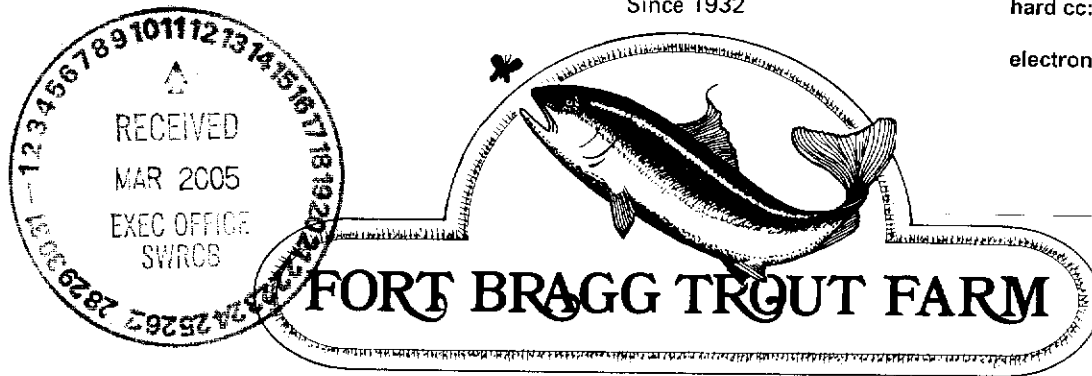


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7 March 2005

State Water Resources Control Board
Division of Water Rights

Re: Workshop Mar. 17 2005

We are concerned that the petitioners' guidelines will negatively impact valuable and delicate riparian habitats and water flows created by long standing grandfathered-in diversions.

If the petitioners' "one shoe fits all" approach creates rules that change old established flows they by their own shortsightedness will do more damage to bird and wildlife habitat, thereby defeating their own purpose.

You should put conditions and exceptions in place that prevent onerous rules and guidelines. Be sure that clean, safe and beneficial water us is not stopped. Have rules that allow guidelines to be adaptive and flexible.

- ❖ No well managed clean non-consumptive diversion shall be eliminated if its elimination destroys riparian habitat.
- ❖ No guideline will be allowed if it destroys registered riparian habitat.
- ❖ No guideline will be allowed if it results in a burden of nonsense regulatory stipulations.
- ❖ No business proven to be a clean non-consumptive water user shall be negatively impacted.
- ❖ If this does occur annual financial restitution must be provided through a fund set up by the petitioners.
- ❖ Old beneficial diversions should be exempt.

- ❖ Any petitioners guidelines can be altered at any time if they are found to be ruinous and of questionable value or if the water user has valid and fair reasons not to comply.
- ❖ Diminish the negative impact of blanket provisions.
- ❖ Exempt diversions which are safe and beneficial.
- ❖ Make the diversion owners their own custodians to ensure compliance.
- ❖ Put authority to police the diversions into the water users venue, thus ensuring effectiveness.

Best regards,



Stephanie Domenici

cc: Natural Heritage Foundation
Trout Unlimited