

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES

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EARL WARREN, Governor

C. H. PURCELL, Director of Public Works

A. D. EDMONSTON

~~EDWARD HYATT~~, State Engineer

SEIAD CREEK ADJUDICATION

REPORT ON

INVESTIGATION AND WATERMASTER SERVICE

ON

SEIAD CREEK STREAM SYSTEM

SISKIYOU COUNTY, CALIFORNIA

1950
1948 SEASON

JANUARY, 1949-

SUBMISSION TO, AND ADOPTION BY
DEPARTMENT OF PUBLIC WORKS

L.C. TOPSON

I, ~~Harrison Smitherum~~, Supervising Hydraulic Engineer, Division of Water Resources, Department of Public Works of the State of California, hereby submit the within contained report entitled "Report on Investigation and Watermaster Service on Seiad Creek Stream System, Siskiyou County, California, ~~1948~~ Season".

L.C. TOPSON

~~HARRISON SMITHERUM~~

Supervising Hydraulic Engineer

I, Gordon Zander, Principal Hydraulic Engineer, Division of Water Resources, Department of Public Works of the State of California, hereby approve the within contained "Report on Investigation and Watermaster Service on Seiad Creek Stream System, Siskiyou County, California, ~~1948~~ Season".

GORDON ZANDER

Principal Hydraulic Engineer

A.D. EDMONSTON

I, ~~Edward Hyatt~~, State Engineer and Chief of the Division of Water Resources, Department of Public Works of the State of California, hereby approve and adopt the within contained report entitled "Report on Investigation and Watermaster Service on Seiad Creek Stream System, Siskiyou County, California, ~~1948~~ Season", as a report of the Department of Public Works. 1950

WITNESS my hand and the seal of the Department of Public Works of the State of California, this ~~25th~~ day of January, ~~1949~~.

BLANK

A.D. EDMONSTON

By

~~EDWARD HYATT~~

State Engineer and Chief of the
Division of Water Resources

SEAL

ORGANIZATION

C. H. Purcell Director of Public Works
A. D. EDMONSTON
~~Edward Hyett~~ State Engineer
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Gordon Zander . . . Principal Hydraulic Engineer

This report was prepared under the direction of

~~HARRISON SMITHERUM~~
Supervising Hydraulic Engineer

By

PAUL E. STEPHENSON
Senior Hydraulic Engineer

T. R. MERRYWEATHER
Administrative Assistant

INTRODUCTION

The petition initiating the Seiad Creek proceeding, dated November 23 and 25, 1946, was filed with the Department of Public Works of the State of California, Division of Water Resources, State Engineer, on December 23, 1946. Subsequent steps in the proceeding up to and including the Department's report in the matter entitled "Report on Water Supply and Use of Water on Seiad Creek Stream System, Siskiyou County, California, November, 1947" are set forth in said report. The report was filed and made of record in the office of the Department on November 21, 1947, and copies thereof were circulated among the various parties interested in the proceeding.

Upon filing its report, the Department by order dated November 21, 1947, fixed the time for filing proofs of claims of water rights in the proceeding to expire on March 15, 1948. On or prior to this date 16 proofs were filed. Proofs were received from all known claimants on the stream excepting James Ireland. Thereafter the Department assembled and certified an abstract of the proofs in a document entitled "Abstract of Proofs of Claims, March 1948". This document was filed in the proceeding in the office of the Department on March 31, 1948.

The Department by notice dated June 7, 1948, fixed the time and place for inspection of evidence at the County Board of Supervisors room in the County Hall of Records at Yreka for the period beginning August 16, 1948, and ending August 27, 1948. On the same date a copy of this notice and a copy of the Abstract of Proofs of Claims were served by registered mail on each claimant in the proceeding.

Two notices of contests of claims were filed with the Department within the period allowed for contesting claims. On September 14, 1948, the Department by notice fixed the time and place for hearing these contests at 10:00 o'clock A.M. on October 8, 1948. Upon stipulation by the parties, the Department by order dated October 8, 1948, adjourned said hearing of contests and continued same until

November 18, 1948 and again by order dated November 18, 1948, further adjourned said hearing to February 15, 1949. These adjournments were taken upon representation by counsel for the parties that negotiations were in progress toward settlement of the contests before hearing thereon.

On May 5, 1948, at 10:00 o'clock A.M., a conference of the claimants in the proceeding and representatives of the Department was held at Seiad Valley, California, to discuss the advisability of continuing the examination of the stream system under a plan of trial distribution during the 1948 season. The conference resulted in the adoption by the claimants of an "Agreement for Trial Distribution During 1948 Season". A copy of this agreement bearing the names of the claimants signatory thereto is submitted as an appendix to this report.

