

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

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In the Matter of Application 9850 of Otto and Ronald Kausen
to Appropriate from Widow White Creek, Tributary
to the Pacific Ocean in Humboldt
County, for Irrigation Purposes.

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DECISION A. 9850 D. 465

Decided: *December 9, 1940*

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APPEARANCES AT FIELD INVESTIGATION CONDUCTED ON SEPTEMBER 19, 1940 UNDER
THE PROVISIONS OF REGULATION 12B OF THE RULES AND REGULATIONS OF THE
DIVISION OF WATER RESOURCES.

For Applicants

Otto and Ronald Kausen

Otto Kausen

For Protestants

Helen Heitman

Mr. Heitman

Laurence Murray

In propria persona

Andrew Miller

In propria persona

INVESTIGATOR: A. S. Wheeler, Assistant Hydraulic Engineer for Harold
Conkling, Deputy State Engineer, Division of Water Resources,
Department of Public Works, State of California.

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OPINION

Application 9850 having been filed and protests against approval
thereof having been received, was regularly set for a field investigation of
which applicants and protestants were duly notified and did agree by signed
stipulations, to abide by the report and subsequent findings of such investi-
gation.

During the course of the investigation all interested parties were fully advised as to the clauses protecting their claimed rights customarily placed in all permits issued by the Division of Water Resources and several stream flow measurements conclusively showed that unappropriated water existed in Widow White Creek in excess of the amount sought by the applicants, whereupon all protestants definitely advised the investigator that they had no further objections to approval of Application 9850 for the amount sought thereunder.

The uses to which applicants propose to put the water are useful and beneficial ones and there appearing to be no bar to approval of Application 9850 it is the opinion of this office that the said application should be approved subject to the usual terms and conditions.

RECORDS RELIED UPON

Amended Application 9850	Filed March 19, 1940
Map supporting Application 9850	Filed March 14, 1940
Protest of Helen Heitman	Filed April 5, 1940
Protest of Laurence Murray	Filed April 16, 1940
Protest of Andrew Miller	Filed April 18, 1940
Map in support of protests	Filed April 22, 1940
Answer to protests	Filed May 3, 1940
Stipulation by applicants	Filed August 26, 1940
Stipulation by protestants Heitman and Murray	Filed August 28, 1940
Stipulation by protestant Miller	Filed Sept. 24, 1940
Report of Field Investigation	Filed Oct. 11, 1940

ORDER

Application 9850 for a permit to appropriate water having been filed with the Division of Water Resources as above stated, protests 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 of Water Resources now being fully informed in the premises:

IT IS HEREBY ORDERED that Application 9850 be approved for the amount of water and season of use applied for and that a permit be granted to the applicants subject to such of the usual terms and conditions as may be appropriate.

WITNESS my hand and the seal of the Department of Public Works of the State of California, this 9th day of Dec 1940.

EDWARD HYATT, State Engineer

By HAROLD CONKLING
Deputy

(Seal)

ASW:m
Dec. 3, 1940