

STATE OF CALIFORNIA  
STATE WATER RIGHTS BOARD

In the Matter of Applications 21022 )  
and 21023 of Helen Roudebush and )  
G. W. Mercereau, Respectively, to )  
Appropriate from Two Unnamed Springs )  
Tributary to Snail Canyon in )  
Placer County )

Decision D 1177

**ADOPTED MAR 18 1964**

DECISION APPROVING APPLICATIONS

Helen Roudebush and G. W. Mercereau having filed Applications 21022 and 21023, respectively, for permits to appropriate unappropriated water; protests 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. Applications 21022 and 21023 are both for permits to appropriate 2,500 gallons per day (gpd) by direct diversion, year-round, for domestic purposes from unnamed springs in Placer County. The respective points of diversion are to be located within the NE $\frac{1}{4}$  of NE $\frac{1}{4}$  and the SE $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 36, T15N, R10E, MDB&M.

2. The unnamed spring designated as the source under Application 21022 rises at an approximate elevation of 3,500 feet and flows in a general southerly direction approximately 100 feet to join Snail Canyon. Snail Canyon continues from this junction approximately one mile to enter North Shirttail Canyon. The unnamed spring designated as the source under Application 21023 rises at approximately the same elevation and flows in a general north-westerly direction approximately 1,000 feet to join Snail Canyon. Snail Canyon continues from this junction approximately one-quarter mile to join North Shirttail Canyon. North Shirttail Canyon is a part of the American River System.

3. Applicant Roudebush now transports water by bucket from the unnamed spring designated by Application 21022 for use at a cabin. She intends to pump water from the spring to serve the cabin and approximately one-quarter acre of trees and garden.

4. Applicant Mercereau proposes to install a box at the unnamed spring designated by Application 21023 and divert the water by gravity for use at a cabin and to irrigate approximately one-quarter acre of trees.

5. Protestant San Juan Suburban Water District holds License 6234 (Application 5830) to divert 15 cubic feet per second (cfs) from June 1 to November 1, and claims a pre-1914 appropriative right to divert an additional 60 cfs, from the North Fork of the American River for irrigation and domestic purposes within an area of approximately 27,000 acres.

6. Snail Canyon is dry during the summer months and during such time there is no contribution from the two unnamed springs to the protestant's supply. During the balance of the year there is water surplus to the needs of the protestant.

7. There is unappropriated water available to supply the applicants, and subject to suitable conditions, such water may be diverted and used in the manner proposed without causing substantial injury to any lawful user of water.

8. The intended use is beneficial.

From the foregoing findings, the Board concludes that Applications 21022 and 21023 should be approved and that permits should be issued to the applicants subject to the limitations and conditions set forth in the following Order.

The records, documents, and other data relied upon in determining the matter are: Applications 21022 and 21023 and all relevant information on file therewith; the files of Application 5830 (License 6324); United States Geological Survey 7.5-minute "Foresthill" quadrangle.

#### ORDER

IT IS HEREBY ORDERED that Applications 21022 and 21023 be, and the same are, approved and that permits be issued to the applicants subject to vested rights and to the following limitations and conditions:

1. The amount of water appropriated under Applications 21022 and 21023 shall be limited to the amount which can be beneficially used and shall not exceed 2,500 gallons per day, each, year-round.

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

3. Actual construction work shall begin on or before September 1, 1964, and shall thereafter be prosecuted with reasonable diligence, and if not so commenced and prosecuted, this permit may be revoked.

4. Construction work shall be completed on or before December 1, 1966.

5. Complete application of the water to the proposed use shall be made on or before December 1, 1967.

6. 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.

7. 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.

8. Permittee shall allow representatives of the State Water Rights Board and other parties, as may be authorized from time to time by said Board, reasonable access to project works to determine compliance with the terms of this permit.

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 \_\_\_\_\_, 1964.

Kent Silverthorne, Chairman

Ralph J. McGill, Member

W. A. Alexander, Member