

THE STONY CREEK WATER WARS
Glenn County - Tehama County - Colusa County , California.
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FORCES THAT LED TO THE DECLINE OF THE UPPER STONY CREEK WATERSHED (for which the *Angle* Decree was the final nail)

Settlement of the foothills occurred earlier than the western Central Valley Plans and apparently concurrent with settlements along the Sacramento such as Colusa and Red Bluff. The dependability of springs and streams in the upper foothills, fertility of the lands, and the freedom from malaria which plagued the river settlements made the foothills more attractive for putting down roots, starting farms and ranches, and raising families. Early communities included Smithville/Stonyford, Rock City, Rock River, Grapevine, Ashton & Pacific City [copper mining], Strawn, Mount Hope, Collinsville, River Rock, Marion, Bridgeport/Winslow, Emerald, Newville, Millsaps/Chrome, Zachary, Floyd, Lodoga [?] and maybe others. Unfortunately there were other forces at work, so now there is only Elk Creek and Stonyford, plus Century Ranch, Grindstone, and the various Forest Service and inmate work camps; these forces include;

1. - Cycle of DROUGHT & plenty, & periodic financial PANICS -

HISTORY OF COLUSA AND GLENN COUNTIES CALIFORNIA, Charles Davis
McComish and Mrs. Rebecca T. Lambert, 1918,

[p. 216] *The Panic of 1893*

The period immediately following the formation of the county was one of national financial depression known as the Panic of 1893. Although crop conditions were about normal, Glenn County suffered acutely during this period of stringency, because the prices of her principal staples, wheat and wool, touched bottom at this time. The Willows Daily Journal of that year contains the following illuminating item : "U.S. Nye, a prominent sheep man of the county, is busily engaged in two occupations these days, superintending the shearing of his sheep and figuring out whether the clip will pay the cost of the shearing and the sacks." The low prices of staple commodities made it impossible for the farmers to pay interest on borrowed capital. Banks were forced to call the loans of many of the larger farmers, who were unable to raise the money; and foreclosures were common. More petitions in bankruptcy were filed in 1893 and 1891 than in any other two years of the county's history. Work on the irrigation project was stopped by litigation during this period also ; and the prosperity so hopefully prophesied by the proponents of the new county was several years late in arriving....

The years following the Panic of 1893 were years of retrogression rather than of progress. Low prices and the shortage of money caused a decline of all values in the county, but particularly of land values. The assessment roll decreased from \$12,135,640 in 1893 to \$8,768,060 in 1897....

Exhibit E 04/06/2010

[& 1873, 1882....]

[p. 206] *The Drought of 1864*

After three of four seasons of less than normal rainfall, the year 1864 opened with the ground as hard and dry as in August ; nor were there any spring rains to alleviate this condition. Stock suffered terribly. Whenever it was possible, the stockmen had taken their herds out of the county to other pasturage; but the drought was a state-wide condition, and relief was many miles away. Hundreds of head of cattle died on the way to pasturage in the mountains. By fall the conditions were much worse. The rains held off until the last of November, and thousands of head of cattle and sheep died of starvation. Many settlers found themselves on the verge of bankruptcy by the loss of so great a portion of their herds. The year 1864 was a severe setback to the stock-raising industry, and many realized for the first time that other and diversified industries would be greatly to their benefit and a further guarantee of success. It was the setback of 1864 that first interested the settlers in the possibilities of grain-growing in connection with their stock-grazing, and perhaps had much to do with the new era to follow in the late sixties and early seventies.

[Droughts, 1854-5, 1855-6, 1856-7, 1864, 1866-67, 1897-98, 1913, 1917 ; 1855 scourge of grasshoppers....]

[Floods, 1862, 1864, 1867, 1873 a foot of snow in Colusa & 12-18" on the plains "causing hundreds of sheep to die....", 1878 "Thousands of sheep were drowned....", 1881, 1884, 1889, 1893, 1894. 1895, 1896, 1911, 1915]

[more on the drought cycle as soon as I can remember where I saw it]

2. - Building of the RAILROADS - When the rails were laid up the Central Valley, first to Willows, thence Orland and beyond, they changed the axis of trade from foothills to the river landings to a north-south axis. Foothill communities moved east to join with their rail counterparts like Kanawha to Willows (rail in 1872), and Olympo to Orland . Many river communities (Monroeville, St. Johns, Placer City) disappeared as well.

