

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 75- 82
DIRECTING THE EXECUTIVE OFFICER TO REFER TO THE ATTORNEY GENERAL
THE MATTER OF
UNAUTHORIZED DIVERSION OF WATER BY ALWOOD
FROM
EAST WEAVER CREEK IN TRINITY COUNTY

WHEREAS:

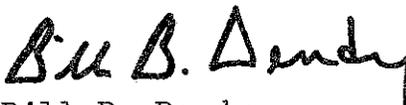
1. Application 24754 for mining purposes and Application 24755 for irrigation and domestic purposes, each for diversion of three cubic feet per second to be diverted from East Weaver Creek from January 1 to December 31 of each year, were filed on February 11, 1975 by Melvin G. Alwood.
2. In his applications, Mr. Alwood states he does not claim an existing right for the uses of water sought.
3. Letters from William R. Neill, District Attorney of Trinity County, dated June 17, 1975 and June 23, 1975, stated the diversion requested in Application 24754 and 24755 had already been made and requested the Board to investigate the situation and seek an injunction to halt the diversion.
4. In a letter dated June 23, 1975, Mrs. Cleone I. McKnight stated she wished to register a protest to Applications 24754 and 24755 and that water was being diverted through the Alwood mining claims.
5. A field investigation on June 27, 1975 confirmed that water had earlier been diverted via Howes Ditch through Jack Ass Flat #17 mining claim. There was no diversion at this point on the date of investigation.

NOW THEREFORE BE IT RESOLVED, that the State Water Resources Control Board does direct and authorize the Executive Officer, should further diversion of water from East Weaver Creek be made by Alwood after August 21, 1975 and prior to issuance of a permit for such diversion, to refer the matter without further delay to the Attorney General for appropriate action, including restraint against any further diversion of water until a permit is issued.

CERTIFICATION

The undersigned, Executive Officer 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

AUG 21 1975


Bill B. Dendy
Executive Officer