

STATE OF CALIFORNIA  
STATE WATER RIGHTS BOARD

In the matter of Application 16983 )  
of Frank E. Tallman to appropriate )  
from an Unnamed Drain in Glenn County )

Decision No. D 961

DECISION APPROVING APPLICATION

Frank E. Tallman having filed Application 16983 for a permit to appropriate unappropriated water; protests having been received; the applicant and protestants having stipulated to proceedings in lieu of hearing as provided for by Title 23, California Administrative Code, Section 737; an investigation having been made by the State Water Rights Board pursuant to said stipulation; the Board, having considered all available information and now being fully advised in the premises, finds as follows:

1. Application 16983 is for a permit to appropriate 0.25 cubic foot per second from an unnamed drain in Glenn County between April 1 and September 30 of each year for irrigation within the NE $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 9, T22N, R2W, MDB&M.

2. The summer flow consists almost entirely of runoff and seepage from irrigated areas within the watershed supplied from the Orland Project of the United States Bureau of Reclamation and from wells. There is little or no natural flow in the

source during the irrigation season. Sufficient flow occurs in the drain during most of the irrigation season to satisfy both the applicant and prior appropriators who hold permits or licenses issued by the State.

3. There is unappropriated water available to supply the applicant and such water may be diverted and used in the manner proposed without causing substantial injury to any lawful user of water.

4. The construction work in connection with the applicant's project is completed.

5. The intended use is beneficial.

From the foregoing findings, the Board concludes that Application 16983 should be approved and that a permit should be issued to the applicant subject to the terms and conditions set forth in the following Order.

The records, documents, and other data relied upon in determining the matter are: Application 16983 and all relevant information on file therewith, particularly the reports of the field investigations made November 17, 1957, and November 15, 1959; United States Geological Survey quadrangles "Kirkwood" and "Foster Island" both of the 7.5-minute series, 1950 and 1951 editions respectively.

IT IS HEREBY ORDERED that Application 16983 be, and the same is, approved and that a permit be issued to the applicant subject to vested rights and to the following terms and conditions:

1. The amount of water to be appropriated shall be limited to the amount which can be beneficially used and shall not exceed 0.25 cubic foot per second not to exceed 45 acre-feet per annum to be diverted between about April 1 to about September 30 of each year.

The equivalent of such continuous flow allowance for any thirty-day period may be diverted in a shorter time if there be no interference with vested rights.

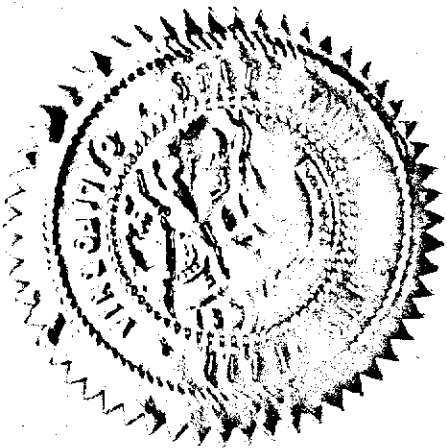
2. The maximum amount herein stated may be reduced in the license if investigation warrants.

3. Complete application of the water to the proposed use shall be made on or before December 1, 1961.

4. Progress reports shall be filed promptly by permittee on forms which will be provided annually by the State Water Rights Board until license is issued.

5. All rights and privileges under this permit, including method of diversion, method of use, and quantity of water diverted are subject to the continuing authority of the State Water Rights Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

Adopted as the decision and order of the State  
Water Rights Board at a meeting duly called and held at  
Sacramento , California, on the 18th day of April ,  
1960.



Kent Silverthorne  
Kent Silverthorne, Chairman

W. P. Rowe  
W. P. Rowe, Member

Ralph J. McGill  
Ralph J. McGill, Member