STATE OF CALIFORNIA STATE WATER RESOURCES CONTROL BOARD

In the Matter of

DETERMINATION OF THE RIGHTS

of the Various Claimants to

the Water of San Juan Creek

Order: WR 81-10

County: San Benito

ORDER DENYING PETITION FOR DETERMINATION OF WATER RIGHTS
ON SAN JUAN CREEK

WHEREAS:

- 1. Nineteen individuals have filed a petition with the State Water Resources Control Board pursuant to Water Code Section 2525 requesting determination of the rights of the various claimants to the waters of the San Juan Creek watershed tributary to Pajaro River in San Benito County, California.
- 2. The Board has made an investigation to determine the public interest and necessity for a statutory adjudication on San Juan Creek in San Benito County. The findings of this investigation are summarized in the document entitled "Preliminary Investigation Pursuant to Petition for Adjudication, San Juan Creek Watershed in San Benito County."
- 3. The Board has reviewed the subject report and finds the following:
- a. San Juan Creek drains a watershed of about 11 square miles in San Benito County. It flows into Pajaro River, thence to the Pacific Ocean.

- b. Current use is through wells from the underflow of San Juan Creek.
- c. Water diverted directly from San Juan Creek and its tributaries or stored in reservoirs is used for domestic and stockwatering purposes and to irrigate a pasture and orchard.
- d. Water is still available for use and/or appropriation in the reach of San Juan Creek under consideration.
- e. Further subdivision of land may reduce the water supply available in the San Juan Creek watershed. However, the water rights adjudication process should not be used as a means to control subdivision of land.
- f. Facts and conditions in the San Juan Creek watershed are such that the public interest and necessity will not be served by a determination of the water rights. Denial of this petition without prejudice does not prohibit the petitioners from filing a future petition when conditions become such that the public interest and necessity would be served by approval of any such petition.

NOW THEREFORE, IT IS ORDERED that said petition be denied.

Dated: August 20, 1981

Carla M. Bard, Chairwoman

L. L. Mitchell, Vice-Chair

L. L. Mitchell, Vice-Chairman

F. K. Aljibury, Member

Jil B. Dunlap, Member