

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

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In the Matter of Application 4949 of the United States
Forest Service to Appropriate from Cameron Springs,
Tributary to Big Bear Lake in San Bernardino
County, for Domestic Purposes.

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Decision A 4949 D 159

Decided June 24, 1927

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APPEARANCES AT HEARING HELD March 3, 1927

For Applicant

United States Forest Service

H. P. Dechant

For Protestant

Bear Valley Mutual Water Company

Henry Goodcell

EXAMINER - Harold Conkling, Hydraulic Engineer, for
Edward Hyatt, Jr., Chief of Division of Water Rights.

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O P I N I O N

Application 4949 was filed March 11, 1926. It proposes an appropriation of 0.025 cubic foot per second to be directly applied to beneficial use without storage, throughout the entire year. The water is to be used for domestic purposes on lots in the Big Bear Special Use Tract in Sections 21 and 22, T 2 N, R 1 W, S.B.B. & M. The application was protested by the Bear Valley Mutual Water Company.

The application was 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 was set for a public hearing at the Council Chamber of the City Hall, San Bernardino, California, at 10:30 o'clock a.m. on March 3, 1927. Of this hearing applicant and protestant were duly notified.

The protest of the Bear Valley Mutual Water Company was filed on July 16, 1926. The protestant claims that the water which the applicant proposes to appropriate would, if uninterrupted, flow down and into Bear Creek which is one of the Company's main sources of supply and alleges in effect that the proposed appropriation if granted would still further diminish the already insufficient supply obtained from that source during the irrigation season.

From the testimony presented at the hearing and information on file in this office the facts in the case appear to be as follows:

About two years ago Mr. Bert Cameron discovered the spring which now bears his name. The spring is located on a little ridge between two draws about 1400 feet north and 550 feet west of Big Bear Dam and about 400 or 500 feet above the surface of the water in Bear Lake.

There were no surface indications of the existence of water in the immediate vicinity of the spring except for an area of ferns and grasses about forty feet square extending over the ridge.

Mr. Cameron dug about three feet into the hillside until bedrock was encountered striking water at a depth of two feet. This excavation was enlarged by Mr. George Ringo.

On July 14, 1925, Mr. Cameron filed Application 4696 with this office to appropriate 0.001 cubic foot per second from the spring for domestic use on Lot 285 of the Big Bear Lake Tract.

Three days later on July 17, 1925, Mr. Ringo filed Application 4707 to appropriate 0.005 cubic foot per second from the same source for domestic purposes at his resort located in the NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 21, T 2 N, R 1 W, S.B.B. & M.

As the source of the proposed appropriations lay within the boundaries of the San Bernardino National Forest it was necessary that a right of access to the spring should be obtained from the United States Forest Service. The Forest Service however objected to the approval of these applications on the grounds that it believed that the Forest Service itself should have supervision of the distribution of water from this source to its special use permittees. Consequently on March 11, 1926, the United States Forest Service filed Application 4949 on the same source and the other applications were withdrawn.

An understanding exists between representatives of the Bear Valley Mutual Water Company, the United States Forest Service and the Division of Water Rights, to the effect that the Bear Valley Mutual Water Company will not protest applications for water for domestic use anywhere within the drainage area of Bear Lake above the dam except on Metcalf, China Garden and Grout Creeks. The Company does however vigorously object to the filing of applications to appropriate from the Santa Ana River or any of its tributaries including Bear Creek below the company's dam, on the grounds that during the irrigation season the supply from these sources is not sufficient to satisfy the demand and reliance has to be placed upon the stored waters in Bear Lake to augment this deficient summer runoff.

The protestant contends and introduced testimony at the hearing in support of its contention, that Bear Creek is an increasing stream throughout its entire length from Bear Lake dam to its junction with the Santa Ana River during the season of the year when there is practically no surface runoff. This increase in flow, the protestant claims is due to the underground waters which are intercepted by the stream bed. If the underground flow of Cameron Spring is intercepted, the flow in the Creek it is claimed would be depleted by the amount of water which is taken minus the natural loss as it flows to

the creek. Protestant is of the opinion that Cameron Spring is one of the many springs which contribute to the flow in Bear Creek and that the waters thereof if uninterrupted would flow along the bedrock to the creek channel.

While in general it would appear that the summer flow of Bear Creek depends largely upon the ground waters and that Cameron Spring is situated within the drainage area tributary to Bear Creek below the Bear Lake dam, it also appears entirely clear that the flow from this spring is so small that it would be entirely dissipated before it reached the waters of Bear Creek which are approximately one-quarter of a mile from the spring.

No evidence was presented at the hearing from which the flow of the spring could be determined but it would appear that the flow is fairly constant throughout the entire year and is so small that it is just enough to maintain the growth of ferns and grasses in the immediate vicinity of the spring.

The bedrock in that locality appears to lie close to the ground surface and when once brought to the surface the water has little change to get back into the ground a sufficient distance to prevent its loss by evaporation or transpiration.

Under the plan of use proposed the water will be intercepted at the spring and conveyed by pipe some 2,000 feet to a point nearer Bear Creek than the spring itself, where the water will be used and the wastes returned within the watershed of Bear Creek where they will have an opportunity to augment the flow of Bear Creek at least equal to that which would exist were the water not intercepted at its point of origin.

It is therefore concluded that there is water at the source of appropriation which if not appropriated and put to a useful and beneficial purpose would be lost by evaporation and transpiration. The use to which the water is

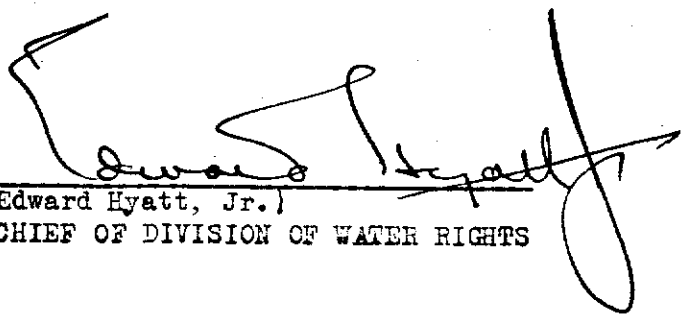
to be applied is a beneficial one and the application should be approved for the entire amount applied for although it is possible that this amount will not be available.

O R D E R

Application 4949 for a permit to appropriate water having been filed with the Division of Water Rights as above stated, a protest 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 the said application, 4949, be approved and that a permit be granted to the applicant subject to such of the usual terms and conditions as may be appropriate.

Dated this twenty-fourth day of June , 1927.


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

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