

BEFORE THE DIVISION OF WATER RIGHTS  
DEPARTMENT OF PUBLIC WORKS  
STATE OF CALIFORNIA

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IN THE MATTER OF APPLICATION NO. 4645 BY JOHN DONDERO  
TO APPROPRIATE WATER FROM AN UNNAMED STREAM FLOWING  
FROM BUTTERFIELD SPRINGS IN LENO COUNTY FOR AGRICULTUR-  
AL PURPOSES.

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Decision No. 4645, D 123

Decided October 19, 1926

APPEARANCES AT HEARING HELD JUNE 22, 1926:

For Applicant:

John Dondero

in propria persona

For Protestants:

Cain Irrigation Co. )  
Nevada California Power Co.]

By C. E. Wilson, Ranch Manager  
for Cain Irrigation Co.

A. Sylvester

in propria persona

Mrs. C. H. Curry

in propria persona

NO APPEARANCE:

Mrs. Alice Rogers.

EXAMINER:

Edward Hyatt, Jr. Chief of  
the Division of Water Rights.

OPINION

On June 22, 1925, John Dondero filed his application No. 4645  
to appropriate 0.12 second foot from an unnamed creek fed by Butterfield  
Springs for the agricultural benefit of 10 acres of land which he owns in  
Leno County. The application was completed in accordance with the Water

Commission Act and the requirements of the Rules and Regulations of the Division of Water Rights and being protested was set for a public hearing in the County Court House at Bridgeport, California, at 9:30 o'clock A. M. on Monday, June 28, 1926. Of this hearing applicant and protestants were duly notified and appearances thereat were made as shown above.

The various protests against this application state that the flow of the source is insufficient at certain periods to satisfy rights now vested. At the hearing there was not enough data submitted for the Division of Water Rights to determine the existence or otherwise of unappropriated water at any stated period of the year. Applicant's willingness to limit his use to domestic purposes only did not result in withdrawal of the protests as protestants believe that seepage losses in the ditch proposed in the application would result in his receiving at the place of use only a small portion of the water diverted.

A suggestion was made to the applicant that he withdraw his application to the Division of Water Rights and secure a supply for domestic purposes by purchase or other agreement with some diverter. He acquiesced to the suggestion and admitted his doubt as to the feasibility of the project as shown in the application.

Since the hearing applicant has been allowed an opportunity to arrange for a domestic supply as suggested but has submitted no information in the matter. Information from other sources, however, indicates that he has abandoned the project and will seek another means of securing water for his needs.

the project as covered by application No. 4645 may therefore be considered abandoned by the applicant.

O R D E R

Application No. 4645 for a permit to appropriate water having been filed with the Division of Water Rights as above stated, protests having been filed, a public hearing having been held, and the Division of Water Rights now being fully informed in the premises:

IT IS HEREBY ORDERED that said Application No. 4645 be cancelled upon the records of the Division of Water Rights.

Dated at Sacramento this 19th day of October, 1926.

JCV:CS

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(Edward Hyatt, Jr.)  
CHIEF OF DIVISION OF WATER RIGHTS