

STATE OF CALIFORNIA
STATE WATER RIGHTS BOARD~~XXXXXXXXXX~~
C.M. HARRIS

MEMORANDUM

TO Engineering Staff
FROM L. C. JopsonDATE August 2, 1963
SUBJECT General Instructions for
the Handling of Unprotected Applications

Following issuance of Decisions D 990 and D 1045, several methods of handling unprotected applications have been developed depending on physical condition relating to water supply, as follows:

a. Where unappropriated water appears to be available at all times. In this case the application is approved without reduction of diversion season.

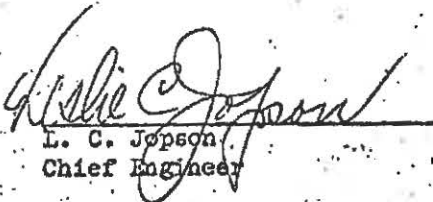
b. Where there is no hydraulic continuity between applicant's source and any surface water course leading to the Delta during the summer and fall months. Again in this case the application is approved without reduction in season.

c. Where there is hydraulic continuity of the applicant's source to the Delta during the low flow period via streams where diversion during some months has been denied by decision. Applicant is required to delete critical months from diversion season before permit is issued, or appear for hearing.

d. Where applicant is above a reservoir which has an all year season of collection or diversion and exercises full control of the stream during the critical season; or where a downstream diverter takes the entire flow during the critical season. If applicant can eliminate the protest of the agency controlling or diverting the entire stream, all year diversion is allowed subject to higher level staff approval.

e. Special cases, such as an application for interim use, which do not fall in any of the above categories. Proceed in an equitable manner as determined by higher staff levels.

There is some overlap in the above classification, and the staff may not find it easy to determine in what category an application should be placed. A field investigation during the critical season is essential in most instances, and the results of the investigation will be utilized in determining the proper category. Once the category is established, the processing will ordinarily proceed as indicated above.


L. C. Jopson
Chief Engineer

