.0	4.33	0.64	7.95	4.0	3.95
2					0.66	8.33	4.0	4.33	0.64	7.95	4.0	3.95
3					0.66	8.33	4.0	4.33	0.64	7.95	4.0	3.95
4					0.66	8.33	4.0	4.33	0.64	7.95	4.0	3.95
5					0.58	6.82	4.0	2.82	0.64	7.95	4.0	3.95
6					0.58	6.82	4.0	2.82	0.64	7.95	4.0	3.95
7					0.58	6.82	4.0	2.82	0.64	7.95	4.0	3.95
8					0.58	6.82	4.0	2.82	0.64	7.95	4.0	3.95
9					0.58	6.82	4.0	2.82				
10					0.58	6.82	4.0	2.82				
11					0.58	6.82	4.0	2.82				
12					0.58	6.82	4.0	2.82				
13					0.58	6.82	4.0	2.82				
14					0.60	7.18	4.0	3.18				
15					0.60	7.18	4.0	3.18				
16	0.94	14.42	4.0	10.42	0.60	7.18	4.0	3.18				
17	0.85	12.34	4.0	8.34	0.60	7.18	4.0	3.18				
18	0.80	11.23	4.0	7.23	0.59	7.00	4.0	3.00				
19	0.70	9.12	4.0	5.12	0.59	7.00	4.0	3.00				
20	0.80	11.23	4.0	7.23	0.59	7.00	4.0	3.00				
21	0.90	13.49	4.0	9.49	0.59	7.00	4.0	3.00				
22	0.85	12.34	4.0	8.34	0.59	7.00	4.0	3.00				
23	0.82	11.66	4.0	7.66	0.60	7.18	4.0	3.18				
24	0.84	12.12	4.0	8.12	0.60	7.18	4.0	3.18				
25	0.70	9.12	4.0	5.12	0.62	7.56	4.0	3.56				
26	0.65	8.15	4.0	4.15	0.62	7.56	4.0	3.56				
27	0.65	8.15	4.0	4.15	0.65	8.15	4.0	4.15				
28	0.60	7.18	4.0	3.18	0.65	8.15	4.0	4.15				
29	0.62	7.56	4.0	3.56	0.65	8.15	4.0	4.15				
30	0.62	7.56	4.0	3.56	0.65	8.15	4.0	4.15				
31					0.65	8.15	4.0	4.15				
Monthly Sub-Tot.				95.67				104.7				31.60
Daily Ave. A.F.				6.38				3.38				3.95
Yearly Totals A.F.				95.70				200.35				231.95

Note: All Gage Height numbers are from continuous records which are located at each diversion point. The measuring device is a 2 foot wide parshall flume.

EMERSON INVESTMENT INC.
 2003 WATER Year
 Shasto River

Stored water from Dwinell Res. was started on June 26 @ 6 C.F.S.

ON 8-1-03 release for EMERSON was up to 8 CFS, and continued until September Sept. 30.

Due to Dwinell Res almost filling and late snow run off water supply stayed above 100% all water master season for the Shasto River,

Water was spilling over Emerson's diversion Dams all season

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Elec Pumps also has 2' Parshall Flume with F-type Recorder

Est. Flows over 2 six foot Bays @ Lower Dam

		1.6'	1.6'	
5-30-03	.48	6.5	6.5	13 cfs
7-8-03	.38	4.6	4.6	9.2 cfs
8-13-03	.28	2.9	2.9	5.8 cfs
9-30-03	.10	.63	.63	1.2 cfs

