

STATE OF CALIFORNIA  
STATE WATER RIGHTS BOARD

In the Matter of Application 21714  
of Ned L. and Edna M. Mason  
to Appropriate from an Unnamed Stream  
tributary to Miners Ravine in  
Placer County

Decision D 1221

**ADOPTED** MAY 28 1965

DECISION APPROVING APPLICATION

Ned L. and Edna M. Mason having filed Application 21714 for a permit to appropriate unappropriated water; protests having been received; the applicants 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 21714 is for a permit to appropriate 0.05 cubic foot per second (cfs) by direct diversion from April 1 to November 15 of each year for irrigation purposes from an unnamed stream in Placer County. The point of diversion is to be located within the SE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 27, T11N, R7E, MDB&M.

2. The applicants have constructed a small dam and regulatory reservoir on the unnamed stream approximately 1/4 mile

from the head of the stream. They divert water from the reservoir to a sump from where it is pumped for the sprinkler irrigation of 4 acres of pasture. The stream continues from the dam in a south-westerly direction approximately 3/4 mile to North Fork Miners Ravine. From this junction, North Fork Miners Ravine flows approximately 2 miles in the same direction to Miners Ravine. Miners Ravine continues in a westerly direction approximately 3 miles to join Antelope Creek at the northeasterly boundary of the city of Roseville. Below the city, Antelope Creek is known as Dry, or Linda Creek, and flows in a westerly direction through the Natomas East Main Drain and into the Sacramento River.

3. Protestants Freeman F. and Lucille Crawford, whose point of diversion is located immediately downstream from that of the applicants, have constructed a dam and regulatory reservoir on the unnamed stream and pump water to approximately 6 acres of irrigated pasture under claim of riparian right. Their reservoir is also used to store water purchased from the Pacific Gas and Electric Company delivered through the Baughman Canal.

4. During the summer season the source of water in the unnamed stream is seepage from the Baughman Canal and return flow and operating waste from the irrigation of lands served by the canal. As the water conveyed by the canal is imported from outside of the watershed of the unnamed stream, the Crawfords' claimed riparian rights would not attach to water in the unnamed stream during the summer irrigation season. Approval of the application will not result in interference with the rights of these protestants.

5. Water seldom flows from Miners Ravine to Dry (Linda) Creek during the months of July and August. Therefore, diversions by the applicants will not injure users of water from the Sacramento River or Delta.

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 21714 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 21714 and all relevant information on file therewith, particularly the report of the field investigation made on October 28, 1964; streamflow measurements of Miners Ravine contained in the files of the State Water Rights Board; U. S. Geological Survey 7.5-minute series topographic quadrangles, "Citrus Heights," "Rocklin," and "Roseville," California.

#### ORDER

IT IS HEREBY ORDERED that Application 21714 be, and it is, approved, and that a permit be issued to the applicants subject to vested rights and to the following limitations and conditions:

1. The water appropriated shall be limited to the quantity which can be beneficially used and shall not exceed 0.05 cubic foot per second by direct diversion to be diverted from about April 1 of each year to about November 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. Complete application of the water to the proposed use shall be made on or before December 1, 1968.

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

4. 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.

5. Permittees 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            , 1965.

/s/ Kent Silverthorne  
Kent Silverthorne, Chairman

/s/ Ralph J. McGill  
Ralph J. McGill, Member

/s/ W. A. Alexander  
W. A. Alexander, Member