

D. Lee

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

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IN THE MATTER OF APPLICATION NO. 4426 OF
APPLETON LAND, WATER & POWER COMPANY TO APPROPRIATE
WATER FROM DEEP CREEK, A TRIBUTARY OF MOJAVE RIVER IN SAN
BERNARDINO COUNTY FOR POWER PURPOSES

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Decision No. A4426 D 133

Decided December 17, 1926

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APPEARANCES AT HEARING SET FOR NOVEMBER 29, 1926

No appearance by applicant or protestant

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O P I N I O N

This is an application to appropriate 130 cubic feet per second from Deep Creek, a tributary of the Mojave River in San Bernardino County for power purposes. The water used would be returned to the stream from which diverted approximately 1 1/2 miles below the point of diversion. No storage is proposed under the application other than forebay regulations.

This application was completed sufficiently for advertisement in accordance with the Water Commission Act and the requirements of the Rules and Regulations of the Division of Water Rights. Being protested, same was set for a public hearing in Room No. 1026 Sun Finance Bldg., Los Angeles, Calif., at 1:30 P.M. on Monday, November 29, 1926. Of this hearing, applicant and protestant were duly notified.

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The only objector was the Mojave River Irrigation District, who provided no information in the connection since they were advised that cause of action was shown in their purported protest, and were allowed thirty days to state a cause of action. The application may therefore be considered as unopposed within the meaning of Section 1a of the Water Commission Act.

The application was filed January 21, 1925, since which time, although sufficiently in form for advertisement, the status of the project has been problematical in such major factors as conduit locations, power market, financing, etc., and the hearing was set to allow applicant to make such showing as he deemed advisable in these regards.

On the date of the hearing, applicant submitted a request that the application be dismissed and the Division of Water Rights is therefore relieved of the necessity of making any decision in the matter other than to approve this request.

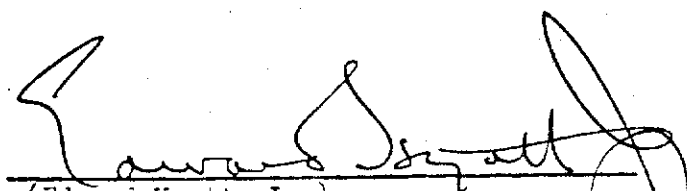
O R D E R

Application No. 4426 for a permit to appropriate water having been filed with the Division of Water Rights as above stated, protest having been filed, a public hearing having been set but abandoned due to a request having been received from the applicant for dismissal of the application, and the Division of Water Rights now being fully informed in the premises:

IT IS HEREBY ORDERED that said application No. 4426 be

without prejudice upon the records of the Division of Water Rights.

Dated at Sacramento, California, this 17th day of December, 1926.



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