

STATE WATER RESOURCES CONTROL BOARD  
RESOLUTION NO. 75-103

RELATING TO REQUESTING APPEAL OF  
THE JUDGMENT IN BOYD TRUCKING COMPANY

WHEREAS:

1. Boyd Trucking Company filed Applications 24446 and 24447 for water right permits to appropriate unappropriated water from unnamed streams in Shasta County.
2. Applicant sought permits to appropriate 415 acre-feet per annum (afa) and 910 afa by storage for recreation and fish culture purposes.
3. In acting upon said applications the Board found in its Decision 1446 that impoundment of so large a volume of water (a total of 1,300 acre-feet) for the possible use of about 100 people is not a reasonable use of water and would not be in the public interest.
4. Applicant secured from the Superior Court of Shasta County a judgment that a writ of mandate issue commanding the Board to set aside its Decision 1446 and issue the permits sought by applicant, subject to insertion in said permits, at the Board's discretion, of a condition permitting the Board in the future, and after notice and hearing, to recapture all or part of the permitted appropriation if and when it appeared to the Board that such water is actually required for a more reasonable competing use.
5. The Board continues to believe that the appropriation proposed by applicant Boyd Trucking Company is not a reasonable use of water and is not in the public interest.

THEREFORE BE IT RESOLVED:

That the State Water Resources Control Board requests the Attorney General to appeal diligently to the appropriate court the judgment of the Superior Court.

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 **November 20, 1975.**

*Bill B. Dendy*

Bill B. Dendy  
Executive Officer