

Ex. 111. 10/27

Before the Division of Water Resources
Department of Public Works
State of California

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In the Matter of the Revocation of Permit 4722 Heretofore
Issued in Approval of Application 8844 of
Harriet L. Worthington to appropriate
from Mesal Creek in Los Angeles
County for Domestic Purpose.

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Decision A. 8844 D. 450

Decided *December 11, 1939*

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APPEARANCES AT HEARING HELD IN SACRAMENTO, JANUARY 31, 1939.

For Permittee

Harriet L. Worthington

No appearance.

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O P I N I O N

On November 7, 1938 there was received from permittee a statement to the effect that the diversion ditches to be used in connection with the proposed development had been washed away by the flood of March 2, 1938, the stream channel was a quarter of a mile west from where it formerly was, and that she had no plans for the immediate rehabilitation of the project.

As the terms of the permit provided for the completion of construction work on or before December 1, 1938, permittee was advised to request the revocation of Permit 4722 and to file a new application at such a time as she was in a position to proceed with the development.

As no reply was received, permittee was cited to appear under the provisions of Section 20 of the Water Commission Act, at a hearing to be held at Sacramento on Tuesday, January 31, 1939 to show cause why the permit should not be revoked for failure to comply with the terms thereof.

No appearance was made at the hearing but upon representations of the permittee received on February 3, 1939 to the effect that she was under the impression that the hearing was to be held in Los Angeles instead of at Sacramento and that there was a possibility that the water would be used this summer, she was advised under date of February 4, 1939 that action would be withheld until December 1, 1939 pending the receipt of a further report from her. She was advised however that unless there was a showing made within that time that substantial progress had been made toward the rehabilitation of the project, the permit would be revoked.

No further showing has been made by the permittee; the time heretofore allowed within which to complete the development has expired and Permit 4722 should therefore be revoked.

O R D E R

Permit 4722 having been heretofore issued in approval of Application 8544 and it appearing to the Division that permittee had failed to comply with the terms and conditions thereof, and permittee after due notice and a hearing thereon having failed to show cause why said permit should not be revoked;

IT IS HEREBY ORDERED that Permit 4722 heretofore issued in approval of Application 8544 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 11 day of Dec. , 1939.

EDWARD HYATT, State Engineer

By HAROLD CONKLING
Deputy

(Seal)

WES:m

12/2/39