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

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

Decision A-8846, 8847 D-417
Decided April 20, 1938

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.

OPINION

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 SE\(\frac{1}{4}\) of Section 21, Township 10 South, Range 3 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 ¼ of NE ¼ 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, 1936, a letter from the applicant advising that it wished to with-
draw the two applications.
ORDER

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.

(Signature)
Edward Hyatt
State Engineer.