

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

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IN THE MATTER OF APPLICATION 10333 OF GEORGE M. ROSS
TO APPROPRIATE FROM TWO SPRINGS IN WAGEL CANYON,
TRIBUTARY TO LITTLE TUJUNGA CREEK IN
LOS ANGELES COUNTY, FOR DOMESTIC
AND STOCK WATERING PURPOSES.

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DECISION A. 10333 D. 504

Decided October 7, 1943

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APPEARANCES AT FIELD INVESTIGATION CONDUCTED ON JULY 28, 1943, UNDER THE
PROVISIONS OF REGULATION 12B OF THE RULES AND REGULATIONS OF THE DIVISION
OF WATER RESOURCES:

For Applicant

George M. Ross

In propria persona
Mrs. George M. Ross

For Protestants

Robert Winemiller)
Mr. and Mrs. John Archer)
Mr. and Mrs. Tom Frith)
William Johnson)
Mark, Otto and Ralph Owen)
August and Ermenia Raggi)
Florence Locke)
Core Lightfoot)
R. G. Norlander)
Harry Schonhorst)

Harry Schonhorst and
District Forest Ranger
M. W. Durham

INVESTIGATOR: Biscoe Kibbey, Associate Hydraulic Engineer, for
Harold Conkling, Deputy State Engineer, Division of Water
Resources, Department of Public Works, State of California.

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O P I N I O N

Application 10333 having been filed and protests against approval thereof having been received, was regularly set for a field investigation of which applicant and protestants were duly notified and did agree, by signed stipulations, to abide by the report and subsequent findings of such investigation.

Prior to the time of the investigation information was received that the only spring in which protestants were concerned was the upper or spring No. 2, as named in the application, which spring lies within the boundaries of Angeles National Forest and subsequent to the investigation the United States Forest Service informed the Division of Water Resources that applicant would be denied right of access to the spring. In view of the provisions of the State Water Code relative to right of access it is apparent ^{access} that approval of Application 10333, in so far as it relates to this spring, should be denied.

In the case of the lower or spring No. 1 as named in the application, and which also is located within the boundaries of Angeles National Forest, the protestants have advanced no objections towards approval of Application 10333 with respect to that spring and subsequent to the inspection the United States Forest Service informed the Division of Water Resources that applicant would be granted right of access to that spring.

The uses to which the applicant proposes to put the water sought are useful and beneficial ones and there appearing to be no bar to approval of Application 10333 in so far as Spring No. 1 is concerned it is the opinion of this office that the said application should be approved, in so far as said

spring is concerned, subject to the usual terms and conditions and it is the further opinion of this office that approval of the said application with respect to spring No. 2 should be denied.

RECORDS RELIED UPON

Application 10333 Filed November 27, 1941
Map supporting said application Filed June 25, 1942
Protest by Harry Schonhorst, et al. Filed October 9, 1942
Answer to protest Filed October 11, 1942
Memorandum by C. T. Waldo October 19, 1942
Memorandum by C. T. Waldo December 16, 1942
Stipulation by Harry Schonhorst Filed January 5, 1943
Stipulation by George M. Ross Filed January 12, 1943
Stipulations by all protestants Filed March 8, 1943
Memorandum by Dist. Ranger Durham Filed March 29, 1943
Letter from U. S. Forest Service Filed April 12, 1943
Report of field investigation Filed August 5, 1943
Letter from U. S. Forest Service Filed August 12, 1943

O R D E R

Application 10333 for a permit to appropriate water having been filed, a field investigation having been made, a stipulated hearing having been held in accordance with Regulation 12B of the Rules and Regulations of the Division of Water Resources and the Division now being fully informed in the premises:

IT IS HEREBY ORDERED that Application 10333 be approved for the amount and season of use applied for from spring No. 1 and that a permit be granted to the applicant subject to such of the usual terms and conditions as may be appropriate; and

IT IS FURTHER ORDERED that Application 10333 not be approved for any diversion from spring No. 2 and a permit be denied to the applicant to any use from said spring.

WITNESS my hand and the seal of the Department of Public Works
of the State of California, this 7th day of October, 1943.

EDWARD HYATT, STATE ENGINEER

BY Harold Conkling
Deputy State Engineer