Investigation of the stream system and administration of the diversions therefrom under the 1948 agreement covered the period from July 1 to September 30, 1948. Paul E. Stephenson, Senior Hydraulic Engineer, was designated by the Department as Watermaster and served in that capacity in conjunction with his duties as watermaster in the Shasta River Watermaster Service area and the Shackleford Creek adjudication proceeding.

WATER SUPPLY

Precipitation:

Records of precipitation at Happy Camp are presented in Table 1 of this report. These data indicate that the precipitation occurring during the period from October 1 to March 31, 1948, was about 103 per cent of the 30-year mean at this station. The precipitation during the remainder of the year was about 228 per cent of the 30-year mean. Assuming that the precipitation at Happy Camp is indicative of that at Seiad Valley, that the relationship of monthly or seasonal precipitation of any year to a long time mean is about the same at each location, and that the precipitation of Seiad Valley reflects runoff conditions on the Seiad Creek watershed, it is deduced that the water supply for the Seiad Creek area

during the 1948 season was about 124 per cent of the 1947 season.

Stream Flow:

A stream flow measuring station and water stage recorder was maintained on Seiad Creek above all diversions for the period from July 1 to September 30, 1948. Records of daily discharge at this station are submitted at the end of this report in Table 2.

A four foot weir was constructed on Canyon Creek at the inlet of the culvert under the Seiad Creek Road to measure the contribution of Canyon Creek to the flow of Seiad Creek. Intermittent observations were made throughout the 1948 season.

A summary of the records obtained at the same described measuring stations together with observations made of Darky Creek at County Road Crossing are set forth in Table 3. This table presents a record of the total water supply available for the area.

Supplemental to the above stations as an aid in distributing the available flow, weirs were maintained in all ditches and intermittent observations and measurements were made thereon. The records of discharge for these ditches are submitted in Table 4.

DISTRIBUTION OF WATER

The "Agreement for Trial Distribution during 1948 Season" provided that distribution was to be based on Schedules 2 and 3 which were attached to and made a part of the agreement. The agreement also provided for deviation from the above schedules if necessary or convenient to accomplish the purpose of the agreement; i.e., to work out an allocation of the waters of Seiad Creek which would afford a basis, acceptable to all claimants, for the determination of all water rights involved in the proceeding.

There was sufficient water available throughout the 1948 season to meet all demands from the main stream. The irrigation ditch from Canyon Creek received

full allotment until August 1.

Regulation of the several ditches, in accordance with the amounts of water and priorities set forth in Schedules 2 and 3 of the 1948 agreement, resulted in an orderly distribution of the available water supply. Restricted use by the Arroyo Seco Gold Dredging Company and Yreka Gold Dredging Company permitted delivery to all other priorities of sufficient amounts of water to satisfy their demands throughout the season.

A statement of the conditions encountered and of the regulation of the various ditches follow:

Upper Chace Ditch (Diversion 2) The headgate of this ditch was first regulated on August 3¹. Prior to that date the flow diverted was in excess of the ditch entitlement set forth in paragraph 4 of the 1948 agreement, however, the excess water was returned directly to the stream at a faulty flume located across Seiad Creek below the measuring device. Diversion through this ditch is restricted to the period from April 1 to July 31 of each year by the terms of Permit 6139 heretofore issued upon Application 10630.

Lower Chace Ditch (Diversion 3) Water was diverted through this ditch throughout the 1948 season for stock-watering purposes only. Regulation was not necessary as all the excess flow was returned directly to the stream by means of the old power plant by-pass.

Upper Rainey Ditch (Diversion 4) This ditch was used by the owner thereof to divert his entire allotment set forth in Schedule 2. Subsequent to about August 10 the inadequacy of the diversion works limited the amount diverted to less than that amount set forth in Schedule 2.

Upper Lowden Ditch (Diversion 5) This ditch was not opened during the 1948 season.

Upper South Rainey Ditch (Diversion 5a) This ditch was not opened during the 1948 season.

Middle Rainey Ditch (Diversion 6) This ditch was not opened during the 1948 season.

Canyon Creek Ditch (Diversion 7) Sufficient water was available at the intake of this ditch to permit diversion of full allotment as set forth in Schedule 3 until about August 5. Subsequent to that date the water diverted in the ditch decreased to zero flow on September 16. However, there was some flow passing the diversion works at all times.

