

FILE
WR-47
29449

State Water Resources Control Board

CONTACT REPORT DIVISION OF WATER RIGHTS

SUBJECT: Application 29449

DATE: 11/14/00

TIME: 09:10

DIVISION PERSONNEL: Robert E. Miller, EAS

INDIVIDUAL (S) / AGENCY CONTACTED: Doug Cole - Applicant

TELEPHONE NUMBER: (530) 469-3322 or (800) 552-6284

CONVERSATION DESCRIPTION:

I took call from DC. He informed me of the injunction that was filed against him by the Department of Fish and Game. Heavy pressure was put on DFG by Konrad Fisher. I told him that I was aware of it b/c KF had brought it to my attention. DC is supposed to send a legal response to DFG, but does not want to hire an attorney. DC claims that his family is on the verge of bankruptcy and he wants the lawsuit to disappear. He asked what the Board could do on his behalf. I told him it was a little different for DFG to file a civil lawsuit against him while his Application was pending, but that I didn't think there was much we could do for him. I told him I would talk with Ross Swenerton and get back to him. (Ross later explained that we have no authority in this matter since it was a violation of the Fish and Game Code, not the Water Code, that is being enforced).

DC told me that a DFG Game Warden had been ordered to go out and remove some of the diversion rocks to allow for the passage of fish. That Warden's name is Brian Boyd, who can be reached at (530)493-2030 or his cell at (530) 598-1706. DC said that without this water, he will be forced out of business, since he cannot afford to run his diesel generator full time. He mentioned that he has not gotten enough water in recent months to run his hydroelectric generator.

I asked DC if he has tried to resolve some fish issues with NMFS and DFG, and he said he had not. He asked for a list of contacts, (which I have already faxed to him) and he will call them today.

ACTION ITEMS: Call Cole back after talking with Jane Vorpapel, Margaret Tauzer, Tim Broadman, Brian Boyd, and Larry Allen.

SURNAME	REM 11-14-00			
---------	--------------	--	--	--