

BEFORE THE DIVISION OF WATER RESOURCES

DEPARTMENT OF PUBLIC WORKS

STATE OF CALIFORNIA

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In the Matter of Application 11471 of L. L. Williams to Appropriate Water from Green Valley Creek, Tributary to Russian River in Sonoma County, for Irrigation and Stock-Watering Purposes.

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Decision A. 11471 D. 551

Decided June 26, 1947

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Appearances at Field Investigation Conducted on May 15, 1947, Under the Provisions of Article 13, Section 733(b) of the California Administrative Code.

For Applicant

L. L. Williams

In propria persona

For Protestants

Leslie C. and Marjorie W. Miller

Leslie C. Miller

Albert Helwig

In propria persona

For Division of Water Resources

S. C. Whipple, Associate Hydraulic Engineer, for Edward Hyatt, State Engineer, Division of Water Resources, Department of Public Works, State of California.

OPINION

GENERAL DESCRIPTION OF PROJECT

Application 11471 was filed by L. L. Williams on July 18, 1946, for a permit to appropriate 0.50 cubic foot per second from Green Valley Creek, tributary to Russian River in Sonoma County to be diverted between a point

located within the SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 33 and a point located within the NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 33, T. 7 N., R. 9 W., M. D. B. & M. It is proposed to water 75 head of stock and to use the water for the irrigation of 40 acres within Section 33, T. 7 N., R. 9 W., M. D. B. & M.

PROTESTS

Leslie C. and Marjorie W. Miller claim riparian rights. Since 1929 water has been diverted at a maximum rate of 450 gallons per minute for use on a 106-acre dairy ranch where 140 cows are watered and 20 acres of clover and rye grass are irrigated. Protestants claim that there is insufficient water in the creek to meet the needs of the present users.

Albert Helwig under his Application 11082 may appropriate 1.0 cubic foot per second from about April 15 to about October 15 of each season for the irrigation of 45 acres of pasture. He contends that any additional diversions from the creek will leave him with insufficient water for his needs.

FIELD INVESTIGATION

Stipulations to an informal hearing under the provisions of Article 13, Section 733(b) of the California Administrative Code having been entered into by both the applicant and the protestants and the stipulations having been approved by the State Engineer, an investigation was conducted at the site of the proposed appropriation by an engineer of the Division on May 15, 1947. Accompanying the engineer were the applicant and protestants Miller and Helwig.

GENERAL DISCUSSION

After considerable discussion, it was agreed among those present at the investigation, that the filing of applications to appropriate water

which is now being used under claim of riparian ownership would not result in increased diversions; and, with the understanding that Application 11471 would be approved "subject to vested rights" and assurance on the part of the applicant that he would abide by such provision, the protests were withdrawn.

ORDER

Application 11471 for a permit to appropriate water having been filed with the Division of Water Resources as above stated, protests having been filed, a stipulated hearing having been held in accordance with the provisions of Section 733(b) of the California Administrative Code and the protests having been withdrawn:

IT IS HEREBY ORDERED that Application 11471 be approved and that a permit be issued to the applicant subject to such of the usual terms and conditions as may be appropriate.

WITNESS my hand and the seal of the Department of Public Works of the State of California this 26th day of June, 1947.


Edward Hyatt, State Engineer

