

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

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In the Matter of Revocation of Permits 3619, 3620, 3617 and 3618  
heretofore issued in Approval of Applications 3498 and 3997  
of Three Cities Land Company, Application 4039 of City  
of Arcadia and Application 4058 of City of Sierra  
Madre to appropriate from Santa Anita Creek  
in Los Angeles County

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Decision 3498, 3997, 4039, 4058 B ----- 405

Decided *June 21, 1937*

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APPEARANCE AT HEARING HELD AT LOS ANGELES APRIL 30, 1937

For Permittees

Three Cities Land Company  
City of Arcadia  
City of Sierra Madre

W. L. Hoffeditz  
G. B. Watson  
No appearance

EXAMINER: Harold Conkling, Deputy in Charge of Water Rights, Division  
of Water Resources, Department of Public Works, State of  
California

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O P I N I O N

Permits 3619, 3620, 3617 and 3618, involving both direct  
diversion and underground storage, were issued on November 24, 1930 in  
approval of Applications 3498, 3997, 4039 and 4058 respectively.

According to the terms of each permit construction work should have been completed on or before December 1, 1935 and the water applied to full beneficial use on or before December 1, 1935.

Although more than six years have elapsed since issuance of permits the record indicated that little or nothing had been accomplished toward the actual construction of the necessary diversion works and what little spreading had been done had apparently been done by public agencies other than the permittees themselves.

As it appeared to the Division that the permittees had failed to comply with the terms and conditions of their permits, the matter was set for public hearing in accordance with Section 20 of the Water Commission Act on January 26, 1937 at 10:00 o'clock A.M. in Room 401, Public Works Building, Sacramento, California. This hearing, however, was postponed and convened on April 30, 1937 at 10:00 o'clock A.M., in Room 803, California State Building, Los Angeles, California. Of this hearing, permittees were duly notified.

The Three Cities Land Company and the City of Arcadia were represented at the hearing but no appearance was made on behalf of the City of Sierra Madre, apparently due to the departure of the City Attorney for Washington, D. C. and the failure of the City Manager to appoint a representative in time for the hearing. (See letter from Dailey S. Stafford dated April 30, 1937 and received in this office on May 1, 1937).

At the hearing the fact was brought out that neither the City of Arcadia nor the Three Cities Land Company had done anything themselves toward the consummation of the construction work nor had they any immediate plans for proceeding with the projects as proposed. Work to date has apparently been done by other public agencies and the matter is in control

of the Los Angeles County Flood Control District. The showing made by those present at the hearing was not sufficient to justify the granting of extensions of time within which to complete the projects and it is our opinion that Permits 3619, 3620 of Three Cities Land Company and Permit 3498 of the City of Arcadia should be revoked.

As stated above, no appearance at the hearing was made on behalf of the City of Sierra Madre. The records of this office, however, indicate that the situation with respect to Permit 3618 is similar to that of the other permits and for this reason together with the fact that permittee failed to appear at the hearing and has not shown good and sufficient cause for such failure to appear, it is our opinion that Permit 4058 of City of Sierra Madre should also be revoked.

ORDER

Permits 3619, 3620, 3617 and 3618 having been heretofore issued in approval of applications 3498, 3997, 4039 and 4058 and it appearing to the Division that permittees had failed to comply with the terms and conditions thereof and permittees after due notice and a hearing thereon having failed to show cause why said permits should not be revoked:

IT IS HEREBY ORDERED that Permits 3619, 3620, 3617 and 3618 heretofore issued in approval of applications 3498, 3997, 4039 and 4058 be revoked and cancelled upon the records of the Division of Water Resources.

WITNESS my hand and the seal of the Department of Public Works of the State of California this 21 day of June 1937.

EDWARD HYATT, State Engineer

By HAROLD CONKLING  
Deputy.

(Seal)