

STATE OF CALIFORNIA
STATE WATER RIGHTS BOARD

In the Matter of Application 19644)
of Maurice L. and Genevieve Stevenson)
to Appropriate from Southside Drain)
in Yolo County)

Decision D 1079

ADOPTED MAR 15 '62

DECISION DENYING APPLICATION

Maurice L. and Genevieve Stevenson having filed Application 19644 for a permit to appropriate unappropriated water; protest having been received; the applicants and protestant 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 19644 is for a permit to appropriate 0.16 cubic foot per second (cfs) by direct diversion from April 1 to October 30 of each year for irrigation purposes from Southside Drain tributary to an unnamed slough, thence Willow Slough in Yolo County. The point of diversion is to be located within the SW $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 11, T9N, R1W, MDB&M.

2. The applicants propose the construction of a small diversion dam and reservoir on Southside Drain at a point approximately 6.5 miles from the point where its flows enter Willow Slough.

3. Protestant Woodland Farms, Inc., holds License 6320 to divert 9.4 cfs between April 15 and October 31 of each year from Willow Slough at a point located approximately 18 miles downstream from the applicants' point of diversion near its confluence with the Yolo By Pass. It also claims riparian rights to water from Willow Slough.

4. The source of water in Southside Drain during the irrigation season is return water from the irrigation of adjacent lands, including return flows from the lands of the applicants.

5. The average monthly flow of Willow Slough for the period May 1, 1959, to October 31, 1959, was less than 9.4 cfs. During the past ten years all the available flows of Willow Slough during the irrigation season, including those from Southside Drain, have been beneficially used by the protestant.

6. There is no unappropriated water to supply the applicants.

7. This decision in no way affects any rights the applicants may have to recapture return flows from their own property which may occur in Southside Drain.

From the foregoing findings, the Board concludes that Application 19644 should be denied.

The records, documents, and other data relied upon in determining the matter are: Application 19644 and all relevant information on file therewith, particularly the report of the field investigation made June 27, 1961, the files of Application 19221 (canceled); Permit 7559 (Application 12074), License 5405

(Application 12398), and License 5401 (Application 12637); United States Geological Survey, Madison, Woodland, and Merritt quadrangles, 7 $\frac{1}{2}$ -minute series, dated 1953, 1952, and 1952, respectively.

IT IS HEREBY ORDERED that Application 19644 be, and the same is, denied.

Adopted as the decision and order of the State Water Rights Board at a meeting duly called and held at Sacramento, California, on the day of , 1962.

Kent Silverthorne, Chairman

Ralph J. McGill, Member

W. A. Alexander, Member