

*Darcey Herford*

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD

In the Matter of Temporary Permit )  
18907 (Application 27786) )  
U. S. BUREAU OF RECLAMATION, )  
Applicant )

Order: 83-12  
Source: Camp Creek and  
Sly Park Creek  
County: El Dorado

ORDER VALIDATING ISSUANCE OF  
TEMPORARY PERMIT

BY BOARD CHAIRWOMAN ONORATO:

The U. S. Bureau of Reclamation (Bureau) having filed Application 27786 for a temporary urgency permit to divert and use unappropriated water pursuant to Chapter 6.5 (commencing with Section 1425), Part 2, Division 2 of the Water Code; the Board having reviewed available records, files and decisions which relate to the availability of unappropriated water and consulted with the Department of Water Resources and the California Department of Fish and Game; Board Chairwoman Onorato having concluded from available information that the Bureau qualifies for a temporary permit to divert and use water, subject to review and validation by the Board as provided by Water Code Section 1425; the Board finds as follows:

Substance of the Application

1. On June 30, 1983 Application 27786 was filed for a temporary permit to appropriate a total of 134 cubic feet per second from Camp Creek and Sly Park Creek by direct diversion and 10,000 acre-feet by storage in Jenkinson Lake on Sly Park Creek from July 1, 1983 to October 31, 1983. Water will be used for municipal and irrigation purposes within the El Dorado Irrigation District.

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The Project

2. The Pollock Pines and Camino areas of the El Dorado Irrigation District are normally supplied water through the El Dorado Ditch owned by the Pacific Gas and Electric Company. This ditch diverts water from the South Fork American River at a high elevation near Kyburz. On April 9, 1983, a major landslide closed State Highway 50 in the South Fork Canyon and destroyed about 300 feet of the El Dorado Ditch, making it impossible to supply water to Pollock Pines and Camino. Some water is being supplied from other sources but during the hot summer months more water is urgently needed.

3. To supply the needed water, the El Dorado Irrigation District installed a temporary pumping system in Jenkinson Lake and five miles of temporary pipe. The pump lift is about 270 feet. The water pumped from Jenkinson Lake to Pollock Pines and Camino could be diverted under permanent water right permits held by the U. S. Bureau of Reclamation on behalf of El Dorado Irrigation District. However, after June 30 any water pumped under the permanent permits would have to come from storage in Jenkinson Lake. This is because the Bureau permits do not allow direct diversion from Camp Creek or Sly Park Creek from July 1 to October 31. Continued diversion through the temporary pump facility and through the main canal of the district which heads at Sly Park Dam and serves the main district service area below Camino, would deplete storage in Jenkinson Lake and lower the reservoir water level substantially. This lowering would require the temporary pumps to be repeatedly shut down and moved to lower levels to keep pace with the lowering water surface. Labor costs and energy pumping costs would be unnecessarily increased and pump discharge rate would be decreased.

4. Under the temporary permit, direct diversion and collection to storage is authorized from July 1 to October 31 of 1983 from the two streams supplying water to Jenkinson Lake, thus allowing the water level to be kept at constant high level.

5. To assure that the benefits of water diversion under the temporary permit accrue to the Pollock Pines and Camino areas served by the emergency pump facilities, the permit should not allow deliveries of water to other areas of the El Dorado Irrigation District from July 1 to October 31 of 1983 to be increased over amounts customarily used.

#### Availability of Unappropriated Water

6. In normal years unappropriated water is not available in Camp Creek and Sly Park Creek from July 1 to October 31. However, 1983 is an extremely wet year and surplus water will be available throughout the season applied for. Additionally, the Board has already determined, after consultation with the Bureau and the Department of Water Resources, that unappropriated water will be available throughout the summer of 1983 in the Delta to which Camp Creek and Sly Park Creek are eventually tributary. (See Board Orders WR 83-8 and 83-9 which granted temporary permits for summer 1983 diversion from the Colusa Basin Drainage Canal.) We conclude, therefore, that no injury will occur to lawful users as a result of this diversion.

#### Conservation

7. Before granting temporary permits to supply an urgent but temporary need for water, the applicant should demonstrate that water conservation measures have been imposed and that water will not be wasted. El Dorado Irrigation District has initiated such measures. On June 13 a letter was mailed to each customer explaining the emergency and asking that all water users comply with a list of conservation measures. Press releases in newspapers circulated locally also have highlighted the need for conservation during the emergency.

Temporary Need

8. Pacific Gas and Electric Company has initiated construction of a tunnel to convey water flowing in the El Dorado Ditch to replace the section of flume destroyed by the slide. The ditch is expected to be back in service within about six months.

Instream Uses

9. The temporary permit (Permit 18907) is subject to a term requiring a by-pass of two cubic feet per second at the Camp Creek diversion dam and one cubic foot per second at Sly Park Dam into Sly Park Creek for fish and other instream uses. These amounts are the same as required by the permanent permits held by the Bureau in support of the Sly Park project. The State Department of Fish and Game concurs with the granting of the temporary permit. Accordingly, we find that the diversion will not have an unreasonable effect on fish, wildlife or other instream beneficial uses.

California Environmental Quality Act

10. This Board Order authorizes diversion of water on a temporary urgency basis ending October 31, 1983. Such activity is exempt from the provisions of the California Environmental Quality Act in accordance with Public Resources Code Section 21080(b)(4).

Action by the Board

11. Staff explained the foregoing situation to Board Chairwoman Onorato and recommended approval of the temporary permit. Chairwoman Onorato concurred with the staff recommendation on June 30, 1983, and authorized issuance of the temporary permit. On the same day, the Chief of the Division of Water Rights issued Temporary Permit 18907.

NOW, THEREFORE, IT IS ORDERED that issuance of Temporary Permit 18907 is validated subject to the following condition:

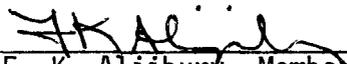
"Diversion of water under this permit is to mitigate emergency water supply conditions in the Pollock Pines and Camino areas and shall not result in increased use of water in other areas served by the El Dorado Irrigation District."

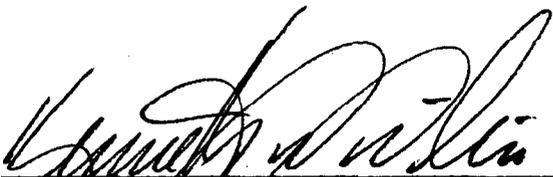
Dated: **JUL 21 1983**

WE CONCUR:

  
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Carole A. Onorato, Chairwoman

  
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Warren D. Noteware, Vice-Chairman

  
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F. K. Aljibury, Member

  
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Kenneth W. Willis, Member

