

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

In the Matter of Applications 21144
and 22335 of Mariposa County Fish
and Game Protective Association, Inc.,
to Appropriate from West Fork
Chowchilla River in Mariposa County

ORDER AMENDING DECISION 1315

On October 24, 1968, the State Water Resources Control Board adopted Decision 1315 in which the Board approved Applications 21144 and 22335 of the Mariposa County Fish and Game Protective Association, Inc.

On November 15, 1968, the Chowchilla Water District, protestant to Applications 21144 and 22335, filed a petition for reconsideration of Decision 1315, limited to the following matters: (a) inclusion of a permit term requiring the permittee to maintain measuring devices to insure that the flows of the West Fork Chowchilla River will pass undiminished through the permittee's reservoir when the permittee is not authorized to divert; (b) provision for a reservoir outlet at stream level of sufficient capacity to allow releases of 1,000 cubic feet per second from the permittee's reservoir; (c) amendment of Permit Term 4 to limit the permittee from diverting under the permit after the construction of Buchanan Dam.

On December 5, 1968, this Board granted limited reconsideration of the decision in accordance with the petition.

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1315

On December 17, 1968, a staff letter was sent to the applicant and petitioner proposing that the decision be amended as follows:

(1) Add a permit term to read:

The quantity of water collected to storage will be based upon and measured by a staff gage installed by permittee in his reservoir and the relationship of staff readings to reservoir capacity as shown on the area-capacity curves on file with the State Water Resources Control Board. For this purpose permittee shall make and record daily staff readings during the periods that surface flows are entering Bootjack Reservoir and submit said readings in an annual report to the Board as required by this permit.

(2) Amend Condition 4 of the order in the decision to read:

Permittee's right to divert under this permit is restricted to times when the flow of the Chowchilla River at the USGS gaging station "Buchanan Damsite near Raymond" or some other gaging station suitable to the Board exceeds 1,500 cubic feet per second (cfs), except that, when the flows exceed 1,500 cfs for three consecutive days, permittee may divert on succeeding days if the flows are in excess of 1,000 cfs.

By letter dated December 19, 1968, the applicant accepted these proposals. The petitioner, however, did not concur. Action in the matter was therefore deferred until the Board ruled on an application of the petitioner concerning the proposed Buchanan Dam project which had a direct bearing on the matters at issue. The Buchanan Dam decision (D 1365) was adopted by the Board on November 19, 1970.

On March 8, 1971, the petitioner advised that the terms in the staff's letter of December 17, 1968, were satisfactory and that further hearings appeared unnecessary.

The Board finds that the recommendations of the staff will satisfactorily carry out the intent of the Board in the adoption of Decision 1315, and that they should be implemented.

ORDER

IT IS ORDERED that Condition 4 of the order in Decision 1315, on page 8, be amended to read:

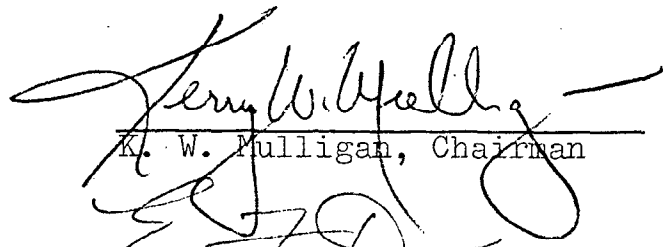
Permittee's right to divert under this permit is restricted to times when the flow of the Chowchilla River at the USGS gaging station "Buchanan Damsite near Raymond" or some other gaging station suitable to the Board exceeds 1,500 cubic feet per second (cfs), except that, when the flows exceed 1,500 cfs for three consecutive days, permittee may divert on succeeding days if the flows are in excess of 1,000 cfs.

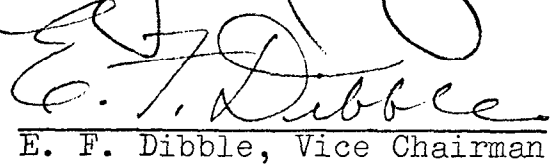
IT IS FURTHER ORDERED that page 10 of the Order in Decision 1315 be amended by adding after Condition 14 the following:

15. The quantity of water collected to storage will be based upon and measured by a staff gage installed by permittee in his reservoir and the relationship of staff readings to reservoir capacity as shown on the area-capacity curves on file with the State Water Resources Control Board. For this purpose permittee shall make and record daily staff readings during the periods that surface flows are entering Bootjack Reservoir and submit said readings in an annual report to the Board as required by this permit.

Adopted as the Order of the State Water Resources
Control Board at a meeting duly called and held at Los Angeles,
California.

Dated: May 20, 1971


K. W. Mulligan, Chairman


E. F. Dibble, Vice Chairman


Norman B. Hume, Member

ABSENT

Ronald B. Robie, Member


W. W. Adams, Member

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

MJW:eh
12-5-68

In the Matter of Applications 21144 and
22335 of Mariposa County Fish and Game
Protective Association, Inc., to Appro-
priate from West Fork Chowchilla River in
Mariposa County

ORDER GRANTING PETITION FOR
LIMITED RECONSIDERATION OF DECISION 1315

On October 24, 1968, the State Water Resources Control Board adopted Decision 1315 in which the Board approved Applications 21144 and 22335 of the Mariposa County Fish and Game Protective Association, Inc.

On November 15, 1968, the Chowchilla Water District, protestant to Applications 21144 and 22335, filed a petition for reconsideration of Decision 1315. The reconsideration requested is limited to the following matters: a) inclusion of a permit term requiring the permittee to maintain measuring devices to insure that the flows of the West Fork Chowchilla River will pass undiminished through the permittee's reservoir when the permittee is not authorized to divert; b) provision for a reservoir outlet at stream level of sufficient capacity to allow releases of 1,000 cubic feet per second from the permittee's reservoir; c) amendment of Permit Term 4 to limit the permittee from diverting under the permit after the construction of Buchanan Dam.

GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that Decision 1315 be reconsidered and that a further hearing be held pursuant to Water Code Sections 1357 and 1358 at a time and place to be announced. The hearing will be limited to such additional evidence and argument as the Board may find to be required for consideration of the issues raised in the petition.

Adopted as the order of the State Water Resources Control Board at a meeting duly called and held at Anaheim, California.

Dated: December 5, 1968

GEORGE B. MAUL
George B. Maul, Chairman

W. A. ALEXANDER
W. A. Alexander, Vice Chairman

RALPH J. MCGILL
Ralph J. McGill, Member

NORMAN B. HUME
Norman B. Hume, Member

E. F. DIBBLE
E. F. Dibble, Member