

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

In the Matter of Application 25587)
to appropriate from Cache Creek in)
Yolo County)

Decision: 1506

JOSEPH K. GORDON)

Applicant)

YCLO COUNTY FLOOD CONTROL AND)
WATER CONSERVATION DISTRICT)

Protestant)

DECISION APPROVING APPLICATION 25587 IN PART

BY THE BOARD:

Joseph K. Gordon having filed Application 25587 for a permit to appropriate unappropriated water; a protest having been received; the applicant and protestant having stipulated to proceedings in lieu of hearing as provided for by Section 737, Title 23, California Administrative Code; an investigation having been conducted by the State Water Resources Control Board pursuant to said stipulation; the Board, having considered all available information, finds as follows:

Substance of Application and Project

1. Application 25587 is for a permit to appropriate 0.275 cubic foot per second by direct diversion from March 1 to June 30 and October 1 to October 30 of each year for irrigation purposes from Cache Creek in Yolo County. The point of diversion is the Rumsey Diversion Dam within NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 12, T12N, R4W, MDB&M.

2. The applicant proposes to divert water from Cache Creek through the existing Rumsey Ditch to irrigate 22 acres of walnuts and almonds. The

upper part of the ditch is owned and operated by the Rumsey Water Users Association to supply water to its shareholders. The lower extension of the ditch is called the Guinda Ditch and water available therein is supplied to the members of the Guinda Ditch Company. The applicant proposes to redirect water to his orchards from the terminus of the Guinda Ditch. Water not diverted by the applicant returns directly to Cache Creek through a natural stream channel.

Protestant

3. Application 25587 was protested by Yolo County Flood Control and Water Conservation District (Yolo). Regulated flows from storage in Clear Lake and Indian Valley Reservoir are conveyed in the natural stream channels of Cache Creek and North Fork Cache Creek by Yolo under permitted Applications 11389 and 15975 and pre-1914 appropriative rights for distribution among its customers for irrigation of approximately 60,000 acres in Yolo County during the months from March through October. Yolo also claims rights totaling 800 cfs from Cache Creek. These are an 1856 appropriation for direct diversion at Moore Dam and an 1859 appropriation for direct diversion at Capay Dam. Those diversion dams are downstream from the applicant's project.

Water Quality

4. During periods of low natural stream flow, high concentrations of boron make the water unusable for irrigation. It is possible that appropriations, dependent on natural flow without benefit of dilution by storage releases such as Application 25587, could be limited by water quality.

Availability of Unappropriated Water

5. Flow in Cache Creek at Yolo below the Capay and Moore diversion dams has been recorded for many years and is an approximate measure of unappropriated water in Cache Creek. The records show that in most recent years no significant flows occur there in May.

6. Yolo commences diverting natural flow of Cache Creek at its Capay and Moore diversion dams in March. As soon as the natural flow recedes to a level insufficient to fulfill the irrigation requirements of lands within its service area, Yolo releases water from its two storage facilities to augment natural flow of Cache Creek. Storage releases normally commence in April and continue to the end of the irrigation season in October or as long as the storage supply lasts.

7. Commencing in May most of the flow in Cache Creek at the head of the Rumsey Ditch is regulated flow released by Yolo from its storage facilities.

8. The monthly distribution of precipitation during the early months of 1978 at Woodland was normal but the magnitude of precipitation during January, February, March, and April of 1978 was about 200 percent of normal. In 1978 Yolo commenced releases from storage on April 25 when flows in Cache Creek at Yolo were minor.

9. In a normal year prior rights of Yolo require all the flow in Cache Creek after about April 15.

Environmental Considerations

10. The State Board has prepared a Negative Declaration in accordance with the California Environmental Quality Act (Public Resources Code, Section 2100 et seq.) and the State Guidelines, and the Board determines that there will be no significant effect on the environment as a result of the project.

Conclusions

11. Findings 5 through 10 all lead to the conclusion that in most years there is no unappropriated water in Cache Creek between April 16 and the end of the irrigation season. Water is available for appropriation during the winter up to April 15 of most years. Applicant could obtain water under his appropriation for one irrigation in most years.

12. The applicant will be able to purchase water for his project needs from Yolo during the season when unappropriated water is not available.

13. From the foregoing findings, the Board concludes that Application 25587 should be approved in part subject to applicant obtaining an alternate supply of water after April 15.

Records Relied On

The records, documents, and other data relied on are:

1. Files of Application 11389, 15975, and 25587.
2. Statement of Diversion and Use Numbers 608, 609, and 1063.
3. United States Department of Interior, Geological Survey Water Resources Division, "Water Resources Data for California, Volume 4, Northern Central Valley Basins and the Great Basin from Honey Lake Basin to Oregon State Line" and all appropriate predecessor publications.
4. Records of Yolo County Flood Control and Water Conservation District.
5. U. S. National Climatic Center data on precipitation.

ORDER

IT IS HEREBY ORDERED that Application 25587 be approved and that a permit be issued to the applicant subject to vested rights. The permit shall contain standard permit terms 6, 10, 11, 12, and 13* in addition to the following limitations.

a. The water appropriated shall be limited to the quantity which can be beneficially used and shall not exceed 0.275 cubic foot per second to be diverted from March 1 to April 15 of each year. The maximum amount diverted under this permit shall not exceed 11 acre-feet per year.

b. Complete application of the water to the proposed use shall be made on or before December 1, 1983.

c. Permittee shall not divert water under this permit in any year that he does not have an alternative source of water available such as a valid contract or application for water purchase on file with the Yolo County Flood Control and Water Conservation District (District) which authorizes permittee to obtain water for the place of use under this permit after April 15. During dry years when the District is imposing shortages on water users within its boundaries, the District may impose similar shortages on permittee.

d. This permit does not give permittee any operational control over either the Rumsey Ditch or the Guinda Ditch.

Dated: JUNE 21, 1979

/S/ W. DON MAUGHAN
W. Don Maughan, Chairman

/S/ WILLIAM J. MILLER
William J. Miller, Member

/S/ L. L. MITCHELL
L. L. Mitchell, Member

/S/ CARLA M. BARD
Carla M. Bard, Member

* Board maintains a list of standard permit terms.
Copies are available upon request.

