

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

-000-

In the Matter of Application 3186 of Charles Martin to Appropriate  
from Conley Creek, in Humboldt County, for Agricultural Purposes

---  
DECISION No. 3186. D 31  
Decided October 24, 1924  
---

APPEARANCES AT HEARING HELD AUGUST 14, 1924-

For Applicant:	Charles Martin in propria persona
For Protestants:	L. F. Pater for Tooby and Prior, Inc.
Examiner:	Edward Hyatt, Jr., Chief of Division of Water Rights

-000-

O P I N I O N

On December 18, 1922, Charles Martin filed his Application No. 3186 for a permit to appropriate unappropriated water from Conley Creek, in Humboldt County, for use for agricultural purposes. Thereafter a protest was filed by Tooby and Prior, Incorporated, and in due course the matter of this application came on for hearing before the Division of Water Rights.

The protest of Tooby and Prior, Incorporated is based upon the ground that the proposed point of diversion of applicant lies upon land of protestant and that the proposed diversion of 0.31 cubic feet per second under this application would injure the riparian claims of protestant.

At the hearing protestant stated that a right of way would be given to applicant provided the application was amended to propose

a diversion conduit consisting of sixty feet of two-inch pipe and approximately one-half mile of one-inch pipe with a total fall of about 100 feet. This conduit was satisfactory to applicant and he accordingly requested the application to be amended and the amount of water to be reduced from 0.31 to 0.025 cubic feet per second.

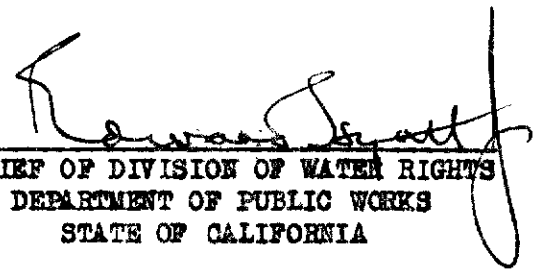
Since the protest to the application was withdrawn at the hearing, nothing now stands to prevent issuance of permit.

O R D E R

Application No. 3186 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 held and the Division of Water Rights now being fully informed in the premises:

IT IS HEREBY ORDERED, that Application No. 3186 be approved and that a permit be granted the applicant subject to such of the usual terms and conditions as may be appropriate.

Dated at Sacramento, this 24th day of October,  
1924.

  
CHIEF OF DIVISION OF WATER RIGHTS  
DEPARTMENT OF PUBLIC WORKS  
STATE OF CALIFORNIA

TRS/MY