

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

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In the matter of Application 12063 of Paul E. and Helen A. Leland to
Appropriate from a well tributary to Big Bear Lake in San Bernardino County,
for Domestic purposes.

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Decision A. 12063, D. 589

Decided November 23, 1948

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APPEARANCES AT FIELD INVESTIGATION CONDUCTED ON OCTOBER 22, 1948, UNDER THE
PROVISIONS OF ARTICLE 13, SECTION 733b OF THE CALIFORNIA ADMINISTRATIVE CODE.

For the Applicants

Paul E. Leland and
Helen A. Leland

In propria persona
In propria persona

For the Protestants

C. E. Phillips

Not present but later contacted
in Los Angeles.

W. C. and Georgia A. Wyland

W. C. Wyland

Dr. F. A. Yoakam

W. C. Wyland

For the State Engineer

J. J. Heacock, Associate Hydraulic Engineer, Division of Water Resources,
Department of Public Works, State of California.

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O P I N I O N

General Description of Projects

Application 12063 proposes a diversion of 200 gallons per day from a well tributary to Big Bear Lake. Water diverted from the well is conveyed through 1000 feet of 1" steel pipe to the place of use on Lot 356 of Big Bear Lake Tract of the San Bernardino National Forest and is to be used for domestic purposes.

Protests

Application 12063 was protested by C. E. Phillips, W. C. and Georgia A. Wyland and Dr. F. A. Yoakam.

Protestant Phillips claims a right to one-fourth of all water developed from the well named as the source of supply in Application 12063. He states that his protest may be disregarded and dismissed if the right to a one-fourth interest in all the water available in the well is granted him.

W. C. and Georgia A. Wyland and Dr. F. A. Yoakam divert water from an unnamed spring for use on Lots 355 and 357 of Big Bear Lake Tract. The protestants do not believe their source of supply is the same as that named as the applicants' source of supply yet they would not withdraw their protests until this could be ascertained with reasonable certainty by the Division of Water Resources.

Field Investigation

Stipulations to an informal hearing under the provisions of Article 13, Section 733(b) of the California Administrative Code having been entered into by both the applicants and protestants and the stipulations having been approved by the State Engineer, an investigation was conducted at the site of the proposed appropriation by an engineer of the Division on October 22,

1948. Accompanying the engineer were the applicants and W. C. Wyland, one of the protestants. Mr. Phillips was contacted later in Los Angeles and Dr. F. A. Yoakam authorized W. C. Wyland to act in his behalf.

General Discussion

As a result of the conference at the time of the field investigation the applicants assigned a one-fourth interest in their application 12063 to Mr. C. E. Phillips for use on his Lot 336 of Big Bear Lake Tract. Mr. Phillips in turn withdrew his protest.

It was determined at the field investigation that the source of supply of Protestants F. A. Yoakam and W. C. and Georgia A. Wyland was a spring approximately 640 feet from the applicants source and that there were two granitic ridges and two deep ravines between them. W. C. Wyland thought there could be no interference with their supply and withdrew his protest and signed a withdrawal of the F. A. Yoakam protest as Dr. Yoakam's representative in the matter.

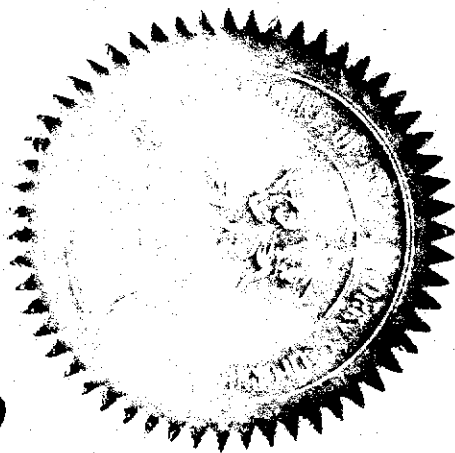
ORDER

Application 12063 for a permit to appropriate water having been filed with the Division of Water Resources as above stated, protests having been filed, a stipulated hearing having been held in accordance with the provisions of Section 733(b) of the California Administrative Code and the protests having been withdrawn:

IT IS HEREBY ORDERED that Application 12063 be approved and that a permit be issued to the applicants, 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 23rd day of November, 1948.




Edward Hyatt, State Engineer

WRG:JM