

DRF

Vance W. Raye  
Legal Affairs Secretary  
Governor's Office

JUL 5, 1984

Request for Formal Attorney General's Opinion

The Department of Fish and Game wants to know if the Glenn-Colusa Irrigation District has a legal obligation to provide a bypass flow at their pump diversion from the Sacramento River. The bypass flow is necessary to allow young salmon, prevented from entering the diversion by the Department's fish screen, to continue their downstream movement to the sea.

The riverbed has degraded at the diversion site. The District is unable to divert all of the water they desire and has not allowed any bypass water for the fish. The District is studying potential solutions to allow them to divert their full entitlement as well as our bypass water. In the interim, the lack of a bypass flow has made our fish screen operation of little value.

COPY Original signed by  
Eugene C. Fletcher  
FOR Jack C. Parnell  
Director

Concur: \_\_\_\_\_  
Gordon K. Van Vleck  
Secretary for Resources

Attachment

File: D,/DRF, ExFile, AFB  
Region 2

Meyer:ds


- Region 2

Glenn Colusa Fish Screen

An important part of our ongoing analysis of the Glenn Colusa Fish Screen problem will be a clear understanding of the State's interest, i.e., will the District be required to provide the necessary bypass water?

An Attorney General's opinion has been requested. Has there been any action on this?

Incidentally, at the September 14th Glenn Colusa Screen dedication ceremony we took the opportunity to brief Messrs. Van Vleck and Hubbard on the fish screen dilemma.

  
Paul T. Jensen  
Regional Manager

cc: AFB

RDB:ds