Robinson Pump (Diversion 8) This pump was operated throughout the season in accordance with the terms of the 1948 agreement.

Priddy Pump (Diversion 8a) This pump was operated throughout the season in accordance with the terms of the 1948 agreement.

Lower Rainey Ditch (Diversion 9) Water in excess of the amount set forth in Schedule 2 of the 1948 Agreement was diverted through this ditch prior to about August 3. Subsequent to that date diversion through the ditch was regulated to the amount set forth in said agreement.

Grant Lowden Ditch (Diversion 10) This ditch was regulated to supply the irrigation requirements of 6.7 acres on the Shadburne ranch and for domestic use of six cabins on the Arroyo Seco Gold Dredging Company and Yreka Gold Dredging Company property. There was sufficient flow at the point of diversion to supply these requirements throughout this season.

Smith Ditch (Diversion 11) This ditch was not opened during the 1948 season.

Lower Lowden Ditch (Diversion 12) Water was diverted through this ditch for mining purposes prior to about September 1. Although the maximum amount diverted was about one-half of that set forth in the 1948 Agreement, and the average less than that set forth in the first priority, said amounts were sufficient to meet the requirements during the season. Therefore, it was not necessary to curtail inferior rights to supply this ditch with the amount set forth in

Schedule 2. Subsequent to about September 1 the ditch was not used.

USE OF WATER

The uses of water and methods of irrigation in the Seiad Creek area have been described on Page 12 of the "Report on Water Supply and Use of Water on Seiad Creek Stream System, Siskiyou County, California, November 1947". There was no material changes during the 1948 season in the practices therein reported.

DUTY OF WATER

A summary showing the duties of water under various ditches during the 1948 season is submitted in Table 5. From these data the average "Net Duty" for the area considered is one cubic foot per second to 50 acres of irrigated land. Similar data collected during the 1947 season gave an average "Net Duty" of one cubic foot per second to 57 acres of irrigated land.

SUMMARY

As deduced from precipitation records at Happy Camp the water supply of the Seiad Creek Stream system area during the 1948 season was about 24 per cent greater than the 1947 season and about 121 per cent of the normal expectancy. A comparison of the stream flow records for Seiad Creek above all diversions for the months of July, August and September, 1948, indicates the runoff for said period was about 200 per cent of that for the same period in 1947.

Considerable additional data on stream flow, amounts of water diverted and use of water were obtained during the 1948 season. However, several of the ditches were not opened, and others were not operated so as to divert the amount of water claimed or set forth in Schedules 2 and 3 of the 1948 agreement. Very little water was used for the irrigation of pasture crops, meadow hay and grain during the season due to intermittent rainfall up to the first part of July.

Data on the use of water obtained in 1948 indicate a net duty of one cubic foot per second to 50 acres as the requirement for irrigation in the area.

Since the available water supply was nearly sufficient at all times to

meet irrigation and other demands there was no distribution problems encountered during the 1948 season. This was largely due to the continued use of water for mining and domestic purposes rather than for irrigation by the Arroyo Seco Gold Dredging Company, et al., and to intermittent rainfall throughout the irrigation season.

