

E. Altra

Before the Division of Water Resources
Department of Public Works
State of California

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In the Matter of Applications 9627 and 9633 of the Division of Fish and Game, Department of Natural Resources, State of California to Appropriate from Lytle Creek, and a Spring Tributary Thereto in San Bernardino County for Recreational and Domestic Purposes.

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Decision A 9627, 9633 D-459
Decided *June 4, 1940*

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APPEARANCES AT HEARING HELD IN SAN BERNARDINO ON NOVEMBER 30, 1939 AND CONTINUED TO APRIL 24, 1940.

For Applicant

Division of Fish and Game

Paul D. McCormick
Edwin L. Carty
Lester A. McMillan
Eugene H. Elson

For Protestants

City of San Bernardino

James L. King
H. B. Griffin

Mt. Vernon Water Company

James L. King

City of Rialto

Raymond E. Hodge

Lytle Creek Water and Improvement Company

No appearance

San Bernardino Chamber of Commerce

Robert Neuman

EXAMINER: Harold Conkling, Deputy in Charge of Water Rights, Division of Water Resources, Department of Public Works, State of California.

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O P I N I O N

Applications 9627 and 9633 were completed in accordance with the Water Commission Act and the Rules and Regulations of the Division of Water Resources and being protested were set for public hearing in accordance with

Section 1a of the Water Commission Act on November 30, 1939 at 10:00 o'clock A.M. in Committee Room 205 City Hall, San Bernardino, California, and continued to April 24, 1940 at the same time and place. Of this hearing applicant and protestants were duly notified.

Applications 9627 and 9633 Withdrawn
by Applicant

Subsequent to the hearing, under date of May 29, 1940 Mr. Lester A. McMillan, executive officer of the Division of Fish and Game, informed this office that at its meeting in San Francisco, May 24, 1940, the Fish and Game Commission took action formally withdrawing Applications 9627 and 9633 and request was made that these applications be withdrawn in accordance with the recommendations of the Commission. Applications 9627 and 9633 should therefore be cancelled.

ORDER

Applications 9627 and 9633 for permits to appropriate water having been filed with the Division of Water Resources, protests having been filed, a public hearing having been held and these applications having been subsequently withdrawn by the applicant;

IT IS HEREBY ORDERED that said Applications 9627 and 9633 be rejected and cancelled upon the records of the Division of Water Resources.

WITNESS my hand and the seal of the Department of Public Works of the State of California, this 4th day of June, 1940.

EDWARD HYATT, State Engineer

By HAROLD CONKLING
Deputy

(Seal)