

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

In the Matter of Application 24200)
of Siskiyou County Sportsmen's Club,)
Inc. to appropriate from Unnamed) Decision 1499
Stream Tributary to Schulmeyer Gulch)
in Siskiyou County)

DECISION APPROVING APPLICATION IN PART

BY THE BOARD

Siskiyou County Sportsmen's Club, Inc. having filed Application 24200 for a permit to appropriate unappropriated water; protests having been received; a public hearing having been held before the State Water Resources Control Board on November 19, 1975; applicants and protestants having appeared and presented evidence; the evidence received at the hearing having been duly considered, the Board finds as follows:

Substance of Application

1. Application 24200 as amended, seeks to appropriate two acre-feet per annum (afa) by storage from October 1 to June 1 and sufficient water by direct diversion to offset summer evaporation from the storage reservoirs. The water is to be used for recreation and fish culture by about 35 families belonging to the club who use the property as a hunting, fishing, and vacation retreat.

Applicant's Project

2. Between 1970 and 1972, the applicant constructed two small reservoirs in series on a stream tributary to Schulmeyer Gulch. Application 24200 shows the capacity of the reservoirs as one acre-foot (af) each. A 1972 staff field investigation found that the total storage capacity is actually about 0.6 af equally divided between the two reservoirs. The reservoirs are used for recreation and fish culture purposes.

Protests

3. Protestants Gordon Lovelace, Fred Burton and James Davidson hold direct diversion summer irrigation rights determined by the Shasta River Adjudication which allocates water among the appropriative users on this stream system. Riparian rights were not determined in the adjudication.

Protestant R.E.H. Julien holds licensed Application 13283 for the winter storage of 49 afa for stockwatering, fish culture and irrigation of 160 acres.

Protestants P. W. and Arlene Cunningham hold licensed Application 15015, which allows diversion of 0.23 cubic foot per second (cfs) from March 1 to July 1 for stockwatering and irrigation of 18.5 acres.

Environmental Considerations

4. All environmental reviews required in compliance with the California Environmental Quality Act have been completed.

Unappropriated Water

5. The applicant has salvaged sufficient water by brush clearing in the tributary watershed to justify approval of this application. There was no surface flow at the spring, or well, before development while the present contribution to the stream is ten to twelve gallons per minute (gpm). A required release of one and one-half gpm from the domestic collection system into the stream will more than offset the evaporative loss in the reservoirs and no injury to downstream users would result.

6. The intended use is beneficial.

From the foregoing findings, the Board concludes that Application 24200 should be approved in part and that a permit should be issued to the applicant subject to the limitations and conditions set forth in the order following.

ORDER

IT IS HEREBY ORDERED that Application 24200 be approved in part and that a permit be issued to the applicant subject to vested rights. The permit shall contain all applicable standard permit terms in addition to the following limitations:

1. The water appropriated shall be limited to the quantity which can be beneficially used and shall not exceed 2,000 gallons per day by direct diversion to be diverted from March 1 to October 31 of each year to offset water lost by evaporation and seepage and one acre-foot per annum by storage to be collected from November 1 of each year to February 28 of the succeeding year.

The total amount of water to be taken from the source shall not exceed two acre-feet per water year of October 1 to September 30.

2. During the period March 1 through October 31 each year the permittee shall release a minimum flow of one and one-half gallons per minute from the domestic system collection gallery (located between the two reservoirs) into the unnamed stream. The release may be made from either the overflow pipe of the collection gallery or the permittee's domestic pump discharge. In the event no water is available for the domestic system collection gallery all flow entering the permittee's reservoirs shall be bypassed down-stream.

3. The Board reserves jurisdiction to require installation of a measuring device, or devices, to verify compliance with the above release requirements. Such reserved jurisdiction shall be exercised only after notice to the permittee and opportunity for hearing.

4. Rights under this permit are, and shall be, subject to existing rights determined by the Shasta River Adjudication, Superior Court, Siskiyou County, No. 7035 insofar as said adjudication rights are maintained and such other rights as may presently exist.

5. After the initial filling of the storage reservoirs, permittee's right under this permit extends only to water necessary to keep the reservoirs full by replacing water lost by evaporation and seepage, and to refill if emptied for necessary maintenance or repair.

6. Permittee shall install and maintain an outlet pipe of adequate capacity in his dams as near as practicable to the bottom of the natural stream channel, or provide other means satisfactory to the State Water Resources Control Board, in order that water entering the reservoirs which is not authorized for appropriation under this permit may be released.

Dated: April 19, 1979

/s/ W. DON MAUGHAN
W. Don Maughan, Chairman

/s/ WILLIAM J. MILLER
William J. Miller, Member

/s/ L. L. MITCHELL
L. L. Mitchell, Member

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