

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

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In re Application 7566 of J. C. Long to appropriate  
Water from Post Office Spring in Inyo County.

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DECISION A 7566 D - 352

Decided

*January 12, 1934.*

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APPEARANCES AT HEARING HELD AT SACRAMENTO, JANUARY 8, 1934

For Applicant

J. C. Long

None

For Protestant

Ballarat Mining Corporation

None

EXAMINER: Everett N. Bryan, Supervising Hydraulic Engineer, for  
Harold Conkling, Deputy in Charge of Water Rights, Division  
of Water Resources, Department of Public Works.

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O P I N I O N

Applicant proposed to divert three hundredths (0.03) cubic foot per second from Post Office Spring located in the NE $\frac{1}{4}$  NE $\frac{1}{4}$  Section 9, T 22 S, R 44 E, M.D.B.&M. tributary to Panamint Sink from January 1st to December 31st of each season for mining and domestic purposes. Immediately upon filing the application applicant was advised that there was a prior filing on the source by Ballarat Mining Corporation, and was advised to look into the matter before proceeding. The application was however completed and advertised, and a protest was filed by Ballarat Mining Corporation of Trona which holds Application 6478 filed November 6, 1929 on which Permit 4157 was issued to appropriate three hundredths (0.03) cubic foot per second for mining and domestic purposes throughout the entire year from said Post Office Spring.

The protest was received September 8, 1933, and letters were addressed to the applicant on September 11th and October 16, 1933, respectively, calling to his attention the desirability of attempting to adjust the protest or of filing an answer thereto. Applicant having failed to adjust the protest or respond to the Division's communications, the application was set for hearing at Sacramento on January 8, 1934, and applicant and protestant were advised that if an appearance was proposed by applicant the hearing would be transferred to Los Angeles, otherwise the application would be cancelled on account of abandonment.

The hearing was called to order at the time and place noticed but no appearance was made by applicant in defense of his application nor has he since offered any excuse for his non-appearance. It is therefore concluded that the project has been abandoned and the application should be cancelled.

O R D E R

Application 7566 of J. C. Long for a permit to appropriate water having been filed with the Division of Water Resources as above stated, a protest having been filed against issuance of permit thereon, a public hearing having been held and the Division of Water Resources now being fully informed in the premises;

IT IS HEREBY ORDERED that said Application 7566 be cancelled on the grounds of abandonment.

WITNESS my hand and the seal of the Department of Public Works of the State of California, this 12<sup>th</sup> day of January 1934.

EDWARD FYATT, State Engineer

BY Harold Conkling  
Deputy U