

Marble Mountain Ranch

Timeline of Events

March 27, 1989	Previous owners, Robert and Young filed a water rights application to appropriate water at a rate of 3 cfs from Stanshaw
1994	The Coles purchase Marble Mountain Ranch and are told that the Ranch has water rights to Stanshaw Creek
March – August 2000	Protests against the application the Youngs' filed are lodged by NMFS, USFS, CDFW and various other interested parties
July 26, 2000	NMFS, CDFW, the Karuk Tribe, and the Division of Water Rights visit Marble Mountain Ranch. Many potential approaches to the diversion at Marble Mountain Ranch
June 18, 2001	Klamath Forest Alliance submits a complaint against the Coles diversion of water
October 17, 2001	Division staff inspects Marble Mountain Ranch and meets with representatives from NMFS, CDFW, the Karuk Tribe, Klamath Forest Alliance, Konrad Fisher
November 15, 2001	NMFS issues a letter summarizing their findings and provides a recommendation to lift their protest that includes a 1.5 cfs bypass flow recommendation with return of tailwater to Stanshaw Creek
November 20, 2001	CDFW issues a letter proposing a bypass flow of 2.5 cfs to be measured at the culverts below Highway 96

May 23, 2002	Division of Water Rights staff issue a letter completing their investigation of the Klamath Forest Alliance complaint, and recognize that the Coles likely have a pre-1914 right and recommends a flow in Stanshaw Creek of about 0.7 cfs below the Highway 96 culverts
July 8, 2002	NMFS issues a letter protesting the Division of Water Rights' determination.
2005-2009	The Coles continued to engage in efforts to implement improvements at the Ranch including submitting a grant to CDFW to return flow to Stanshaw based on the conditions that existed at that time.
Mid 2012	The Mid Klamath Watershed Council secures funding through the National Fish and Wildlife Foundation ("NFWF") to conduct an independent analysis of the Coles' water right, potential physical solutions, and an energy audit to inform stakeholders of possible resolution of the Coles' diversion and use of water
November -December 2012	The Coles reactivate Statement S015022 to establish their pre-1914 water right
July 17, 2013	The State Water Board receives a complaint alleging that the Coles were diverting water in excess of their pre-1914 right
September 1, 2014	Lennihan Law, P.C., releases its report regarding the Coles' pre-1914 right as funded through the NFWF grant
December 17, 2014	The State and Regional Water Board inspect Marble Mountain Ranch facilities and attend a stakeholder meeting of CDFW, NMFS, USFS, Mid Klamath Watershed Council, the Karuk Tribe, Mr. Cole, and Mr. Fisher. The meeting was to discuss the outcome of the Lennihan Report

February 12, 2015	The State and Regional Board conduct a second site inspection of Marble Mountain Ranch
December 2015	The State and Regional Board issue a joint letter that includes the draft cleanup and abatement order and the State Water Board's report of inspection from the two inspections noted above
January 14, 2016	State and Regional Board staff met with stakeholders to discuss the inspection reports and a physical solution at the Ranch. Stakeholders left that meeting still awaiting a final recommendation from NMFS
May 13, 2016	The Coles meet with State and Regional Board staff regarding a proposed project to address the diversion in response to the report of inspection and to discuss the forthcoming bypass recommendation. A final recommendation had yet to be issued
May – June 2016	The Coles submit permitting applications to implement the proposed piping project to pipe the consumptive and domestic use water the Coles require as their only source of water
August 4, 2016	NMFS issues its final bypass flow recommendation by letter dated August 3, 2016
August 4, 2016	The Regional Board issues the Cleanup and Abatement Order
August 30, 2016	The State Board issues the Draft Order
October – November, 2016	Further NFWF funding is withdrawn, Mid Klamath Watershed Council and its retained individuals abandon project
December 2016-March 2017	The Coles are independently identifying and retaining consultants to assist them on projects.

April 4, 2017	Fiori Geosciences Sedimentation study complete
April 10, 2017	The Coles submit a proposal to the State and Regional Board to armor Irving Creek outfall based on the Fiori Geosciences Sedimentation study
June 9, 2017	Notice of Public Hearing released
June 27, 2017	The Coles submit a report of waste discharge to address the comments from Regional and State Water Board staff with regard to the Irving Outfall armoring plan.