

STATE WATER RESOURCES CONTROL BOARD

RESOLUTION NO. 81-66

Directing the Executive Director to refer to the Attorney General the matter of unauthorized diversion and storage of water by Loyd Turner and/or Benton Turner, Inc. from Crystal Creek in San Bernardino County.

WHEREAS:

1. A complaint was received from Gilmore Albrecht on July 10, 1980 expressing concern over the diversion of Crystal Creek away from its natural channel.
2. A field investigation was made on October 30 and 31, 1980. Direct diversion as well as diversion to storage and offstream storage were observed to be occurring without a valid water right permit or any other basis of right.
3. Mr. Turner of Benton Turner, Inc. was notified by certified mail on May 7, 1981 to stop all diversion of water from Crystal Creek and allow free passage of said waters down the natural channel until such time as water right permits have been obtained from the State Water Resources Control Board.
4. On June 11, 1981 the Division was informed that a culvert had been placed under the roadway at the lower point of diversion. However, diversion of water is still occurring from the upper points of diversion. Applications have not been received for the continued diversion of water.

THEREFORE BE IT RESOLVED:

That the State Water Resources Control Board does direct and authorize the Executive Director to refer the matter of diversion and storage of water without a valid permit by Loyd Turner and/or Benton Turner, Inc. to the Attorney General for appropriate action to prevent diversion or interference with the natural flow and direction of flow of Crystal Creek, and to require the release of any waters collected to storage and prevent any further storage of water. The Executive Director is authorized to defer referral to the Attorney General if valid water right applications for the project are filed and pursued diligently.

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 July 16, 1981.



Clint Whitney
Executive Director