



DEPARTMENT OF FISH AND GAME

<http://www.dfg.ca.gov>  
NORTHERN CALIFORNIA-NORTH COAST REGION  
601 Locust Street  
Redding, CA 96001  
(530) 225-2300

STATE WATER RESOURCES  
CONTROL BOARD

JES

2005 JUL 12 PM 4:07

July 5, 2005

DIVISION OF WATER RIGHTS  
SACRAMENTO

Mr. Doug Cole  
Marble Mountain Ranch  
92520 Highway 96  
Somes Bar, CA 95568

Dear Mr. Cole:

The Department of Fish and Game has received your letter which details your proposals to mitigate impacts to coho salmon from your current unauthorized diversion in Stanshaw Creek. As you know the Department protested your water right application on March 17, 2000. We are also preparing comments and conditions for your small domestic use application which has come up recently for renewal.

The Department's primary concern regarding your diversion is the protection of anadromous fish habitat in the approximately 0.25 mile reach of Stanshaw Creek from the Highway 96 crossing to the stream's confluence with the Klamath River.

Your letter proposes two phases of mitigation. Phase I involves piping effluent from hydroelectric generation back to Stanshaw Creek above the Stanshaw Creek/Highway 96 culvert. This mitigation method was discussed on various field trips to your ranch during the protest of the water right application. The Department agrees if you pipe this water, which is currently being discharged to Irving Creek, back to Stanshaw Creek, above the Highway 96 culvert, then coho habitat below the culvert should be maintained in this portion of Stanshaw Creek.

Specific flow requirements will be discussed in the future, however, the Department determined in a previous field review that a flow of 2.4 cubic feet per second in Stanshaw Creek below the culvert should maintain suitable habitat for coho salmon.

Phase II in your letter proposes:

- Maintaining current minimum flows past the point of diversion for resident Stanshaw Creek trout.

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- Installing a half-round culvert in the historic canal line to prevent berm failures, overtopping in high water events and to improve efficiency of water transportation.
- Installing solar power generation systems to compliment hydroelectric generation.

Maintaining current commitments for minimum flows past your "Point of Diversion" is a requirement of your lake or streambed alteration agreement and should not be considered part of Phase II implementation.

The Department supports the concept of your proposals. We look forward to working with you in the future to resolve our protests to your water right applications. If you have questions or comments regarding this letter please contact Staff Environmental Scientist Jane Vorpapel at (530) 225-2124.

Sincerely,



**DONALD B. KOCH**  
Regional Manager

cc: ✓ Mr. Jim Sutton  
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