TABLE 1

PRECIPITATION - HAPPY CAMP, SISKIYOU COUNTY
Elevation 1,132 Feet

Monthly, Seasonal, and Average Amounts in Inches

| Year | Oct. | Nov. | Dec. | Jan. | Feb. | Mar. | Apr. | May. | June | July | Aug. | Sept. | Seasonal |
|--------------|-------|--------|--------|--------|--------|--------|-------|-------|-------|-------|------|-------|----------|
| 1928-29 | 2.92: | 6.39: | 10.59: | 4.26: | 1.95: | 2.64: | 4.14: | 0.40: | 1.38: | T : | .00: | .00: | 34.67 |
| 1929-30 | 1.14: | .00: | 9.40: | 9.84: | 8.10: | 1.00: | 2.23: | 1.10: | .24: | .00: | .00: | 1.03: | 34.08 |
| 1930-31 | .90: | 5.79: | 3.64: | 9.05: | 3.19: | 6.34: | 1.94: | .33: | 1.74: | .00: | .00: | .37: | 33.29 |
| 1931-32 | 4.29: | 6.15: | 15.30: | 5.38: | 2.23: | 5.59: | 3.83: | 1.77: | .19: | T : | .00: | .00: | 44.73 |
| 1932-33 | 1.33: | 9.58: | 7.67: | 12.33: | 5.05: | 9.54: | .14: | 6.40: | .88: | .00: | .43: | .43: | 53.78 |
| 1933-34 | 3.46: | .38: | 13.75: | 7.60: | 2.77: | 3.22: | 1.65: | 1.50: | .97: | .00: | .30: | .47: | 36.07 |
| 1934-35 | 6.42: | 12.26: | 5.89: | 8.82: | 3.05: | 5.96: | 4.82: | .10: | T : | .46: | .39: | .75: | 48.92 |
| 1935-36 | 3.40: | 1.95: | 9.08: | 18.64: | 8.10: | 1.59: | 1.20: | 2.86: | 1.23: | .16: | T : | T : | 48.21 |
| 1936-37 | .00: | .00: | 6.40: | 6.02: | 9.66: | 6.35: | 5.52: | .96: | 1.76: | .53: | .00: | .22: | 37.42 |
| 1937-38 | 4.27: | 19.02: | 10.07: | 10.80: | 20.18: | 17.67: | 2.77: | .07: | .00: | .00: | .00: | .38: | 85.23 |
| 1938-39 | 2.50: | 5.63: | 5.20: | 7.60: | 7.02: | 5.77: | T : | 2.40: | .82: | .21: | .00: | .15: | 37.30 |
| 1939-40 | 1.42: | .30: | 16.51: | 10.64: | 20.03: | 9.38: | 1.30: | 2.04: | .90: | .00: | .00: | 3.23: | 65.75 |
| 1940-41 | 5.09: | 3.57: | 15.62: | 12.93: | 6.60: | 2.28: | 5.35: | 3.21: | 1.24: | 1.92: | .30: | 1.20: | 59.31 |
| 1941-42 | 1.30: | 5.58: | 18.02: | 6.85: | 9.12: | 1.33: | 4.50: | 5.89: | .13: | .00: | .05: | .87: | 53.64 |
| 1942-43 | .73: | 18.09: | 16.31: | 11.78: | 3.08: | 5.44: | 3.67: | 1.25: | 1.10: | .00: | .00: | .00: | 61.45 |
| 1943-44 | 7.53: | 5.02: | 1.69: | 6.53: | 4.00: | 3.91: | 2.61: | 1.28: | 1.81: | 1.92: | .41: | .10: | 36.81 |
| 1944-45 | 2.62: | 12.81: | 6.08: | 5.36: | 10.86: | 8.55: | 2.00: | 4.48: | .19: | .20: | .01: | .44: | 53.60 |
| 1945-46 | 4.42: | 18.69: | 18.02: | 7.17: | 9.11: | 4.04: | .30: | 1.18: | .49: | .57: | .00: | 1.16: | 65.15 |
| 1946-47 | 3.14: | 10.78: | 3.73: | 5.14: | 4.34: | 9.84: | .98: | .20: | 3.72: | 2.10: | .22: | .34: | 44.53 |
| 1947-48 | 9.40: | 1.86: | 2.24: | 14.11: | 7.28: | 5.43: | 8.96: | 2.50: | 1.97: | .88: | .02: | .67: | 55.32 |
| 30 Year Mean | 3.02: | 6.93: | 8.82: | 8.08: | 7.14: | 5.27: | 2.82: | 1.65: | .88: | .40: | .14: | .69: | 45.84 |

