

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

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In the Matter of Applications 8846 and 8847 of Felton Water  
Company to Appropriate from Shingle Mill Creek, trib-  
utary to San Lorenzo River in Santa Cruz County  
for Irrigation, Recreational and Domestic  
Purposes.

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Decision A-8846, 8847 D-417

Decided *April 20, 1938*

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APPEARANCES AT HEARING HELD AT SANTA CRUZ, NOVEMBER 30, 1937.

For Applicant

Felton Water Company

G. W. Cooper

For Protestant

Fannie H. Glover

E. Marion Crawford

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

General Description of Project

Under Application 8846 Felton Water Company seeks to appropriate 0.20  
cubic foot per second from Shingle Mill Creek, a tributary of San Lorenzo  
River, for domestic and irrigation purposes, diversion to be made in the SW $\frac{1}{4}$   
of SW $\frac{1}{4}$  of Section 21, Township 10 South, Range 2 West, M.D.B. & M.

Under Application 8847 the same applicant seeks to appropriate 0.10 cubic  
foot per second from Shingle Mill Creek for recreational and incidental de-

domestic uses, diversion to be made within the NE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 28, Township 10 South, Range 2 West, M.D.B. & M.

The two applications were regularly completed and advertised and were protested by Fannie H. Glover who claims a right to divert from Shingle Mill Creek a short distance below the lower point of diversion proposed by Felton Water Company, as indicated above. After due notice to the parties the matter was scheduled for hearing in accordance with the requirements of the Water Commission Act and the Rules and Regulations of the Division.

Under Applications 5297, 5298 and 5299 permits were heretofore issued to Felton Water Company allowing an appropriation, subject to prior and existing rights, of 0.0773 cubic foot per second, or approximately 50,000 gallons per day, from Shingle Mill Creek for domestic, irrigation and municipal purposes, respectively.

After consideration of the testimony presented at the hearing on the protest of Fannie H. Glover applicant was advised that the amount which it was permitted to divert under Applications 5297, 5298 and 5299 apparently exceeded the normal summer flow of Shingle Mill Creek and therefore in view of the fact that this was a recreational area, it was felt whatever summer flow might occur in the small streams traversing this area should be left unimpaired except insofar as its use was imperative to satisfy domestic needs.

It was suggested to applicant that it give the matter further thought and advise the Division in the premises. There followed under date of April 14, 1938, a letter from the applicant advising that it wished to withdraw the two applications.

O R D E R

Applications 8846 and 8847 for permits to appropriate water from Shingle Mill Creek having been filed with the Division of Water Resources as above stated, these applications having been protested and after a public hearing said applications having been voluntarily withdrawn by the applicant,

IT IS HEREBY ORDERED that the said Applications 8846 and 8847 be rejected and cancelled upon the records of the Division of Water Resources without prejudice.

WITNESS my hand and the seal of the Department of Public Works of the State of California this *20th* day of *April* 1938.

(Seal)  
ENB:GG

Edward Hyatt  
State Engineer.