

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

In the Matter of Application 25619)
and 25620 to Appropriate Water from)
an Unnamed Spring and Unnamed Stream)
in Amador County)
C. S. HOWARD ESTATE)
Applicant)

Order: WR 79-12

Source: Unnamed spring and
unnamed stream

County: Amador

ORDER GRANTING EXTENSIONS OF TIME

BY THE BOARD

WHEREAS:

1. In 1977, C. S. Howard Estate filed two applications; Application 25619 is to appropriate 8 acre-feet of water from an unnamed stream tributary to Laguna Creek, and Application 25620 to appropriate 10 acre-feet from an unnamed spring tributary to Dry Creek, both from November 1 to April 1 for industrial, mining, fire protection, and wildlife enhancement in Amador County.

2. Applicant is involved in a dispute with a lease holder over control of the place of use. The Issue is currently being litigated.

3. Staff previously granted a six-month extension of time until April 3, 1979, for the applicant to settle the dispute over control of place of use.

4. Applicant has requested additional time because the litigation is not yet settled.

5. It is the policy of the Board to grant extensions of time where the applicant demonstrates due diligence in pursuing his permit where delays are caused by reasons beyond his control.

6. The applicant has diligently attempted to settle the litigation during the previous extension.

7. Indefinite delays cannot be approved.

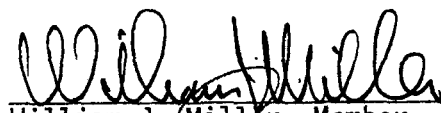
THEREFORE, IT IS ORDERED:

1. The applicant be granted an extension of time until April 3, 1980, for the purpose of settling the dispute over place of use thereby providing reasonable assurance that the proposed projects will be diligently pursued.

2. That failure of the applicant to provide such assurance by April 3, 1980 will result in cancellation of Applications 25619 and 25620 without further proceedings.

Dated: MAY 17 1979


W. Don Maughan, Chairman


William J. Miller, Member


L. L. Mitchell, Member


Carla M. Bard, Member