TABLE 2

DAILY DISCHARGE IN CUBIC FEET PER SECOND
SEIAD CREEK ABOVE DIVERSIONS
FOR THE PERIOD JULY 1 TO SEPTEMBER 30, 1948

| Day | July | August | September |
|----------|-------|--------|---------------|
| 1 | 12.0 | 4.9 | 2.0 |
| 2 | 11.5 | 4.9 | 2.0 |
| 3 | 11.0 | 4.9 | 2.0 |
| 4 | 12.0 | 3.8 | 2.0 |
| 5 | 13.0 | 3.5 | 1.7 |
| 6 | 13.5 | 3.2 | 1.4 |
| 7 | 11.5 | 3.2 | 1.1 |
| 8 | 10.5 | 2.9 | 1.1 |
| 9 | 10.1 | 2.9 | 1.0 |
| 10 | 9.7 | 2.9 | 1.0 |
| 11 | 9.3 | 2.9 | 1.0 |
| 12 | 8.8 | 2.9 | 1.0 |
| 13 | 8.8 | 2.9 | 1.0 |
| 14 | 8.8 | 2.6 | 1.0 |
| 15 | 8.4 | 2.6 | 1.0 |
| 16 | 7.2 | 2.6 | 1.0 |
| 17 | 7.2 | 2.6 | 1.0 |
| 18 | 7.2 | 2.6 | 1.4 |
| 19 | 7.2 | 2.6 | 2.0 |
| 20 | 7.2 | 2.6 | 2.5 |
| 21 | 6.9 | 2.6 | 2.5 |
| 22 | 6.5 | 2.6 | 2.5 |
| 23 | 6.5 | 2.9 | 2.5 |
| 24 | 6.1 | 2.6 | 2.5 |
| 25 | 5.7 | 2.0 | 3.5 |
| 26 | 5.7 | 2.0 | 3.5 |
| 27 | 5.7 | 2.0 | 3.5 |
| 28 | 5.3 | 2.0 | 3.5 |
| 29 | 5.3 | 2.0 | 3.5 |
| 30 | 4.9 | 2.0 | 3.5 |
| 31 | 4.9 | 2.0 | |
| Total | | | |
| Sec. Ft. | 258.4 | 88.7 | 59.2 |
| Days | | | 92 Day Period |
| Mean | | | |
| Sec. Ft. | 8.3 | 2.9 | 2.0 |
| Maximum | | | |
| Sec. Ft. | 13.5 | 4.9 | 3.5 |
| Minimum | | | |
| Sec. Ft. | 4.9 | 2.0 | 1.0 |
| Total | | | |
| Acre Ft. | 510 | 180 | 120 |

TABLE 3

SUMMARY OF
DISCHARGE IN CUBIC FEET PER SECOND
SEIAD CREEK AND TRIBUTARIES
July 1 to September 30, 1948

| Date | INFLOW | | | OUTFLOW | |
|---------|--|----------------------------|------------------|--------------------------|--|
| | Seiad Creek above all Diversions | Canyon Creek 4' Weir | Darky Creek * | Total Water Supply | Seiad Creek below all Diversions |
| July 1 | 12.0 | 3.2 | .3 | 15.5 | 13.0 |
| 6 | 13.5 | 3.3 | .3 | 17.1 | 11.7 |
| 14 | 8.8 | 2.2 | .1 | 11.1 | 5.2 |
| 20 | 7.2 | 1.0 | 0 | 8.2 | 2.2 |
| 27 | 5.7 | .3 | 0 | 6.0 | 1.0 |
| Aug. 3 | 4.9 | .2 | 0 | 5.1 | .5 |
| 13 | 2.9 | .2 | 0 | 3.1 | .4 |
| 22 | 2.6 | .2 | 0 | 2.8 | .3 |
| Sept. 1 | 2.0 | .2 | 0 | 2.2 | 0 |
| 9 | 1.0 | .2 | 0 | 1.2 | 0 |
| 16 | 1.0 | .2 | 0 | 1.2 | 0 |
| 23 | 2.5 | .2 | 0 | 2.7 | .5 |
| 30 | 3.5 | .3 | 0 | 3.8 | 1.0 |

* Estimated

TABLE 4
DISCHARGE IN CUBIC FEET PER SECOND
of
DIVERSIONS FROM SELAD CREEK AND TRIBUTARIES

July 1 to September 30, 1948

| DATE | Upper:Chace:Ditch | Lower:Chace:Ditch | Upper:Rainey:Ditch | Upper:Lowden:Ditch | Middle:Rainey:Ditch | Canyon:Creek:Ditch | Grant:Lowden:Ditch | Lower:Lowden:Ditch | Lower:Smith:Ditch | Lower:Rainey:Ditch | Total:Diver- |
|----------|-------------------|-------------------|--------------------|--------------------|---------------------|--------------------|--------------------|--------------------|-------------------|--------------------|--------------|
| | 12 | 3 | 4 | 5 | 6 | 7 | 10 | 12 | 11 | 9 | sions |
| July 1: | 0 | 0.5 | 0.5 | 0 | 0 | 0.1 | 0.4 | 0 | 0 | 0 | 1.5 |
| 6: | .5 | .5 | .2 | 0 | 0 | .1 | 2.5 | .5 | 0 | .3 | 4.6 |
| 14: | .5 | .5 | .2 | 0 | 0 | 0 | 2.5 | .4 | 0 | .9 | 5.0 |
| 20: | 2.6 | .5 | .2 | 0 | 0 | 0 | 2.9 | .5 | 0 | .9 | 7.6 |
| 27: | 2.5 | .5 | 1.2 | 0 | 0 | .5 | 1.5 | 1.4 | 0 | .9 | 8.5 |
| Aug. 3: | 2.0 | .5 | 1.2 | 0 | 0 | .5 | 1.5 | 1.2 | 0 | .8 | 7.7 |
| 13: | .2 | .4 | .8 | 0 | 0 | .2 | 1.2 | .6 | 0 | .4 | 3.8 |
| 22: | .2 | .3 | 1.0 | 0 | 0 | .1 | 1.2 | .5 | 0 | .4 | 3.7 |
| Sept. 1: | .2 | .3 | .8 | 0 | 0 | .1 | 1.0 | .5 | 0 | .3 | 3.2 |
| 9: | .2 | .3 | .6 | 0 | 0 | .1 | .7 | .1 | 0 | .2 | 2.2 |
| 16: | .2 | .3 | .6 | 0 | 0 | 0 | .6 | .1 | 0 | .3 | 2.1 |
| 23: | .2 | .3 | .8 | 0 | 0 | 0 | .8 | .1 | 0 | .4 | 2.6 |
| 30: | .2 | .3 | .8 | 0 | 0 | 0 | .8 | .1 | 0 | .6 | 2.8 |
| Average: | | | | | | | | | | | |
| Diver- | | | | | | | | | | | |
| sion | .7 | .4 | .7 | 0 | 0 | .1 | 1.4 | .5 | 0 | .5 | 4.3 |

