

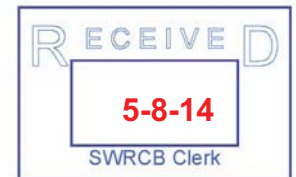


Redwood Valley County Water District

Post Office Box 399 • Redwood Valley, CA 95470 • (707) 485-0679

May 9, 2014

Ms. Jeanine Townsend
Clerk to the Board
State Water Resources Control Board
P O Box 100
Sacramento, CA 95812-0100



Subject: Comment Letter 5/20/14, Millview Revocation Hearing

Dear members of the Board;

I am the General Manager of Redwood Valley County Water District (Redwood) but the short time frame did not allow for contact with my Board. I am therefore writing this comment in my private capacity, although the water district I represent will potentially be negatively impacted by a revocation.

Millview can demonstrate that Masonite used, at the very least a portion of the right, since purchased by Millview. The loss of this water would have a negative effect on the greater Ukiah Valley in general and Redwood Valley in particular.

Due to the extreme drought Redwood Valley County Water District customers have severely impacted access to water. They are limited to less than 50 gallons per person per day and irrigation water has been turned off. Redwood normally purchases "surplus" water from one of two sources. Clearly, this year there is no surplus and Redwood was initially cut off from all supplies. The California Department of Public Health (CDPH) negotiated on behalf of Redwood to obtain 80 gallons per day per customer but the total amount allowed was based on a population of 4,000. We have been canvassing our households and find that the population is considerably greater than 4,000 and have therefore restricted the amount to 50 gallons per person per day. Our customers on an average are living within that limit but even that may not be sufficient to last if we do not get early rains.

BOARD OF DIRECTORS

*Granville Pool
Jeanette Hallman
Pamela Ricetti
Ken Todd
Jeff Basili*

Redwood Valley has been named as one of the most at risk communities in California to run out of water. As a result of this risk the CDPH is funding an intertie so that Millview can wheel water to Redwood in the event of need. The loss of the Millview right will result in no water being available to the intertie.

Please use your discretion to preserve this important water right for use in Mendocino County.

Respectfully,

A handwritten signature in black ink that reads "Wm. L. KOEHLER". The signature is written in a cursive style with some capitalization.

Wm. L. Koehler
General Manager

CONTACT REPORT

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

Division Personnel:
John O'Hagan
Compliance & Enforcement

Subject: Application 15679

Date: October 22, 2002

Individual(s)/Agency Contacted: Glenda Anderson, Report for Ukiah Daily Journal

Telephone Number: (707) 468- 3521

Conversation Description: Dave Beringer asked that I return a call he received from Ms. Anderson and answer her questions regarding the water right held by the Masonite Corporation on the Russian River in Ukiah. I telephoned Ms. Anderson and she informed me of Mendocino County's proposal to purchase the Masonite water right. Ms. Anderson wanted to know if the County could purchase the right, if the right was for 4,200 acre-feet, and whether it was a pre-1949 or post-1949 Russian River appropriation.

I informed Ms. Anderson that Masonite held License 5763 (Application 15679) that authorizes direct diversion of 5.9 cubic feet per second to be diverted from the Russian River Underflow from January 1 to December 31 for industrial uses. Based on the information in the files, it appears that Masonite's use of water commenced after 1949, so the right may be post-1949. However, because water may have been used on the property for other purposes prior to 1949, I suggested that she check with the Improvement District to see how it classifies Masonite's license. (Note: The Improvement District reports Masonite's License 5763 (Application 15679) as a pre-1949 right and I later relayed this information to Ms. Anderson on 10/23/2002, by leaving message).

I next explained that ownership of a water right permit or license is usually transferred when the property it serves is sold. Therefore, if the County purchases the Masonite property, ownership of the license would likely be assigned to the County. An ownership assignment is made without public notice or CEQA review. I explained to Ms. Anderson that if the County, however, wants to use the license for a different purpose; to serve a different Place of Use; or to pump the licensed water from a different Point of

Diversion, it would need to file a Petition for Change with the SWRCB. That petition would be subject to public notice and CEQA review.

In regards to the amounts authorized under the license, I informed her that all permits and licenses are limited to reasonable beneficial use and can be either fully or partially revoked due to 5 consecutive years of nonuse, or abandonment. Whether Masonite has lost any interest in the licensed amount would require an inspection by the Division to examine the records of continuous use of water. That examination may also occur during a petition review. I informed Ms. Anderson that Masonite reports its water use under the license. It also claimed credits under Water Code sections 1011 and 1011.5 in its Report of Licensee for 1997-1999. If the SWRCB agrees, these credits could be considered as part of the beneficial use of water under the license. Ms. Anderson asked that I fax her a copy of that report to her at 707 468-3544.

Actions: Sent fax of Report of Licensee on 10/22/2002. No further action.