

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

In the Matter of Application 23643)
of Kennolyn's Hi Camp, Inc. to)
Appropriate from Soquel Creek in) Decision 1443
Santa Cruz County.)

DECISION DENYING APPLICATION

BY BOARD VICE CHAIRMAN ROBIE AND MEMBER AUER:

Kennolyn's Hi Camp, Inc., having filed Application 23643 for a permit to appropriate unappropriated water; a protest having been received; a public hearing having been held before the State Water Resources Control Board on May 8, 1974; applicant and protestant having appeared and presented evidence; the evidence received at the hearing having been duly considered, the Board finds as follows:

Substance of the Application

1. Application 23643 is for a permit to appropriate 0.05 cubic foot per second by direct diversion from April 1 to November 1 of each year and ten acre-feet per annum by storage to be collected from March 1 to June 1 of each year for domestic, stockwatering, and recreational purposes from Soquel Creek in Santa Cruz County. The point of diversion is to be located within the NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 35, T10S, R1W, MDB&M.

Applicant's Project

2. The application was filed to provide water for a summer youth camp. Testimony at the hearing indicated that

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the camp would be abandoned after 1974 and that applicant now hopes to develop the land for homesites, including a miniature golf course (RT 74, 75). However, plans for such development are preliminary and in a "formative stage" (RT 76, 77). Applicant was allowed 90 days after the hearing in which to submit "something a little more concrete" (RT 78). Applicant has failed to submit any further information.

The Application Must be Denied

3. Section 776, Title 23, Cal. Adm. Code provides:

"776. Reasonable Promptness Required. An application will be denied when it appears after hearing that (a) the applicant does not intend to initiate construction of the works required for the contemplated use of water within a reasonable time and thereafter diligently prosecute the construction and use of water to completion, or (b) the applicant will not be able to proceed within a reasonable time, either because of absence of a feasible plan, lack of the required financial resources, or other cause."

Since applicant has failed to submit the information required by this regulation, Application 23643 must be denied.

ORDER

IT IS HEREBY ORDERED that Application 23643 be, and it is, denied without prejudice to the filing of a new application when applicant is prepared to proceed with a project to appropriate water within a reasonable time.

Dated: November 21, 1974

We concur:

RONALD B. ROBIE
Ronald B. Robie, Vice Chairman

W. W. ADAMS
W. W. Adams, Chariman

MRS. CARL H. (JEAN) AUER
Mrs. Carl H. (Jean) Auer, Member

ROY E. DODSON
Roy E. Dodson, Member

W. DON MAUGHAN
W. Don Maughan, Member