3. - WANING FERTILITY under dry farming - "During the latter part of the '70's the grain raising began to wane and the ranchers to hope 'for a better crop next year.' The land wore out because they took the substance out of it and put nothing back. During bumper years they got as much as 35 sacks of grain to the acre. It kept going down until 5 to 10 sacks was all they could get -- not enough to pay expenses." Wagon Wheels, Vol. 17 #2 p. 26 September 1967 [one of many sources for this analysis]

4. - OVERGRAZING in the mountains -
Wagon Wheels Vol 15, #2, Dec. 1965

p. 24, Sharkie Moore: "WHERE HAVE THE PEOPLE GONE?"

"The question is often asked 'Where have the people gone?' What has brought about the disappearance of so many people from these hills?' Perhaps the most practical answer is to ask, 'What happened in the hill country and in the Sacramento Valley that has so affected the hill country?'

"The early homesteaders along Stony Creek dependend upon the higher mountains to take their cattle to feed during the summer and early fall and would pasture them until late October. In the late fall, the cattle were ready to drive to the market. The people of the area were often quite prosperous, and usually raised large families. To help augment the family income, the children would raise turkeys which were herded about the hills. They hoped for a good crop of grasshoppers for the turkeys to feed on. The turkeys were sold to the farmers in the valley in the fall. The husband and the older sons would shear sheep and help in the valley grain harvet [sic]. Fruit and vegetables grew well and aded to the family fare, and were a great help in maintaining the family household.

" HILL PASTURE DECLINES

" In the early days, the pasture in the hills was excellent. It would often come up to your stirrups when you rode through the grass on horseback. While in the valley, with its limited rainfall, there were many seasons when a partial drought affected the valley pasture. In such drought years, the farmers in the valley would drive their cattle, horses, mules, and sheep by the thousand into the mountains. This heavy influx of livestock from the valley not only consumed the available feed, but the ground was practically plowed under by the feet of so many stock with the result that nothing but a hard shell was left. The loose top soil was blown away by the wind; and, when he rains came, more of the loose top soil was washed away and only hard, barren ground and rocks eventually remained. Where large meadows of luxuriant grass once grew, there is now little feed of any kind growing.

"HOMESTEADERS MOVE

"With the change in the land due to over-pasturing, the homesteaders had to move . . .

In the MENDOCINO NATIONAL FOREST, LAND AND RESOURCE MANAGEMENT PLAN, February, 1995 (Forest Supervisor's Office 825 N. Humboldt Avenue Willows, CA 95988), see <http://www.fs.fed.us/r5/mendocino/publications/fp/> for the many parts of it; at many pages in the various "Management Areas" are comments about the remaining denuded ridges from the overgrazing a century ago. A different, more concise comment, cause for some hope,is at:

http://www.fs.fed.us/r5/mendocino/publications/fp/mon_eval_report1997.pdf

p. 15

...observations made by the Forest Hydrologist indicate that some of the large, high

elevation areas previously identified as needing active intervention to recover from sheep and cattle grazing in the late 1800s through the 1920s are improving at desired rates since recent changes in requirements for range permits (primarily in the area between Bald and Hull Mountains). Small sites within this area still require active restoration.

5. - Coming of the AUTOMOBILE -

Wagon Wheels Vol. 15 #2 Dec. 1965

p. 12 "By this time 1925, every family owned an automobile and could travel more easily to Orland, Willows and Chico where they could find a larger variety of merchandise. Thus the coming of the automobile brought an end to the country stores at Chrome and Newville which had served the communities in the past so well. Up until the automobile came, these stores had done a good business. The stores had a year's credit with the wholesale houses and they in turn gave the farmers a year to pay their bills. The collected the bills with small interest from the farmers once a year...." [Mrs. Eva (Armstrong) Cooper-Hull-Bywater, wife of Louis E. Cooper, last owner of the store at Millsaps)

And so the merchant class largely disappeared from the foothill communities and with them the communities themselves.

