

O P I N I O N

General Features of Application.

Under Application 5791 it is proposed to divert 0.01 cubic foot per second from an unnamed spring in San Bernardino County tributary to Coldwater Creek and the North Fork of Lytle Creek from about April 1st to about November 30th of each season for domestic purposes on the Pine Flats Resort Site consisting of 8.8 acres within the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 3, T2N, R7W., S. B. B. and M. The application was protested by The City of Rialto, the Lytle Creek Water and Improvement Company, and the Fontana Union Water Company and the Fontana Domestic Water Company.

HEARING HELD IN ACCORDANCE WITH SECTION 1A

OF THE WATER COMMISSION ACT.

Application 5791 was completed sufficiently for advertising in accordance with the Water Commission Act and the requirements of the Rules and Regulations of the Division of Water Rights and being protested was set for a public hearing in accordance with Section 1a of the Water Commission Act on November 8, 1928 at 2:00 o'clock P.M. in the Council Chamber of the City Hall at San Bernardino, California. Of this hearing applicant and protestants were duly notified.

Application 5791 Withdrawn.

Under date of May 11, 1929 the Forest Supervisor of the San Bernardino National Forest withdrew Application 5791 and based upon this fact, rather than upon testimony presented at the hearing, Application 5791 should be cancelled upon the records of this office.

O R D E R

Application 5791 for a permit to appropriate water having been filed with the Division of Water Rights as above stated, protests having been filed, a public hearing having been held and the Division of Water Rights having been informed by the applicant that the application was withdrawn:

IT IS HEREBY ORDERED that the said Application 5791 be rejected and cancelled upon the records of this office.

Dated at Sacramento, California this 29 day of June, 1929.

Harold Conkling
(HAROLD CONKLING)
CHIEF OF DIVISION OF WATER RIGHTS.

WES:JR.