

STATE OF CALIFORNIA
STATE WATER RIGHTS BOARD

In the Matter of Application 19221)
of Oscar Rickter to Appropriate)
from Dry Slough, Tributary to)
Willow Slough in Yolo County)

Decision D 998

ADOPTED APR 10 '61

DECISION DENYING APPLICATION

Oscar Rickter having filed Application 19221 for a permit to appropriate unappropriated water; protests having been received; the applicant and protestants having stipulated to proceedings in lieu of hearing as provided for by Title 23, California Administrative Code, Section 737; an investigation having been made by the State Water Rights Board pursuant to said stipulation; the Board, having considered all available information and now being fully advised in the premises, finds as follows:

1. Application 19221 is for a permit to appropriate 1.0 cubic foot per second from Dry Slough in Yolo County between May 1 and October 31 of each year for irrigation purposes within the SW $\frac{1}{4}$ of Section 35, T9N, R1E, MDB&M.

2. Dry Slough flows into Willow Slough approximately 4.5 miles below the applicant's point of diversion. Willow Slough divides into two channels, one called Willow Slough Bypass, approximately 0.5 of a mile below the confluence of Willow Slough and Dry Slough. Protestant Heidrick Brothers' point of diversion is located at the junction of

Willow Slough and Willow Slough Bypass and protestant Woodland Farms' point of diversion is approximately 7 miles farther downstream on Willow Slough.

3. The rights of protestant Woodland Farms, Inc. to the flow of Willow Slough include Permit 7559 (Application 12074) which allows an appropriation of 200 cubic feet per second between March 1 and October 31 of each year. The flow of Willow Creek at this protestant's point of diversion has not for the past ten years been sufficient to supply the entitlement under said permit during the irrigation season. All of the available flow has been beneficially used by this protestant.

4. Protestant Heidrick Brothers hold License 5401 (Application 12637) confirming a right to divert 5.7 cubic feet per second between April 1 and October 15 of each year from Willow Slough. There has not been sufficient water to satisfy this right, and the protestant has purchased water from another source to irrigate the place of use under this license.

5. Any water diverted by applicant from Dry Slough would further deplete the supply available to protestants.

6. On July 11, 1960, at the time of the field investigation of this application, there was no flow at the applicant's point of diversion.

7. There is no unappropriated water available to supply the applicant.

From the foregoing findings, the Board concludes that Application 19221 should be denied.

The records, documents, and other data relied upon in determining this matter are: Application 19221 and all relevant information on file therewith, particularly the report of the field investigation made July 11, 1960, the files of Permit 7559 (Application 12074), and License 5401 (Application 12637); United States Geological Survey (USGS) "Davis," "Woodland," and "Capay" quadrangles, 15-minute series, dated 1954, 1953, and 1945, respectively.

IT IS HEREBY ORDERED that Application 19221 be, and the same is, denied.

Adopted as the decision and order of the State Water Rights Board at a meeting duly called and held at Sacramento, California, on the day of , 1961.

Kent Silverthorne, Chairman

Ralph J. McGill, Member