

BEFORE THE DIVISION OF WATER RIGHTS
DEPARTMENT OF PUBLIC WORKS
STATE OF CALIFORNIA

Decision file

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IN THE MATTER OF APPLICATIONS NUMBERS 4294 and 4362
BY F. E. OWENS AND RICHARD G. RINGO RESPECTIVELY TO
APPROPRIATE WATER FROM SPRINGS IN THE WATERSHED OF
BEAR CREEK IN SAN BERNARDINO COUNTY

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DECISION NO. 4294 - 4362 D 77

Decided October 20, 1925.

APPEARANCES AT HEARING HELD - September 23, 1925

For Applicant - F. E. Owens	F. E. Owens in propria persona
For Applicant - Richard G. Ringo	Geo. Ringo, Attorney
For Division of Water Rights	Harold Conkling, Assoc. Hyd. Engr.
No Appearance	Bear Valley Mutual Water Company Protestant
Examiner - Edward Hyatt, Jr., Chief of Division of Water Rights	

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O P I N I O N

These applications propose the appropriation of water from separate springs in the Bear Creek watershed in San Bernardino County below protestants dam at the outlet of Big Bear Lake, the salient features thereof being as follows:

Application Number 4294 by F. E. Owens, filed November 3, 1924, contemplates as amended at the hearing, the use of 100 gallons per day from an undeveloped spring for purely domestic purposes. Application Number 4362 by Richard G. Ringo, filed December 11, 1924, contemplates the use of 0.002 second

feet or 1300 gallons per day for purely domestic purposes at a resort, the source specified being a spring in a marsh. Both applications are protested by Bear Valley Mutual Water Company.

Both applications were completed in accordance with the Water Commission Act and the requirements of the Rules and Regulations of the Division of Water Rights and being protested were set for a public hearing in the Law Library of the Court House at San Bernardino at 1:30 o'clock P.M. on Wednesday September 23, 1925. Of this hearing applicants and protestant were duly notified. No appearance was made on behalf of protestant but applicants appeared and submitted testimony tending to show the availability of unappropriated water which could be appropriated without injury to protestant.

Application Number 4294 (Mr. Owens) proposes to develop an underground flow of uncertain amount which has no known surface or direct sub-surface connection with the sources which supply protestant. At the proposed point of diversion there was originally only a small damp spot with a small growth of willows indicating the presence of water. Applicant has already developed a flow estimated at 25 gallons per day and anticipates that an additional amount up to 100 gallons per day may be developed with further excavation. Domestic use is proposed within the watershed, and there has been no showing by protestant that any actual loss would result therefrom in the quantity of water reaching its point of diversion or that the delivery of said waters would be retarded.

Applicant Number 4362 (Mr. Ringo) proposes to develop a supply of 0.002 second foot or approximately 1300 gallons per day for domestic use by diversion from a spring which now breaks out in perhaps a dozen places along the highway and creates a marsh having an area of 1/2 to 3/4 acre. This marsh is at some distance from the streams which supply protestant and may or may not have a surface flow connection therewith. No definite showing on this

We feel that the use for domestic purposes within the watershed of 100 gallons per day as proposed by one of these applicants and 1300 gallons as proposed by the other from sources tributary to the stream supplying protestant at a point some eight or ten miles distant does not raise a presumption of sufficient interference with protestant to justify denying these applications.


O R D E R

Applications Numbers 4294 and 4362 to appropriate water having been filed with the Division of Water Rights as above stated, protests having been filed a public hearing having been held and the Division of Water Rights now being fully informed in the premises

IT IS HEREBY ORDERED that said applications Numbers 4294 and 4362 be approved and that permits be granted to the applicants subject to such of the usual terms and conditions as may be appropriate.

Dated at Sacramento, this 20th day of October , 1925.

JCF:MP



(Edward Hyatt, Jr.)
CHIEF OF DIVISION OF WATER RIGHTS