Fish bypass were open and cleaned each visit

WATER MASTER
 K.B. Dick

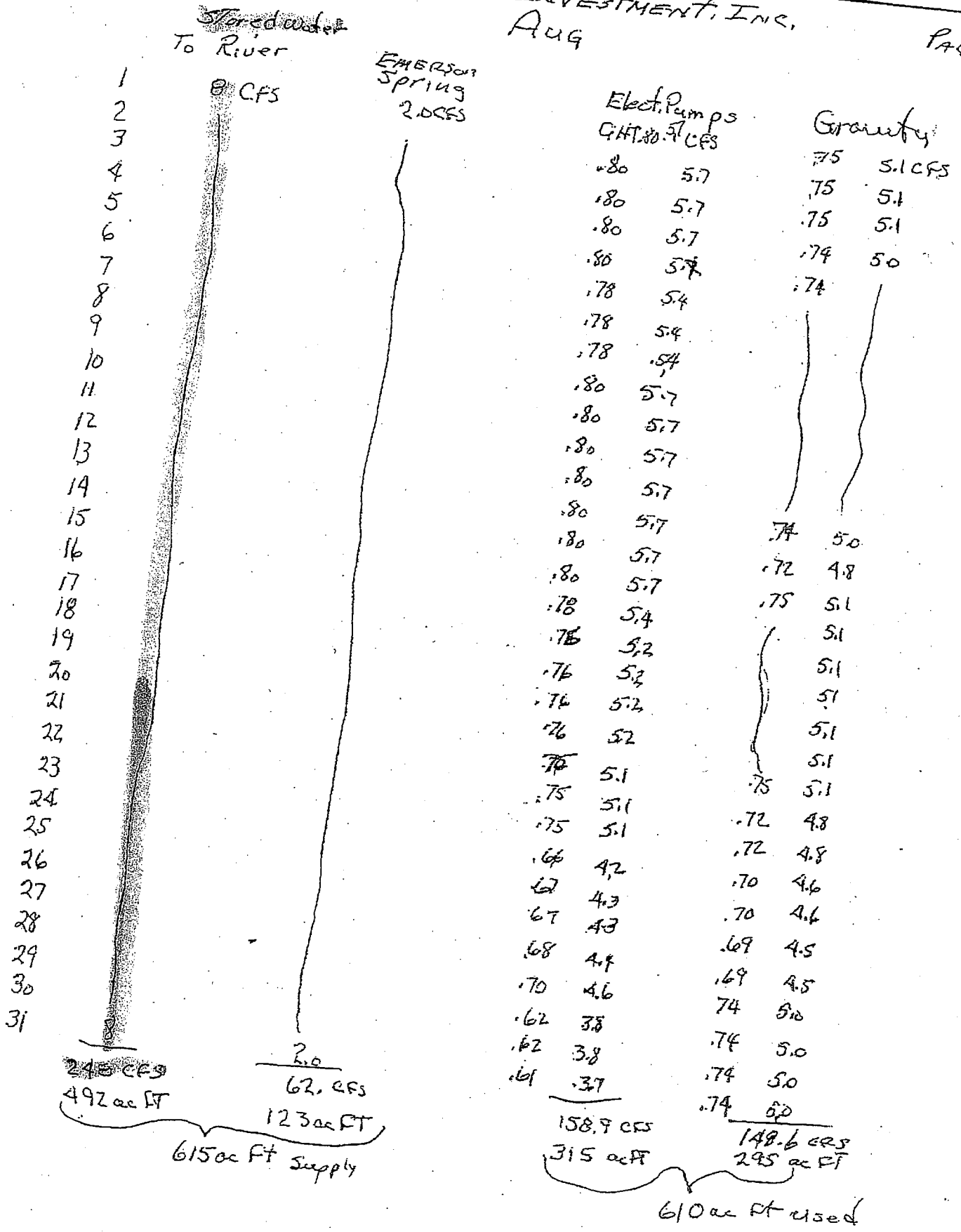
2003 WATER YEAR
EMERSON INVESTMENT, INC.

Date	April		May	
	Elect. Pumps GHT cfs	Gravity cft cfs	Elect. Pumps	Gravity
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12	^{12 Hr} .62 1.9	^{12 Hr} .70 2.3		
13	3.8	.70 4.6		
14	3.8	4.6		0
15	3.8	4.6		.76 5.2
16	3.8	4.6		.80 5.7
17	3.8	4.6		.78 5.4
18	3.8	4.6		.75 5.1
19	3.8	4.6	0	.75 5.1
20	.62 3.8	4.6	1.0 8.0	.75 5.1
21	.62 5.6	4.6	.76 5.2	.70 4.6
22	.98 7.8	4.6	.76 5.2	.75 5.1
23	.98 7.8	4.6	.76 5.2	.80 5.7
24	.98 7.8	4.6	.70 4.6	.82 5.8
25	.98 7.8	4.6	.77 5.3	.80 5.7
26	.98 7.8	4.6	1.0 8.0	.76 5.2
27	.98 7.8	4.6	1.0 8.0	.75 5.1
28	.98 7.8	4.6	1.0 8.0	.75 5.1
29	.98 7.8	4.6	1.0 8.0	.75 5.1
30	.76 5.2	^{12 Hr} .70 2.3	1.0 8.0	.75 5.1
31	- - -	- - -	1.0 8.0	.72 4.8
				.70 4.6

105.5 cfs 78.2 cfs 89.5 cfs 93.5 cfs
 * 209 ac ft 155 ac ft * 178 ac ft 185 ac ft

* Includes 2 cfs From Springs
 No stored water was used in April and May

EMERSON INVESTMENT, INC.
AUG



EMERSON INVESTMENT, INC.
September

	stored water to River	Emerson Spring	Eject Pump		Gravity	
			G.P.T.	C.F.S.	G.P.T.	C.F.S.
1	8 CFS	2.0 CFS	.64	4.0	.75	5.1
2			.64	4.0	.78	5.4
3			.65	4.1	.78	5.4
4			.65	4.1	.78	5.4
5			.64	4.0	.72	4.8
6				4.0	.75	4.8
7				4.0	.75	4.8
8				4.0	.75	4.8
9				4.0	.74	5.4
10				4.0	.72	4.8
11				4.0	.72	4.8
12				4.0	.72	4.8
13				4.0	.72	4.8
14				4.0	.72	4.8
15				4.0	.72	4.8
16				4.0	.72	4.8
17			.64	4.0	.70	4.6
18			.65	4.1	.68	4.4
19				4.1	.80	5.7
20				4.1	.80	5.7
21				4.1	.85	6.1
22				4.1	.85	6.1
23				4.1	.85	6.1
24			.65	4.1	.85	6.1
25			.80	5.7	.90	6.7
26				5.7	.92	7.0
27				5.7	.92	7.0
28				5.7	.90	6.8
29				5.7	.90	6.8
30			.80	5.7	.90	6.8
31				5.7		
	240 CFS	2.0 CFS		1311 CFS		1968 CFS
	476 ac FT	119 ac FT		260 ac FT		388 ac FT
		595 ac FT Supplied				648 ac FT Used