

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

D 7 file

oOo

In the matter of Applications Nos. 5752, 5857 and 5858
by Parnall Gold Mines Corporation to appropriate
water from Baltic Creek and an unnamed
spring, both in the watershed of Cos-
umnes River in Eldorado County
for power and mining
purposes.

oOo

DECISION NO. 5752-5857-5858.

D-216

Decided:

February 18, 1929.

APPEARANCES AT HEARING HELD at Sacramento
January 28, 1929.

For Applicant

No appearance

For Protestant

No appearance

oOo

O P I N I O N

These three applications were filed November 12, 1927, and
March 14, 1928, respectively for the appropriation of water for use in
connection with applicants mining project. A protest was filed by
James S. Campini against Applications 5752 and 5857 which are to ap-
propriate from Baltic Creek.

These applications were 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 were set for a public hearing in Room #401, Public Works Building, Sacramento at 10:00 o'clock A. M. on Monday, January 28, 1929. Of this hearing applicant and protestant were duly notified.

No appearance was made on behalf of either protestant or applicant at this hearing. Action on the application, for reasons hereinafter shown is not to be predicated on any point raised by protestant and consideration of the protest therefore has no place in this opinion.

The applications entail the use of the "Pray ditch" an existing structure, as a conduit and applicants control of and right of way through this ditch has been disputed for the year last passed. Several requests to applicant for detailed information concerning the basis on which control of the ditch was claimed remain unanswered and the applications were set for hearing in the thought that information on this phase of the matter could be developed at such a hearing.

Shortly after receipt of formal notice of hearing Engineer Clifton H. Wildman who has throughout represented applicant before the Division of Water Rights advised that he had been instructed not to press the applications and indicated that the applications were maintained in force only because he had no authority to withdraw same.

The Division of Water Rights accordingly finds that the applications are, in effect abandoned and same will be cancelled on the records.

O R D E R

Applications Nos. 5752, 5857, and 5858 for permits 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 Applications Nos. 5752, 5857
and 5858 be rejected and cancelled upon the records of the Division of
Water Rights.

Dated at Sacramento this 18 day of February 1929.

Harold Conkling
(Harold Conkling)
CHIEF OF DIVISION OF WATER RIGHTS

JCF:GG