TABLE 5

DUTY OF WATER ON AREAS IRRIGATED FROM SELAD CREEK
AND TRIBUTARIES DURING ~~1948~~ SEASON
1950

| Date | Water Supply c.f.s. (Table 3) | Total Diversion below Darky Cr. (Diversion: 10, 11 & 12) c.f.s. | Measured Outflow (Table 3) c.f.s. | Net Use c.f.s. | Acreage Irrigated above Darky Creek | Net Duty Acres Per c.f.s. |
|-----------------|-------------------------------------|---|---|-------------------|---|---------------------------------|
| 5 | 7.4 | .8 | 4.2 | 2.8 | | 22 |
| 7-1 | 15.5 | .4 | 13.0 | 2.1 | 61.8 | 29 |
| 7 | 7.3 | .6 | 3.5 | 3.2 | | 19 |
| 6 | 17.1 | 3.3 | 11.7 | 2.1 | 61.8 | 29 |
| 12 | 6.8 | .5 | 2.5 | 2.8 | | 16 |
| 14 | 11.1 | 3.8 | 5.2 | 2.1 | 61.8 | 29 |
| | 4.9 | .5 | 2.0 | 2.4 | | 20 |
| 20 | 8.2 | 4.3 | 2.2 | 1.7 | 61.8 | 36 |
| 24 | 4.9 | 1.3 | | 2.6 | | 24 |
| 27 | 6.0 | 3.8 | 1.0 | 1.2 | 61.8 | 52 |
| 1 | 4.0 | 1.7 | 0.8 | 1.5 | 22.6 | 15 |
| 8-3 | 5.1 | 3.5 | .5 | 1.1 | 61.8 | 56 |
| 7 | 3.9 | 1.5 | 0.5 | 1.6 | | 14 |
| 13 | 3.1 | 2.2 | .4 | .5 | 22.6 | 45 |
| 15 | 3.6 | 1.5 | 0.5 | 1.6 | | 14 |
| 22 | 2.8 | 2.1 | .3 | .4 | 22.6 | 56 |
| 8-21 | 3.0 | 2.3 | 2.5 | .2 | | 113 |
| 9-1 | 2.2 | 1.8 | .0 | .4 | 22.6 | 56 |
| 5-30 | 3.0 | 2.3 | 0.5 | .2 | | 113 |
| 9-30 | 1.2 | 1.0 | .0 | .2 | 22.6 | 113 |
| 7-7 | 2.6 | 2.0 | 0.4 | .2 | | 113 |
| 16 | 1.2 | 1.0 | .0 | .2 | 22.6 | 113 |
| 13 | 2.6 | 1.7 | 0.5 | .4 | | 57 |
| 23 | 2.7 | 1.3 | .5 | .9 | 22.6 | 25 |
| 20 | 2.6 | 1.6 | 0.5 | .5 | | 45 |
| 30 | 3.8 | 1.5 | 1.0 | 1.3 | 22.6 | 17 |
| 26 | 2.6 | 1.6 | | | | |

Average = 50
46

A P P E N D I X

BEFORE THE DEPARTMENT OF PUBLIC WORKS
OF THE STATE OF CALIFORNIA
DIVISION OF WATER RESOURCES
STATE ENGINEER

IN THE MATTER OF THE DETERMINATION OF THE)
RIGHTS OF THE VARIOUS CLAIMANTS TO THE) AGREEMENT FOR TRAIL
WATER OF SEIAD CREEK STREAM SYSTEM IN) DISTRIBUTION DURING
SISKIYOU COUNTY, CALIFORNIA) 1948 SEASON

