

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

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In the Matter of Application 10595 of Walter McGowan to Appropriate from the "Main Colusa Drain" in Glenn County, tributary to the Sacramento River for irrigation purposes.

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Decision A. 10595 D. 508

Decided December 3, 1943

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Appearances at Hearing Held at Sacramento November 9, 1943.

For Applicant

Walter McGowan

In propria persona

For Protestant

Compton-Delevan Irrigation District

No appearance

Examiner

Harold Conkling, Deputy State Engineer 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

Application 10595 of Walter McGowan was filed with the Division of Water Resources on January 27, 1943. It proposes the appropriation of 10 cubic feet per second from the Main Colusa Drain which is also designated as the Main Drain of Reclamation District 2047, from April 1 to November 1 of each season for the irrigation of 290.6 acres of rice and 258.3 acres

of Ladino clover on the "Razor Ranch" within Sections 25, 26, 35 and 36, T. 19 N., R. 2 W., M.D.B. & M. The point of diversion is described as being within the NW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 26, T. 19 N., R. 2 W., M.D.B.&M.

Application 10595 was protested by the Compton-Delevan Irrigation District upon the grounds of possible interference with its prior rights to the use of the waters of the Sacramento River which the district may divert into the Main Colusa Drain and redivert at a point below the confluence of Colusa Drain and the main drainage canal of Reclamation District 2047.

On June 10, 1943, a conference was held at the Willows Hotel between the applicant, Messrs. Saal and Baber, representing the protestant and an engineer of this office, as a result of which the protestants representatives agreed to present a resolution to the Board of Directors at its June 17 meeting withdrawing the protest.

Action was not forthcoming, however, and after several letters to the protestant which received no reply the matter was set for public hearing on Tuesday, November 9, 1943, at Room 401 Public Works Building, Sacramento, California. Of this hearing applicant and protestants were duly notified.

On the day of the hearing, this office was informed by the Secretary of the Compton-Delevan Irrigation District that although no resolution had yet been passed by the district relative to its protest he had been informed that it would be withdrawn.

No appearance was made at the hearing on behalf of the protestant and no cause has been shown for its non-appearance which may be taken as presumptive evidence that it is no longer concerned in the matter although the

protest has not actually been withdrawn. Its protest is therefore dismissed and Application 10595 may be approved.

O R D E R

Application 10595 for a permit to appropriate water having been filed with the Division of Water Resources as stated above, a protest having been filed, a public hearing having been held at which no appearance was made on behalf of the protestant and no cause shown for its non appearance, and it appearing to the Division that protestant no longer wishes to press its protest against the approval of Application 10595:

IT IS HEREBY ORDERED that Application 10595 be approved subject to such of the usual terms and conditions as may be appropriate.

WITNESS my hand and the seal of the Department of Public Works of the State of California, this 3rd day of December , 1943.

EDYARD HYATT, STATE ENGINEER

BY Harold Conkling  
Deputy State Engineer.

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