6. - Decline of the FAMILY FARM and THE GREAT DEPRESSION - "...1930s joblessness was structural. The jobs people lost--largely in agriculture--never came back. Workers had to move to the industrial sector, a transition helped by the demands of a war." Joshua Cooper Ramo, "Unemployment Nation", p. 30, in *Time* 09/21/2009, for instance.

7. - THE ANGLE CASE and its aftermath - While most other places suffered problems similar to those above, the additional blow of the loss of water rights in the foothill lands was a devastating blow from which the upper watershed never recovered:

FOUTS SPRINGS - from my SWRCB 10/01/2009 Ap. 18115 Protest Supplement:

III.B.5. The "Fouts Springs Youth Facility Environmental Assessment", March 2000, by the United States Forest Service, viewed in 2001 at <http://www.r5.fs.fed.us/mendocino/fouts.pdf>, and since disappeared, so see web archive at <http://web.archive.org/web/20000830083155/http://www.r5.fs.fed.us/mendocino/fouts.pdf> states at p. 3-38, or pdf p. 81 in the web archive page)).

"[because of the Angle Decree] Opportunities to acquire water for domestic purposes are very limited in the entire Stony Creek watershed. This has contributed to the slow development and low population densities in the watershed" (Exhibit D attached [to that Supplement]).

This is an "admission" by USA regarding the degree to which they have looted the upper

watershed, the hardship they have imposed upon its people, and the damage they have caused the region.

COLUSA COUNTY, Building Moratoria -

SWRCB Ap 26378 files, File Category 20 TRANSCRIPTS AND EXHIBITS VOL. 1 OF 1

Folder 4, Item 1

- 121582 [Reporter's Transcript] Before the State Water Resources Control - Board, State of California, Wednesday 12/15/1982 10:00 a.m., 193 pp., In the Matters of:
 - East Park Reservoir, Colusa County
 - - Application 26745, the City of Santa Clara
 - - Application 26682, Orland Unit Water Users Association
 - Stony Gorge Reservoir, Glenn County
 - - Application 26378, the City of Santa Clara
 - - Application 26659, Orland Unit Water Users Association
 - Black Butte Reservoir, Tehama County
 - - Application 26379, the City of Santa Clara
 - - Application 26658, Orland Unit Water Users Association

- Floyd Marsh, Colusa County Board of Supervisors
- - p. 151 Supervisor Marsh: "Q. I will bring this up. Are you aware, is the City of Santa Clara ware [sic] there has been a moratorium placed by the County of Colusa on all further development in the Stonyford area?"

[I am attempting to pin down the start and end dates of the moratoria, but without success so far ; they were sort of mentioned in the Water Master reports ; the Century Ranch moratorium, below, may be a successor of the moratorium mentioned by Supervisor Marsh]

See, generally, for Colusa County, the SWRCB & Angle barriers they faced in supplying water to Stonyford, <http://www.mjbarkl.com/27382.htm> and related filings with the U.S. District Court in <http://www.mjbarkl.com/Aindex.htm> .

CENTURY RANCH, Colusa County

From "About Century Ranch", a page on the Century Ranch Residents' Association website, http://www.crrainc.com/about_century_ranch.htm

"Over the years several real-estate developers have tried to restart development, but all attempts have met with failure. The prime reason is a shortage of water and too many individual septic systems. As a result, the California Department of Water Resources [uh, DHS?] has placed a moratorium on building until more water can be located. In 1999,

Exhibit E 04/06/2010

Colusa County assumed management responsibilities from the Century Ranch Water Company, Inc. This was done to become eligible for a grant-in-aid that relieved a then-serious water-shortage situation.

"The purpose of the grant was to try and find additional water; however, none was found. Colusa County still has finding more water as a goal, and they are actively searching for grant money. Only last year, enough money was found to construct a water treatment facility so that residents could continue using water from Stony Creek to supplement the ranch's three wells. So, hope exists that more water will be found and more lots opened to development."