WHEREAS, the above entitled proceeding is pending before the Department of Public Works of the State of California, Division of Water Resources, State Engineer, in which the rights in and to the water, and in and to the use thereof, from Seiad Creek stream system, of all the parties hereunto subscribed are involved; and

WHEREAS, said Department has completed its investigation of the stream system, conduits diverting therefrom, lands irrigated and irrigable therefrom, etc., and has reduced its observations, data, information and measurements to writing, and has prepared maps from its surveys and observations, all in accordance with the provisions of the Water Code; and

WHEREAS, proofs of claims of water right have been filed with said Department by all claimants of rights in and to the waters of said stream system; and

WHEREAS, it appears from data collected by said Department that it may be possible to work out an allocation of the waters of said stream system among the parties hereto that will be acceptable to all of said parties and afford a basis for settlement of the water rights involved in said proceeding; and

WHEREAS, the parties hereto desire that diversions from said stream system be administered by said Department during the 1948 season as a demonstration of the claims of the various parties, and in order to afford said Department an opportunity to attempt to develop by trial an allocation of the waters

of said stream system among the parties hereto that may be acceptable to said parties as a basis for settlement of the water rights involved in said proceeding;

NOW THEREFORE IT IS HEREBY AGREED by and between each and every party hereunto subscribed and among all of said parties, that said Department may undertake to distribute the waters of said Seiad Creek stream system among the various parties hereunto subscribed as hereinafter set forth, it being understood and agreed that the following plan of distribution and apportionment of water shall be for the period extending from the date hereof to October 1, 1948 only, and subject to such provisions as are hereinafter contained, to wit:

1. The parties enumerated in Schedules 2 and 3 hereunto annexed and made a part hereof shall be entitled to rights in and to the use of the natural flows of Seiad Creek and Canyon Creek, during the period from the date hereof to October 1, both dates inclusive, in 1948, for domestic, stockwatering and irrigation purposes upon their respective lands involved in said proceeding as shown on the Division of Water Resources Map, in accordance with the acreages to be supplied, priorities and quantities of water allotted, and through the diversions from the sources named as set forth in said Schedules 2 and 3.

2. All allotments set forth in said Schedules 2 and 3 which are within the same priority class and within the same group are equal in priority and correlative in right and at all times when the water supply available for rights within a priority class is inadequate to supply all rights and allotments within said class, then during the continuance of such shortage, the owners of such allotments shall prorate the available water supply, if any, in excess of the quantity required for prior rights, or rotate in the use thereof, in accordance with their respective allotments in that class.

3. The points of measurement of all allotments of water hereinbefore provided shall be at or near the respective points of diversion from Seiad Creek

and its tributaries.

4. Subject to the foregoing rights and provisions, Walter W. Robinson shall be entitled to divert from the flow of Seiad Creek through the Upper Chace Ditch (designated on Division of Water Resources Map, as Diversion 2) as follows:

0.30 cubic foot per second

during the period from April 1 to July 31 of each year for irrigation purposes upon the following described lands:

0.2 acre in $SE\frac{1}{4}$ $SE\frac{1}{4}$ of Section 32, T. 47 N., R. 11 W., M.D.B.& M.
6.2 acres in $SW\frac{1}{4}$ $SE\frac{1}{4}$ of Section 32, T. 47 N., R. 11 W., M.D.B.& M.
3.8 acres in Tract 41 in Section 5, T. 46 N., R. 11 W., M.D.B.& M.
3.6 acres in Lot 9 of Section 5, T. 46 N., R. 11 W., M.D.B.& M.
13.8 acres - Total

5. Nothing herein contained shall be, or shall be construed as, an admission by any party that his legal rights or the rights of any other party are as herein provided; and the distribution of water in accordance with this agreement shall not in any manner prejudice the rights which are now claimed or may hereafter be asserted by any of the parties hereto.

6. Said Department may appoint a watermaster to distribute the water of Seiad Creek stream system, as herein provided for, during the period from the date hereof to October 1, 1948, and said watermaster shall have power and authority to inspect and regulate the diversions of all the parties hereto in accordance with this agreement, and in the exercise of such authority may enter upon the lands of said parties for the purpose of such inspection and regulation, and may establish and maintain such gaging stations and measuring devices in said stream system and diversion conduits as may be necessary or convenient.

