

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 77-92

DIRECTING THE EXECUTIVE DIRECTOR, WATER RIGHTS AND ADMINISTRATION, TO REFER TO THE ATTORNEY GENERAL THE MATTER OF UNAUTHORIZED DIVERSION OF WATER FROM SUTTER BYPASS AND BUTTE SLOUGH IN SUTTER COUNTY BY TARKE BROTHERS

WHEREAS:

1. An engineer from the Division of Water Rights was assigned to assist in proper distribution of water in accordance with existing permits and licenses to appropriate water within the Sutter Basin and in the course of his duties discovered these apparent unauthorized diversions.
2. An investigation was made by an engineer of the Division of Water Rights and facts and information were obtained which support the staff opinion that unauthorized diversions of water were made during this past irrigation season.
3. Whereas the 1977 irrigation season has been completed and it appears that action should now be taken to assure that the diverters make no preparation towards commencing such unauthorized diversions during the 1978 year.

THEREFORE BE IT RESOLVED:

1. That the State Water Resources Control Board does direct and authorize the Executive Director, Water Rights and Administration, to refer the matter of diversion of water without a valid permit to appropriate water from Sutter Bypass and Butte Slough by Tarke Brothers to the Attorney General for appropriate action including a restraint against any further diversion of water until a permit (or permits) is issued.

CERTIFICATION

The undersigned, Executive Director 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 October 20, 1977.



Executive Director