

STATE OF CALIFORNIA
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

In the Matter of Water Right Application A031284

Love Ranch LLC

ORDER APPROVING MINOR CHANGE TO APPLICATION

SOURCES: Three unnamed streams tributary to Coarse Gold Creek thence the Fresno River

COUNTY: Madera

WHEREAS:

1. On January 23, 2002, Wallace McCoy filed water right application A031284 with the State Water Resources Control Board (State Water Board or Board), Division of Water Rights (Division) to appropriate water from the Fresno River stream system in Madera County. The current owner of application A031284 is Love Ranch LLC (applicant).
2. The application was publicly noticed on August 30, 2002. One protest was received from the Madera Irrigation District.
3. On March 6, 2023, the State Water Board initiated a minor change to modify Application A031284 as follows:
 - a. Reduce the amount of water requested to 26.95 acre-feet.
 - b. Remove two of the points of diversion.
 - c. Remove the purpose of use of irrigation.
 - d. Reduce the place of use by removing the proposed 71.28-acre place of use for irrigation.
4. On March 22, 2023, the State Water Board provided notice and an opportunity to provide comments regarding the minor change to the applicant, the protestant, and other interested parties. No comments were received.

5. The State Water Board may make a minor change to an application without requiring the filing of a petition for change if the Board finds all of the following:
 - a. The change does not enlarge or increase the authorized rate, amount, or season of diversion.
 - b. The change does not increase the total area subject to inundation by water diverted to storage or the area where facilities will be constructed.
 - c. The change is not substantial or constitutes a reduction, agreed to by the applicant, in the authorized diversion, affected area, or other feature of the application.
 - d. The change does not have the potential to adversely affect the water supply of other legal users of water or instream beneficial uses.

(Wat. Code, § 1700.4.)

6. The proposed changes will not enlarge or increase the authorized rate, amount, or season of diversion. The amount of water requested for diversion will be reduced. The season of diversion will remain unchanged.
7. The proposed changes will not increase the total area subject to inundation by water diverted to storage or the area where facilities will be constructed. The removal of two of the reservoirs and the irrigated place of use is a reduction in the place of use. There will be no new construction. The capacity of the remaining reservoir will not be increased.
8. The proposed changes are not substantial and constitute a reduction, agreed to by the applicant, in the authorized diversion, affected area, or other feature of the application. The amount of water for diversion to storage has been reduced. The affected area has been reduced with the removal of two reservoirs and the irrigated place of use.
9. The proposed changes do not have the potential to adversely affect the water supply of other legal users of water or instream beneficial uses. There are no diverters of record located in the vicinity of the remaining reservoir.
10. Pursuant to Resolution 2012-0061, the State Water Board has delegated the authority to conduct and supervise the activities of the State Water Board to the Executive Director. By memorandum dated April 28, 2022, the Executive Director has redelegated the authority to act on minor changes to the Deputy Director for Water Rights. The Deputy Director for Water Rights has further redelegated this authority pursuant to a memorandum dated June 6, 2022.

NOW, THEREFORE, IT IS ORDERED:

1. The minor change to the application is approved.
2. The amount of water requested for storage is reduced to 26.95 acre-feet.
3. The points of diversion are changed as follows:
 - a. Remove the point of diversion located at North 1,885,703 feet and East 6,789,614 feet by California Coordinate System, Zone 3, North American Datum 1983, within the Southeast quarter of the Southeast quarter of Section 6, Township 9 South, Range 21 East, Mount Diablo Base and Meridian.
 - b. Remove the point of diversion located at North 1,888,061 feet and East 6,792,875 feet by California Coordinate System, Zone 3, North American Datum 1983, within the Southeast quarter of the Northwest quarter of Section 5, Township 9 South, Range 21 East, Mount Diablo Base and Meridian.
4. The purpose of use is changed by removing irrigation.
5. The place of use is reduced by removing the place of use for irrigation and removing two reservoirs for stockwatering and fish and wildlife preservation and enhancement.

STATE WATER RESOURCES CONTROL BOARD

ORIGINAL SIGNED BY:
MATTHEW MCCARTHY FOR

*Erik Ekdahl, Deputy Director
Division of Water Rights*

Dated: April 21, 2023