MINUTE ITEM
23

6/23/83
W 23037
W 23080
W 23082
Childress

DENIAL OF APPLICATION
FOR DIVERSION OF SPRING WATER
FOR DOMESTIC USE

Calendar Item C23, attached, was pulled from the agenda prior to the meeting.

Attachment: Calendar Item C23.

CALENDAR ITEM

C 23 4

6/23/83
W 23037
w 23080
W 23082
Childress

DENIAL OF APPLICATION
FOR DIVERSION OF SPRING WATER FOR DOMESTIC USE

APPLICANTS: W 23037 - Ludi, Orquin and Reeser
W 23080 - Stan Heymann
W 23082 - Ursi Reynolds

AREA, TYPE LAND AND LOCATION:
A 40-acre parcel of State school land in the NW¼ of the SW¼ of Section 14, T5S R5E, HBM, near the town of Harris in Humboldt County.

BACKGROUND: The proposed point of diversion is a spring near the north property line of the State-owned 40-acre parcel. The subject property is on a steep north slope within the Chamise Creek drainage approximately one-half mile above the creek bed. Chamise Creek is considered a valuable spawning stream.

The staff circulated a Negative Declaration (SCH 83033012) in conformance with CEQA and the guidelines established by the Commission. Adverse comments received are:

A 2

S 2

169
1253

Humboldt County Sheriff's Department: As the result of a raid in 1981, three of the applicants are under indictment for felony cultivation of marijuana on adjoining private land that was allegedly irrigated by water diverted from the State land without authorization. The Sheriff's Department destroyed the unauthorized pipeline during the 1981 raid; however, when staff visited the site in 1982, a new pipeline had been installed. The general vicinity has been ranked as the number three (3) marijuana-growing area in Humboldt County.

The Sheriff's Office recommended against non-law enforcement people investigating this site in light of recent occurrences in this area, including eight drug-related murders, five shootings at recreationalists (three wounded), and the use of Claymore mines to protect the growing areas.

Department of Fish and Game: Fish and Game has determined that the proposed diversion could capture the entire flow of the spring, which would adversely affect wildlife habitat. The elimination of this spring would affect the resident animals, migrating animals and may be detrimental to the valuable spawning areas in Chamise Creek.

Fish and Game also is of the opinion there is a significant probability of an increase in killing of deer and other animals to reduce crop losses by persons who use the diverted water for "unspecified agricultural purposes".

AB 884: W 23037 - 7/29/83.
W 23080 - 8/12/83.
W 23082 - 8/20/83.