7. It is further agreed that in order to meet the costs of such distribution by the watermaster during the 1948 season, the parties hereto will pay to the Department on or before July 15, 1948, the amount of \$100.00, which amount shall be apportioned among the various parties hereto in accordance with the assessments set forth in Schedule A hereunto annexed and made a part hereof.

IN WITNESS WHEREOF, the parties hereto have affixed their hands and seals this 5th day of May, 1948.

| <u>Name</u> | <u>Address</u> | <u>Date</u> |
|--|---------------------------|---------------|
| <u>Arroyo Seco Gold Dredging Co.</u> By Geo. A. Tebbe | <u>Mills Bldg., S. F.</u> | <u>5-5-48</u> |
| <u>Yreka Gold Dredging Co.</u> By Geo. A. Tebbe | <u>Mills Bldg., S. F.</u> | <u>5-5-48</u> |
| <u>W. R. Shadburne</u> | <u>Seiad Valley</u> | <u>5-5-48</u> |
| <u>R. G. Priddy and</u> <u>Blanche A. Priddy</u> | <u>Seiad Valley</u> | <u>5-5-48</u> |
| <u>Glenn Robinson</u> | <u>Seiad Valley</u> | <u>5-5-48</u> |
| <u>Marshall Burstad</u> | <u>Hamburg, Calif</u> | <u>5-5-48</u> |
| <u>Frank E. Smith</u> | <u>Seiad Valley</u> | <u>5-5-48</u> |
| <u>Margaret Smith</u> | <u>Seiad Valley</u> | <u>5-5-48</u> |

SCHEDULE 1

APPORTIONMENT OF COST OF WATERMASTER SERVICE ON
SEIAD CREEK STREAM SYSTEM DURING 1948 SEASON

| Name of Claimant | Amount of Water (Cubic Feet per Second) | Portion of Expense |
|--|--|--------------------------|
| Arroyo Seco Gold Dredging Co. and Yreka Gold Dredging Co. | 3.60 | \$47.45 |
| Marshall E. Burstad | 1.70 | 23.16 |
| R. G. and Blanche A. Priddy | 0.16 | 3.47 |
| Glenn S. Robinson | 0.06 | 2.20 |
| Walter W. Robinson | 0.82 | 11.91 |
| W. R. Shadburne | 0.60 | 9.10 |
| Frank E. and Margaret Smith | 0.10 | 2.71 |
| Total | 7.04 | \$100.00 |

SCHEDULE 2

PRIORITIES AND ALLOTMENTS TO CLAIMANTS
FROM SEIAD CREEK

| Claimant | Acreage to be Sup- plied | Diversion: Number as per D.W.R. Map | Priority Class and Allotment In Cubic Feet per Second | | | | Total |
|--|-----------------------------------|---|--|-------------|-------------|-------------|-------------|
| | | | 1 | 2 | 3 | 4 | |
| Walter W. Robinson | 14.9 | 3 | | | 0.30 | | 0.30 |
| Marshall E. Burstad | 58.2 | 4, 4a, 5, 6 or 9 | | 1.20 | | | 1.20 |
| R. G. and Blanche A. Priddy | 2.6 | 4 | | 0.06 | | | 0.06 |
| Arroyo Seco Gold Dredging Co. And Yreka Gold Dredging Co. | 136.1 | 5 or 12 | 0.70 | 0.76 | 1.24 | | 2.70 |
| W. R. Shadburne | 23.3 | 9 or 10 | | | 0.60 | | 0.60 |
| Arroyo Seco Gold Dredging Co. and Yreka Gold Dredging Co. | 45.4 | 10 | 0.50 | 0.40 | | | 0.90 |
| Frank E. Smith | 4.4 | 11 | | | 0.10 | | 0.10 |
| Total | 284.9 | | 0.70 | 2.52 | 1.64 | 1.00 | 5.86 |

SCHEDULE 3

PRIORITIES AND ALLOTMENTS TO CLAIMANTS
FROM CANYON CREEK

| Claimant | Acreage to be Sup- plied | Diversion: Number As per D.W.R. Map | Priority Class and Allotment In Cubic Feet per Second | | Total |
|-----------------------------|-----------------------------------|---|--|-------------|-------------|
| | | | | | |
| Marshall E. Burstad | 22.8 | 7 | | 0.50 | 0.50 |
| Glenn S. Robinson | | 8 | Domestic | 0.06 | 0.06 |
| R. G. and Blanche A. Priddy | | 8a | Domestic | 0.10 | 0.10 |
| Total | 22.8 | | | 0.16 | 0.66 |