

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

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IN THE MATTER OF APPLICATION NUMBER 2972 OF SKOOKUM
PLACER MINING ASSOCIATION TO APPROPRIATE FROM BUZZARD
CREEK, IN SISKIYOU COUNTY, FOR MINING PURPOSES

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DECISION NO. 2972 D. 47

Decided March 23, 1925

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APPEARANCES AT HEARING HELD August 14, 1924

For Applicant: Walter B. Robinson

For Protestants: H. B. Boorse for Samuel J. Dunaway,
Alvin Smith and Tony Kenney

Examiner: Edward Hyatt, Jr., Chief of Division of Water Rights

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O P I N I O N

On August 8, 1922, Frank M. Wilson filed application Number 2972 for a permit to appropriate 20 cubic feet per second from Buzzard Creek in Siskiyou County, for use for mining purposes. This application was subsequently assigned to the Skookum Placer Mining Association. It was protested by Samuel J. Dunaway, Alvin Smith and Tony Kenney.

This application was completed in accordance with the Water Commission Act and the requirements of the Rules and Regulations of the Division of Water Rights and being protested was set for a public hearing at the Court House in Eureka at 1:30 o'clock P.M. on August 14, 1924.

Representatives of the applicant and all protestants of record appeared at the hearing as noted above.

The basis of the protests to application Number 2972 was a subsequent application Number 3548 for power purposes. At the hearing protestants withdrew their protests under an agreement with the applicant that in case permit was issued, no water in excess of that required for domestic purposes shall be diverted under said permit when the available water supply is inadequate to meet the need of permittee for hydraulic mining.

As a result of the hearing the following agreement was entered into by applicant and protestant:

1. The Skookum Placer Mining Association will re-survey its point of diversion.
2. The applicant's proposed point of diversion is located approximately one mile upstream from protestant's point of diversion on Buzzard Creek.
3. The applicant asks to have application Number 2972 amended so as to reduce the amount proposed to be diverted to 12 cubic feet per second.
4. If permit is issued to applicant, no water in excess of that required for domestic purposes shall be diverted under said permit when the available water supply is inadequate to meet the needs of permittee for hydraulic mining.
5. Protestants withdraw their application Number 3548 for power purposes.

6. Protestants will submit a new application for purely domestic and mining purposes for 6 or 7 miners inches, or a larger amount, as deemed necessary by them.

7. The Skookum Placer Mining Association will not protest the new application of protestants whose point of diversion will be the same as described in application Number 3548 or approximately one mile below that in application Number 2972.

The terms of the above agreement have been complied with and therefore it appears that nothing now stands in the way of issuance of a permit to applicant.

O R D E R


Application Number 2972 for a permit to appropriate water having been filed with the Division of Water Rights as above stated, protests having been filed, a public hearing having been held, and the Division of Water Rights now being fully informed in the premises

IT IS HEREBY ORDERED that said application Number 2972 be approved and that a permit be granted to applicant subject to such of the usual terms and conditions as may be appropriate and the following special terms and conditions, to-wit:

"No water in excess of that required for domestic purposes shall be diverted under this permit when the available water supply is inadequate to meet the needs of permittee for hydraulic mining".

Dated at Sacramento, this 23d day of March,

1925.



CHIEF OF DIVISION OF WATER RIGHTS
DEPARTMENT OF PUBLIC WORKS
STATE OF CALIFORNIA