

BEFORE THE DIVISION OF WATER RESOURCES

DEPARTMENT OF PUBLIC WORKS

STATE OF CALIFORNIA

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In the Matter of Application 10324 of P. W. Cunningham and Application 10564 of T. W. Coverston to Appropriate Water from Springs, Tributary to Cajon Canyon in San Bernardino County for Domestic and Irrigation Purposes.

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Decision A. 10324, 10564 D. 549

Decided April 22, 1947

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O P I N I O N

Subsequent to the decision rendered on March 20, 1944, in connection with Applications 10324 and 10564 and other applications, action in connection with Application 10564 was ordered withheld pending developments under prior Application 9073 of Leo Thayer with the understanding that if for any reasons Application 9073 should be revoked or if it should be found that unappropriated water existed in the springs after the development of Mr. Thayer had been completed, Mr. Coverston should be allowed to proceed with his proposed development under Application 10564.

Action in connection with Application 10324 was also ordered withheld pending the development under Mr. Thayer's prior Application 9299 with the understanding that if for any reason Application 9299 should be revoked or it was found that unappropriated water exists in the springs after the development of Mr. Thayer had been completed, Application 10324 may be approved.

Applications 9073 and 9299 of Mr. Thayer have been revoked at

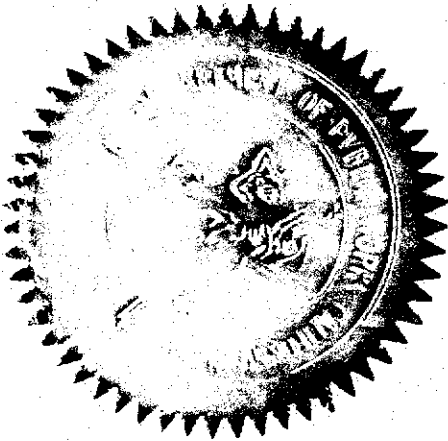
his request and it has already been found by our opinion rendered in connection with Application 10564 on March 20, 1944, that the protest of the Devore Water Company against the approval of this application may be dismissed upon the grounds that its right to the use of the waters of the spring had been forfeited because of a three-year period of nonuse. Applications 10324 and 10564 may now be approved.

ORDER

Applications 10324 and 10564 for permits having been filed with the Division of Water Resources, protests having been received, hearings having been held, Decision 9072, etc. D510 having been rendered and the Division of Water Resources now being fully informed in the premises:

IT IS HEREBY ORDERED that Applications 10324 and 10564 be approved and that permits be granted to the applicants subject to such of the usual terms and conditions as may be appropriate.

WITNESS my hand and seal of the Department of Public Works of the State of California this 22nd day of April, 1947.




Edward Hyatt, State Engineer