

STATE OF CALIFORNIA  
STATE WATER RIGHTS BOARD

In the Matter of Application 18460 )  
of Worth, Merritt, and Dorance Garner )  
to Appropriate from Long Valley Creek )  
in Lake County )

Decision No. 956

**ADOPTED MAR 7 '60**

Decision Denying Application

Worth Garner, Merritt Garner, and Dorance Garner having filed Application 18460 for a permit to appropriate unappropriated water; the applicants and protestants having stipulated to proceedings in lieu of hearing as provided for under Section 737 of the California Administrative Code, Title 23, Waters, and an investigation having been held by the State Water Rights Board pursuant to said stipulation; the Board relying upon Application 18460 and all relevant information on file therewith, particularly the report of the field investigation made on September 11, 1959; United States Geological Survey, Surface Water Supply, Part 11, "Pacific Slope Basins in California", with particular reference to "North Fork Cache Creek near Lower Lake, California"; United States Geological Survey quadrangles, "Bartlett Springs", 1942, and "Lakeport", 1951, both of the 15-minute series, finds as follows:

1. Application 18460 is for a permit to appropriate 3 cubic feet per second from Long Valley Creek in Lake County between April 1 and October 1 of each year for irrigation and

stockwatering uses along the stream within Section 36, T15N, R8W, Section 1, T14N, R8W, and Sections 5, 6, and 8, T14N, R7W, all MDB&M.

2. During the period April 1 to October 1 there is little or no water in Long Valley Creek at the points of diversion proposed by applicants and such water as is available is beneficially used by owners of prior vested rights.

3. The application was filed to appropriate water which was to have been made available by an upstream dam and reservoir to be constructed by the United States Bureau of Reclamation. However, there is no indication that a dam will be constructed in the foreseeable future, if at all.

4. There is no unappropriated water available to supply applicants.

From the foregoing findings, the Board concludes that Application 18460 should be denied.

IT IS HEREBY ORDERED that Application 18460 be, and the same is, hereby denied.

Adopted as the decision and order of the State Water Rights Board at a meeting duly called and held at \_\_\_\_\_, California, on this \_\_\_\_\_ day of \_\_\_\_\_, 1960.

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Kent Silverthorne, Chairman

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W. P. Rowe, Member

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Ralph J. McGill, Member