

IN THE MATTER OF APPLICATION 7989 )  
FILED BY THE ARGENTA LAND AND )  
CATTLE COMPANY TO CHANGE THE POINT )  
OF DIVERSION ON THE HUMBOLDT RIVER )  
IN LANDER COUNTY, NEVADA )

R U L I N G

GENERAL:

Application 7989 was filed on January 23, 1927 by the Argenta Land and Cattle Company to change the point of diversion of water heretofore appropriated under Proof No. 00163 from the Humboldt River for irrigation, stockwatering and domestic purposes from March 1st to November 1st of each year. The existing point of diversion is described as within the SE $\frac{1}{4}$ SE $\frac{1}{4}$  Section 8, T. 32 N., R. 45 E., M.D.B.&M. The proposed point of diversion is described as within the SE $\frac{1}{4}$ NW $\frac{1}{4}$  Section 16, T. 32 N., R. 45 E., M.D.B.&M. The place of use remains unchanged and applies to the following described lands: 50.23 acres in Section 1, T. 32 N., R. 44 E., 489.20 acres in Section 5, 446.01 acres in Section 6, 74.99 acres in Section 7 and 237.38 acres in Section 8, all in T. 32 N., R. 45 E., 80 acres in the S $\frac{1}{2}$ SW $\frac{1}{2}$  Section 29, 320 acres in the S $\frac{1}{2}$  Section 30, 640 acres in Section 31 and 320 acres in the W $\frac{1}{2}$  Section 32, all in T. 33 N., R. 45 E., M.D.B.&M.

A letter was sent to the applicant by certified mail on February 28, 1969 requesting additional information necessary before further action could be taken on Application 7989. The Post Office Department forwarded the letter to the Muleshoe and Argenta Holdings who returned it to this office stating that the Post Office in Battle Mountain had no one listed as the Argenta Land and Cattle Company.

Proof No. 00163 was purchased by the United States of America and transferred under Permit 9729 for use within the Pershing County Water Conservation District. There is no right to be changed by Application 7989 by virtue of this purchase and transfer of the base water right under Proof No. 00163.

RULING

Application 7989 is herewith denied on the grounds that the applicant or his successors in interest have failed to submit the information requested and further, that there is no remaining right to be changed by this application because of the purchase by the United States of America and transfer of Proof No. 00163.

Respectfully submitted,

  
Roland D. Westergard  
State Engineer

RDW:WJN:jls

Dated this 10th day  
of April, 1969.