

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

In the matter of Application No. 5926 of Southwestern California Mines, Inc., to appropriate from Wash Hollow a tributary of Hatfield Creek and San Dieguito River in San Diego County for Mining Purposes.

DECISION NO. 5926 - D 224

Decided

April 8, 1929

APPEARANCES AT HEARING HELD FEBRUARY 15, 1929 AT SAN DIEGO.

For APPLICANT: Chester C. Kempley, Atty., J. D. Spreckels Bldg., San Diego.

For PROTESTANTS:

Mary J. Wood By E. V. Winnek and Arthur Wright, Attys.,
1st National Bank Bldg., San Diego.

Ramona Irrigation District by T. H. King, Engr., 920 - 8th St.,
San Diego, California.

City of San Diego - No appearance

Sidney Mayer on behalf of San Diego Chamber of Mines appeared
in support of the application.

EXAMINER: HAROLD CONKLING, Chief of the Division of Water Rights.

O P I N I O N

This is an application to appropriate 155 acre feet from Wash Hollow, a tributary of Hatfield Creek, to be collected in storage between November 1st and June 1st in addition to 1.0 second foot to be directly diverted between October 1st and July 1st. The water diverted would be conducted to the place of use through a pipe line, used by revolving screens and sluice boxes on the Ballena Group of Placer Mines, cleared by means of settling basins, and released into Garnet Creek, another tributary

entering Hatfield Creek about one mile below the mouth of Wash Hollow. Protests were filed by Mary J. Wood, The City of San Diego, and Ramona Irrigation District.

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 in the Supervisor's Room of the Court House, San Diego at 9:00 o'clock A.M., on Friday, February 15, 1929. Applicant and protestants were duly notified of this hearing and appearances were made as indicated above.

Ramona Irrigation District claims a right to use water from Hatfield Creek with a priority of 1912 and points out that the southern part of the mining area specified for benefit lies in the watershed of San Vicente Creek, a tributary of San Diego River and that any water used on that part of the area would drain into San Vicente Creek, thus being lost to the district. Storage of water on Hatfield Creek between the mouths of Wash Hollow and Garnet Creek is contemplated by this protestant. At the hearing it developed that the watersheds of Garnet and San Vicente Creeks are separated by a ridge. Material would be excavated from the north side of this ridge only and the existence of a rimrock barrier on the South Slope of the ridge and at the south limit of the material to be excavated rising some 80 feet above the level of Garnet Creek would make it impossible for any water used by applicant to drain into any stream but Garnet Creek. Since the hearing an agreement has been reached which provides that:

(1) In case the district erects a storage dam on Hatfield Creek between the mouths of Wash Hollow and Garnet Creek applicant will construct a pipe line to conduct the water used from the place of mining use to a point on Hatfield Creek above such a dam.

(2) The protest by Ramona Irrigation District is withdrawn.
The protest by Mary J. Wood was withdrawn at the hearing it being understood by protestant that applicant would use no water South of the San Vincente divide.

The protest by the City of San Diego is against interference with their claimed appropriative and riparian rights to divert from San Dieguito River. As indicated above the application proposes the return of all water used to this watershed and the City could not be deprived of water by consummation of the mining use as proposed.

The use proposed is beneficial and the application will be approved.

O R D E R

Application No. 5926 for a permit to appropriate water having been filed with the Division of Water Rights as above stated, protests 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 said Application 5926 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 at Sacramento this 8th day of April 1929.

Harold Conkling
CHIEF OF DIVISION OF WATER RIGHTS
Department of Public Works
State of California.