

STATE OF CALIFORNIA
STATE WATER RIGHTS BOARD

In the Matter of Application 19714)
of San Bernardino Valley Municipal)
Water District to Appropriate from)
Lost Lake in San Bernardino County)

Decision D 1060

ADOPTED FEB 15 '62

DECISION DENYING APPLICATION

San Bernardino Valley Municipal Water District having filed Application 19714 for a permit to appropriate unappropriated water; protests having been received; a hearing having been held by the State Water Rights Board on October 3 and 5, 1961, in San Bernardino, California, before Kent Silverthorne, Chairman; the applicant and protestants having appeared; evidence having been received; and the Board, having considered all of the evidence and now being fully advised in the premises, finds as follows:

1. Application 19714 is for a permit to appropriate 3 cubic feet per second (cfs) by direct diversion, year-round, for municipal purposes from Lost Lake in San Bernardino County. The point of diversion is to be located within the NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 12, T2N, R6W, SBB&M.

2. Lost Lake is a typical sag pond located between Lone Pine Creek and Cajon Wash with a capacity of approximately 15 acre-feet. It is supplied from runoff and percolating water originating on a 0.22 square mile contiguous watershed which has furnished an average of 18 acre-feet per year to the lake. There has been

no outflow from the lake since the 1957-58 season, outflow occurring in 15 years of the 53-year period of record. Outflow from the lake enters an unnamed creek, thence Cajon Wash, thence Lytle Creek, thence Santa Ana River.

3. The applicant proposes to pump water over the rim of Lost Lake into Lone Pine Creek from where it will flow into Cajon Wash to an existing well owned by the City of San Bernardino. It is planned to pump water from that point into the City's Newmark Plant.

4. Protestants pump from the surface and subsurface flow of Cajon Wash, Lytle Creek, Santa Ana River, and the San Bernardino ground water basins. They claim pre-1914 appropriate, prescriptive, and adjudicated rights to the water from the sources for domestic, municipal, industrial, and irrigation purposes and divert any water surplus to these uses for the purpose of recharging the ground water basins.

5. There is a shortage of water to meet the above uses in all of the San Bernardino ground water basins and the Santa Ana River as a whole. This deficiency has resulted in an overdraft of the ground water supply and has required the importation of water.

6. Overflow and seepage from Lost Lake contributes to the surface and underflow of the Santa Ana River and to the supply of the ground water basins and, to such extent, this water is not subject to appropriation.

7. Water which would be salvaged by the reduction of evaporation losses resulting from the reduction of the surface area of the lake by the proposed diversion is available for appropriation, but only to the extent that the supply to the protestants is not diminished by a correlative decrease in percolation. The amount of such water to be salvaged has not been affirmatively shown. Its maximum would not exceed 5 acre-feet per year, and this amount would be subject to further reduction through additional conveyance losses, including use by existing phreatophytes, resulting from the change of the flow of water from its present course. A permit for such a small amount of water, which would be pumped in less than a day at the applicant's proposed rate of diversion, would be of little or no value to the applicant for its proposed use.

From the foregoing findings, the Board concludes that Application 19714 should be denied.

IT IS HEREBY ORDERED that Application 19714 be, and the same is, denied.

Adopted as the decision and order of the State Water Rights Board at a meeting duly called and held at Sacramento, California, this day of , 1962.

Kent Silverthorne, Chairman

Ralph J. McGill, Member

W. A. Alexander, Member