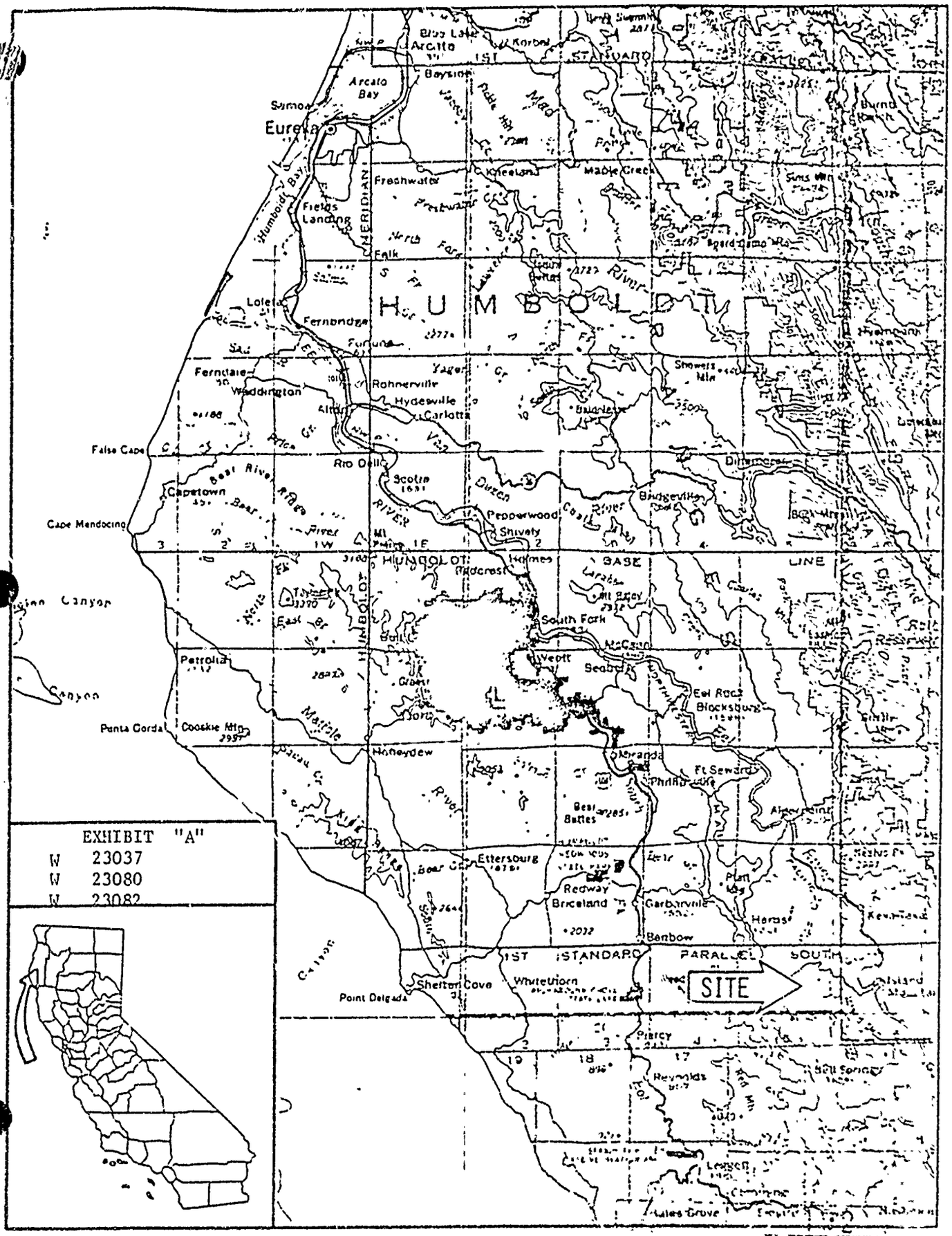
EXHIBIT: A. Location Map.

190
1254

IT IS RECOMMENDED THAT THE COMMISSION:

1. DENY THE THREE APPLICATIONS (W 23037, W 23080 AND W 23082) FOR THE DIVERSION OF SPRING WATER FOR DOMESTIC USE, ON A 40-ACRE PARCEL OF SCHOOL LAND IN THE NW¼ SW¼ OF SECTION 14, T5S R5E, HBM, NEAR THE COMMUNITY OF HARRIS IN HUMBOLDT COUNTY.

2. AUTHORIZE THE EXECUTIVE OFFICER TO REQUEST THAT STATE AND LOCAL LAW ENFORCEMENT PERSONNEL INSPECT THE SCHOOL LAND ON A REGULAR BASIS TO DETERMINE WHETHER OR NOT IT IS BEING USED TO CULTIVATE OR IRRIGATE MARIJUANA, AND TO TAKE APPROPRIATE REMEDIAL ACTION IF NECESSARY.



Arcata
Bayside
Arcata Bay
Eureka
Fields Landing
Freshwater
Kneeland
Maple Creek
Falk
Loleta
Fernbridge
Fortuna
Ferndale
Waddington
Rohnerville
Hydesville
Carlotta
Alton
False Cape
Rio Dell
Scotia
Capetown
Cape Mendocino
Pepperwood
Shively
Bridgeville
Dinsmore
Showers Mtn
HUMBOLDT
BASE LINE
Redcrest
Holmes
South Fork
McCann
Weott
Seabury
Eel Rock
Blocksburg
Petrolia
Punta Gorda
Cooskie Mtn
Honeydew
Miranda
Ft Seward
Phillipsville
Bear Battes
Ettersburg
Redway
Briceland
Garberville
Benbow
Harris
1ST STANDARD PARALLEL SOUTH
Shelter Cove
Whitethorn
Point Delgada
SITE
Piercy
Reynolds
Leggett
Bell Springs
Sales Grove
EXHIBIT "A"
W 23037
W 23080
W 23082

1256