

Hill Cassas deLipkau and Erwin

LAWYERS

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ROSS E. DELIPKAU

November 6, 1986.

IN DENVER, COLORADO
Sherman & Howard
2900 FIRST INTERSTATE TOWER NORTH
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TELECOPIER 303 288-0840

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DENVER, COLORADO 80237
TELEPHONE 303 779-9494
TELECOPIER 303 779-9490

IN COLORADO SPRINGS, COLORADO
Sherman, Howard, Baker & Wendelken
SUITE 201 MINING EXCHANGE BUILDING
COLORADO SPRINGS, COLORADO 80909
TELEPHONE 303 475-9440
TELECOPIER 303 639-4576

Honorable Peter G. Morros
Nevada State Engineer
Division of Water Resources
201 South Fall Street
Carson City, Nevada 89710

Re: Application 49933, Permit 22869
Our File No. M-180(D)-80

Dear Mr. Morros:

As you are aware, the Genoa Cemetery lodged a protest to the granting of Application 49933. Subsequent to that protest, further problems have developed, as the applicant insists on utilizing water from the Unnamed Spring. Additionally, Permit 22869 was granted in error, as protestant claims vested rights to all the waters of the Unnamed Spring.

Request is hereby made that a field investigation be scheduled at your earliest convenience. Be advised that, in addition to the Genoa Cemetery Association, Mr. Robert Taylor, P. O. Box 16, Genoa, Nevada 89411, and Mr. Gilbert Ralston, P. O. Box 350, Genoa, Nevada 89411, also claim vested rights from this spring. Would you kindly send notices or correspondences to them, as well as to the protestant and myself.

Very truly yours,

HILL CASSAS de LIPKAU and ERWIN

By Ross E. de Lipkau
Ross E. de Lipkau

REd:pb

cc: Mr. Rufus Adams
Mr. Robert Taylor
Mr. Gilbert Ralston

Hill Cassas deLipkau and Erwin

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Ross E. deLIPKAU

July 6, 1987

Honorable Peter G. Morros
Nevada State Engineer
Division of Water Resources
201 South Fall Street
Carson City, Nevada 89710

Re: Application 49933, Permit 22869
Our File No. M-128(D)-80

Dear Mr. Morros:

On November 6, 1986, I wrote you stating that problems were arising by reason of the above matter. Claims of vested rights are claimed by the Genoa Cemetery Association, Mr. Robert Taylor and Mr. Gilbert Ralston. I am informed that Marjorie Bay is continuing to take water from the spring, all in derogation of the prior vested rights. It would be sincerely appreciated if you would promptly resolve the matter. For your information, I am enclosing a copy of my November 6, 1986 letter.

Very truly yours,

HILL CASSAS de LIPKAU and ERWIN

By *Ross E. deLipkau*
Ross E. de Lipkau

REd:pb

cc: Mr. Rufus Adams
Mr. Robert Taylor
Mr. Gilbert Ralston

Hill Cassas deLipkau and Erwin

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Ross E. deLIPKAU

September 29, 1988

Mr. Peter G. Morros
Nevada State Engineer
Division of Water Resources
201 South Fall Street
Carson City, Nevada 89710

Re: Proof of Appropriation 02659
Unnamed Spring

Dear Mr. Morros:

Pursuant to NRS 533.090(1), request is hereby on behalf of Genoa Cemetery Association, a non-profit association, that you commence statutory adjudication.

As you are aware, the underlying permit, assigned No. 22869, seeks water from the same source. A multitude of problems have arisen between the claimed owner of Permit 22869 and the Cemetery Association.

Your prompt attention would be appreciated.

Very truly yours,

HILL CASSAS de LIPKAU and ERWIN

By *Ross E. de Lipkau*
Ross E. de Lipkau

REd/lbe
pc: Rufus Adams
William Nork

36247.001

Hill Cassas deLipkau and Erwin

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January 25, 1989

Ross E. deLIPKAU
Honorable Peter G. Morros
Nevada State Engineer
201 South Fall Street
Carson City, Nevada 89710

Re: Unnamed Creek - Genoa Cemetery Proofs 04642, 04643, and
02659; Our File 36247.001

Dear Mr. Morros:

As you are aware, the above three Proofs of Appropriation claim that water has been utilized from the Unnamed Spring since well prior to 1905.

The State Engineer granted Permit 22869 to Jack W. Bay, and such right is now owned by Marjorie Bay Zoppi. A multitude of problems have arisen in that Mrs. Zoppi claims she has first priority to the waters. The vested water right holders have exercised restraint, but on occasion they have removed her works of diversion. Such activity will continue until the adjudication is complete. It would be appreciated if you would promptly commence the adjudication proceedings so that the entire matter can be resolved.

Very truly yours,

HILL CASSAS de LIPKAU AND ERWIN

By *Ross E. de Lipkau*
Ross E. de Lipkau

RED:km

cc: Mr. Rufus W. Adams
Mr. Jack Van Sickle
Mr. William S. Roney
Mr. Leo Cardinal
Mr. Eugene Scossa
Mr. William P. Hendricks
Ms. Marlene Hellwinkle
Mr. Gilbert Ralston
Mr. Ron Simek
Mr. William Nork

Hill Cassas deLipkau and Erwin

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March 15, 1989

ROSS E. DELIPKAU

Mr. Gene Clock
Nevada State Engineer's Office
Division of Water Resources
201 South Fall Street
Carson City, Nevada 89710

Re: Genoa Cemetery Association
- Unnamed Spring

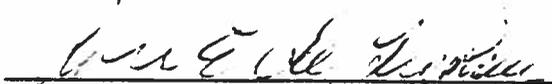
Dear Gene:

This is to confirm our conversation. Request is again made that your office commence the statutory adjudication proceedings. This firm's clients are most interested in concluding this matter.

Very truly yours,

HILL CASSAS de LIPKAU and ERWIN

By


Ross E. de Lipkau

REd/lbe
pc: Rufus Adams
36247.001

Hill Cassas deLipkau and Erwin

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April 14, 1989

Ross E. deLIPKAU

Mr. Mike Turnipseed
Division of Water Resources
201 South Fall Street
Carson City, Nevada 89710

Re: Genoa Cemetery Association

Dear Mr. Turnipseed:

This is to advise you that the water rights situation on the above entitled "proposed adjudication" is becoming quite heated.

Again, it would be appreciated if you would commence the statutory adjudication proceedings.

Very truly yours,

HILL CASSAS de LIPKAU and ERWIN

By *Ross E. de Lipkau*
Ross E. de Lipkau

REd/lbe
pc: Genoa Cemetery Association
William Nork
36247.001

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