

STATE OF CALIFORNIA
STATE WATER RIGHTS BOARD

In the Matter of Application 21171)
of Philo R. and Lillie M. Clover)
to Appropriate from Secret Ravine)
in Placer County)

Decision D 1165

ADOPTED JAN 22 1964

DECISION APPROVING APPLICATION

Philo R. and Lillie M. Clover having filed Application 21171 for a permit to appropriate unappropriated water; a protest having been received; the applicants and protestant 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 21171 is for a permit to appropriate 8,000 gallons per day by direct diversion from March 15 to October 15 of each year for irrigation purposes from Secret Ravine in Placer County. The point of diversion is to be located within the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 16, T11N, R7E, MDB&M.

2. Secret Ravine rises in the Sierra Nevada foothills approximately one-half mile south of the town of Newcastle at an elevation of approximately 760 feet and flows southwesterly approximately 7 miles to the applicants' proposed

point of diversion. The applicants propose to pump directly from the stream channel for the irrigation of approximately one acre of shrubs, trees and garden.

3. Protestant Sierra Junior College District, located approximately 3 miles below the applicants' proposed point of diversion, holds License 2463 to divert 0.12 cfs from Secret Ravine from April 1 to October 1 of each year for irrigation and domestic uses within a 40-acre tract.

4. The source of water in Secret Ravine during the summer months is waste water from irrigated areas within the watershed area and releases or uncontrolled spills into the ravine from various canals that traverse the area. On July 10, 1963, the flow of Secret Ravine near the applicants' proposed point of diversion was 8.66 cfs and on August 21, 1963, it was 6.61 cfs. Secret Ravine is a gaining stream and an estimated 0.5 cfs enters the stream during the irrigation season at a point between the applicants and the protestant.

5. Measurements of the flow of Secret Ravine on the dates above mentioned and during the year 1961 show that the applicants' proposed project will not interfere with the supply necessary to satisfy the protestant's prior rights.

6. There is unappropriated water available to supply the applicants, and subject to suitable conditions, such water may be diverted and used in the manner proposed without causing substantial injury to any lawful user of water.

7. The intended use is beneficial.

From the foregoing findings, the Board concludes that Application 21171 should be approved and that a permit should be issued to the applicants subject to the limitations and conditions set forth in the following Order.

The records, documents, and other data relied upon in determining the matter are: Application 21171 and all relevant information on file therewith, particularly the report of the field investigation made on August 21, 1963; files of Application 7646; streamflow measurements of Secret Ravine contained in the files of the State Water Rights Board; and United States Geological Survey 7.5-minute series quadrangles, "Rocklin" and "Roseville."

ORDER

IT IS HEREBY ORDERED that Application 21171 be, and the same is, approved, and that a permit be issued to the applicants subject to vested rights and to the following limitations and conditions:

1. The amount of water appropriated shall be limited to the amount which can be beneficially used and shall not exceed 8,000 gallons per day by direct diversion to be diverted from about March 15 to about October 15 of each year. The equivalent of such continuous flow allowance for any thirty-day period may be diverted in a shorter time if there be no interference with vested rights.

2. The maximum amount herein stated may be reduced in the license if investigation warrants.

3. Actual construction work shall begin on or before June 1, 1964, and shall thereafter be prosecuted with reasonable diligence, and if not so commenced and prosecuted, this permit may be revoked.

4. Construction work shall be completed on or before December 1, 1966.

5. Complete application of the water to the proposed use shall be made on or before December 1, 1967.

6. Progress reports shall be filed promptly by permittee on forms which will be provided annually by the State Water Rights Board until license is issued.

7. All rights and privileges under this permit, including method of diversion, method of use, and quantity of water diverted are subject to the continuing authority of the State Water Rights Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

8. Permittee shall allow representatives of the State Water Rights Board and other parties, as may be authorized from time to time by said Board, reasonable access to project works to determine compliance with the terms of this permit.

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 _____, 1964.

Kent Silverthorne, Chairman

Ralph J. McGill, Member

W. A. Alexander, Member