

STATE OF CALIFORNIA
STATE WATER RIGHTS BOARD

In the Matter of Application 21402
of Clifford W. Manos and Betty J. Manos
to appropriate from an Unnamed Stream
Tributary to Antelope Ravine in
Placer County

Decision D 1214

ADOPTED FEB 17 1965

DECISION DENYING APPLICATION

Clifford W. Manos and Betty J. Manos having filed Application 21402 for a permit to appropriate unappropriated water; a 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 21402 is for a permit to appropriate 16,000 gallons per day by direct diversion from April 1 to December 1 of each year for irrigation from an unnamed stream tributary to Antelope Ravine, thence Antelope Creek in Placer County. The point of diversion is to be located within the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 26, T12N, R7E, MDB&M.

1214

2. The unnamed stream is located just north of the town of Penryn and west of the Penryn Canal. From its point of origin it flows in a westerly direction about 0.5 mile to discharge into another unnamed stream sometimes referred to as Antelope Ravine. The USGS topographic map for the Rocklin Quadrangle, 7.5-minute series, shows this portion of Antelope Ravine as an intermittent stream. Except for contour lines, the same map gives no indication of the existence of the unnamed stream from which the applicants propose to appropriate. This omission may result from the fact that there is little natural flow and that most of the water in the unnamed stream is purchased from the Pacific Gas and Electric Company's Penryn Canal.

3. The applicants propose to divert at a point about 1/4 mile easterly and upstream from Antelope Ravine. They own 1.25 acres, with 19 trees and a small garden to be irrigated. About 200 feet westerly and downstream from the proposed point of diversion, Mr. Roland R. Mendonca has a small reservoir with a surface area of about 1/2 acre used for recreation and irrigation purposes. A short distance further downstream, at the intersection of the unnamed stream with Antelope Ravine, Mr. Vernon Owens has a small pond from which he diverts for the irrigation of his orchard. Mr. Owens has a right under License 264 (Application 1745) to divert 0.15 cfs. He requires additional water which he purchases from the Pacific Gas and Electric Company through a separate system.

4. At the time of the field investigation (June 9, 1964), 5 miner's inches of water purchased from Penryn Canal were being delivered in the general area of the unnamed stream. A series of pipelines, ditches, and division boxes are used easterly and upstream from the applicants for the delivery of 4 miner's inches, and the improved channel of the unnamed stream is then used for the delivery of 1 miner's inch downstream to Mr. Mendonca's reservoir. Later in the summer of 1964 the applicant also purchased 1 miner's inch of Penryn Canal water.

5. Except at times of unusual summer showers, almost the only water in the unnamed stream during the irrigation season is from Penryn Canal en route to being delivered to its purchasers. Mr. Owens is entitled by prior right to 0.15 cubic foot per second which would include spill from the Mendonca reservoir and surplus water flowing by the applicants' point of diversion.

6. There is insufficient unappropriated water available to justify approval of the application. Diversion of water in the manner proposed would cause injury to lawful users of water.

From the foregoing findings, the Board concludes that Application 21402 should be denied.

The records, documents, and other data relied upon in determining the matter are: Application 21402 and all relevant information on file therewith, particularly the report of the field investigation dated October 8, 1964, and United States Geological Survey 7.5-minute quadrangle, "Rocklin."

ORDER

IT IS HEREBY ORDERED that Application 21402 be, and it 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 , 1965.

/s/ Kent Silverthorne
Kent Silverthorne, Chairman

/s/ Ralph J. McGill
Ralph J. McGill, Member

/s/ W. A. Alexander
W. A. Alexander, Member