

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

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In the Matter of Application Number 3923 by C. E. Loose  
to Appropriate Water From East Walker River in  
Mono County for Power Purposes.

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DECISION NO. 3923 D 128  
Decided October 25, 1926

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APPEARANCES AT HEARING HELD JUNE 22, 1925

For Applicant:

L. F. Adamson, Attorney  
Kearns Bldg.,  
Salt Lake City, Utah

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

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O P I N I O N

On March 26, 1924, C. E. Loose filed Application Number 3923 with the Division of Water Rights to appropriate 230 cubic feet per second and 10,000 acre feet per annum from East Walker River for the generation of electrical power. Being in conflict with Application Number 1389 of the Walker River Irrigation District, as will be shown hereafter, although unprotested, Mr. Loose's application was included with those of the above district heard at 1:30 o'clock P.M. on Monday, June 22, 1925 in Room 707 Forum Building, Sacramento, California. Of this hearing applicant Loose was duly notified. He was represented by his attorney L. F. Adamson.

February 8, 1926, Decision No. 1097, 1098, 1389, 2221, 2615, 3923 D 90 was rendered ordering approval of the Walker River Irrigation District's applications and withholding action on the Loose application until further order was entered. June 18, 1926, the District's applications were formally

approved and on that date a letter was sent to Mr. Loose explaining the necessity of a revised project and allowing an extension to October 1, 1926, to enable him to so amend his application as to describe a project of practicable accomplishment if he so desired. No amendment has been undertaken.

The inchoate right which Mr. Loose initiated by Application Number 3923 is subject to the District's rights under prior application Number 1389. The latter application has been approved, the storage works have been completed and the reservoir is in use; also this reservoir covers the greater part of the land Mr. Loose proposes to flood and since all but a negligible part of the land covered by the reservoir is owned by the District it is seen that Mr. Loose's project could not be put into effect in the form described in his application Number 3923. Mr. Loose has failed to indicate that a continuance of the filing is desired under any other plan.

O R D E R

Application 3923 for permit to appropriate water having been filed with the Division of Water Rights as above stated, a public hearing having been held, and the Division of Water Rights now being fully informed in the premises:

IT IS HEREBY ORDERED THAT Application Number 3923 be rejected and cancelled upon the records of the Division of Water Rights without prejudice.

Dated at Sacramento, California, this 25th day of October, 1926.

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(Edward Hyatt, Jr.)  
CHIEF OF DIVISION OF WATER RIGHTS

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