

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 79- 52

REJECTING PROTESTS AGAINST APPLICATIONS 24553, 24554, AND 24555 OF GREEN VALLEY MUTUAL WATER COMPANY AND DETERMINING THAT THE PROJECTS DEVELOPED UNDER THE APPLICATIONS WILL NOT ADVERSELY IMPACT THE ENVIRONMENT

WHEREAS:

1. Green Valley Mutual Water Company filed Applications 24553 and 24554 to appropriate water from several springs for domestic purposes and Application 24555 to appropriate water by storage for recreational purposes in a 10-acre reservoir. The sources are tributary to the Mojave River.
2. Notices of the applications were mailed on February 7, 1975 to the Mojave Water Agency, the Mojave River County Water District, and to other downstream water users. No protests were filed within the time allowed.
3. The Board prepared an Initial Study which determined that because of the limited nature of the projects, no significant adverse environmental impacts would occur. The study recommended that a Negative Declaration be prepared.
4. A Notice of Preparation of a Negative Declaration was issued on March 31, 1978, opening a 35-day period for submittal of comments. A copy of the notice was mailed to the Mojave Water Agency and other interested parties.
5. By letter of April 26, 1978, the attorney for the Mojave Water Agency and the Mojave River County Water District asked for a copy of the Initial Study and Negative Declaration. Both documents were mailed as requested.
6. On May 4, 1978, the Board received from the Mojave Water Agency a "Protest to the Preparation of a Negative Declaration" on subject applications. On May 8, 1978, the Board received a similar protest from the Mojave River County Water District. The protests alleged that no unappropriated water exists in the Mojave River Stream System.
7. By letter of June 9, 1978, the attorney for the Mojave Water Agency and the Mojave River County Water District reiterated that the protests were based on the fact that there is no unappropriated water in the source streams. He also contended that an Environmental Impact Report should be prepared instead of a Negative Declaration.
8. Information in Board files and in the report submitted by applicant's engineer shows that diversion of water by Green Valley Mutual Water Company for domestic use totals about 42 acre-feet per year. About 70 percent of that amount is diverted under four licenses issued between 1934 and 1951. Diversion of water from springs and through facilities described in Applications 24553 and 24554 has been continuous since 1961. Storage of water at Green Valley Lake as described in Application 24555 has been continuous since 1925.

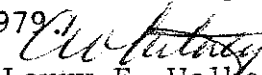
9. Average annual flow of the Mojave River as it emerges from the mountains is about 80,000 acre-feet per year. Supply to the groundwater basins from sources other than the Mojave River is about 800 acre-feet per year. The groundwater basins are in overdraft.
10. The sources of water under the applications are Green Valley Creek and springs tributary to Green Valley Creek or to an unnamed stream. The streams are intermittent and do not have hydraulic continuity during summer months with the Mojave River. Any minor increases in subsurface flows which would occur in the absence of the diversions would be consumed by riparian vegetation and would not contribute to downstream groundwater supplies except possibly during the winter months. However, even during the winter months the effect of those diversions would be less than 0.1 percent of the Mojave River flow.
11. Water is available in sources specified to supply the appropriations. Such water may be diverted without measurable effect on downstream water supplies. Water diverted under subject applications supplies necessary domestic needs of an established community. It is in the public interest that such diversions be allowed to continue.
12. No significant environmental impacts will occur since the springs and lake were developed many years ago.

THEREFORE BE IT RESOLVED:

1. That the protests filed by the Mojave Water Agency and the Mojave River County Water District against Applications 24553, 24554, and 24555 are rejected.
2. The Negative Declaration prepared on Applications 24553, 24554, and 24555 and the comments received have been reviewed and it is determined that there will be no significant effect on the environment as a result of the project.
3. The Division of Water Rights shall issue permits approving Applications 24553, 24554, and 24555.

CERTIFICATION

The undersigned, Executive Director of the State Water Resources Control Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on June 21, 1979.


Larry F. Walker
for Executive Director
(Clint Whitney)