A visit on 03/11/2010 to the Colusa County Department of Planning and Building produced a copy of the [Century Ranch water system moratorium](#) ; within this packet are:

- 06/29/2006 letter, Richard L. Hinrichs/State of California Health and Human Services Agency, Department of Health Services, Division of Drinking Water and Environmental Management, (www.dhs.ca.gov) to County of Colusa, transmitting Order
- 06/29/2006 Public Water System No. 0600012 - Colusa County Service Area No. 1 (Century Ranch) - Compliance Order 01-21-06(O)06001
- bar chart, 2005 Century Ranch Average Water Usage, per Active Service Connection, developed lots, undeveloped lots, gpd by month
- table, summary of 2005 Century Ranch Water Records (Based on Metered Usage in Gallons), by month, for Developed Lots and then for Undeveloped Lots : No. with Zero Usage, No. with Non-Zero Usage, Usage/day/connection ;

[and mention of:]

- 08/23/1994 Compliance Order No. 01-02-94(O)-06001, "service connection moratorium on the Century Ranch Water Company and its successors and assigns." "a total water service moratorium"
- 01/16/2001 Citation No. 01-21-01(C)-06001 to Colusa County for supplying inadequately treated surface water to Service Area No. 1 from Little Stony Creek during the months of 07/2001 & 08/2001 (only chlorinating ; thereafter with funding from the Department's "Emergency Clean Water Grant Program" the "County added an 80-gallon per minute bag and cartridge filtration system and made disinfection improvements to allow the use of surface water, collected as underflow, from Little Stony Creek." ; supply still inadequate, conservation & moratorium required)

[Nothing in here goes back before 08/23/1994 - so what was Supervisor Marsh referring to on 12/15/1982 ? Stonyford ? Ap 27382 ?]

GLENN COUNTY, Elk Creek Special Planning Area [like a moratorium?] -

SWRCB APPLICATION A026378 City of Santa Clara Case Index - Stony Gorge Power

Exhibit E 04/06/2010

Plant

Cat 7 FERC LICENSES AND REPORTS VOL. 1 OF 1

Folder 2, Item ?

- 102081 Before the Federal Energy Regulatory Commission, Application for License for Project No. 3193, The Stony Gorge Hydroelectric Project By the City of Santa Clara, California, Prepared by: Resource Management International, Inc. Sacramento, California and Sverdrup & Parcel and Associates, Inc., San Francisco, California; on cover, SCH "81011202"

"Immediately west and downstream of Stony Gorge Dam the low lands adjacent to Stony Creek are designated S-P, Special Planning Area...land areas which either have been, are being, or are [p. E-55] proposed to be developed in conformity with planned development or other carefully prepared and closely supervised plans. Here along Stony Creek the Special Planning Area designation was implemented in 1978 out of concern for potential development problems in this area such as sewage disposal and water supply."

[Visit to Glenn County Planning 03/30/2010, unable to find any records to confirm or deny this S-P designation at that time]

Black Butte lands - thousands of acres of irrigable lands kept from irrigation by force of the U.S. government, which thereafter took them by eminent domain for the Black Butte Dam Project at pennies on the dollar for what they would have been worth irrigated.

8. - Public schools, one measure of the decline -

Wagon Wheels Vol 15, #2, Dec. 1965

p. 23, Sharkie Moore: "Early Days in Stonyford and along Indian Creek" as told to P.V. Harrigan, 04/11/1956

"Indian Valley, later called Stony Creek Valley, began to be settled in the 1850's. Smithville, now called Stonyford, was started in the 1860's by John L. Smith." "peak enrollment, there were approximately ninety-three children entered in the local grade school...One of the first schools established after 1880, was the Grapevine School, a few miles north of Stonyford, with an enrollement [sic] of between twenty to thirty students. Rock River School was close by with between twenty to thirty students. The Emerald School was about two miles south of Stony Gorge Dam and had from thirty to forty pupils. The Strawn School was in the valley west of the present Stony Gorge Dam...only twenty-one pupils. The Mount Hope School was located on the present site of the East Park Dam and had from thirty to forty students,...these schools have disappeared, until now the only one remaining is the Indian Valley or Stonyford School with an average enrollment of [p. 24] twenty-two."

That's more than a 90% decline in student population, and while much or most of it may be attributable

to reductions in family size, the rest is from decline of the region; meanwhile Orland's population has tripled since the 1950's.

[Return to Stony Creek Water Wars.](#)

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