

IN THE MATTER OF APPLICATIONS 34559)  
AND 34560 FILED FOR UNDERGROUND )  
WATERS IN DIAMOND VALLEY, EUREKA )  
COUNTY, NEVADA )

R U L I N G  
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Applications 34559 and 34560 were filed on November 3, 1977 to change the Points of Diversion of Permits 18666 and 18665 respectively.

Permits 18665 and 18666 were the subject of a hearing to determine forfeiture held on February 16 and 17, 1978 in Eureka, Nevada.

It was concluded that evidence information and data clearly and conclusively established that for a period of in excess of 5 successive years water had not been beneficially used for the purpose for which water right were acquired.

It was ruled, on September 28, 1978, that the rights to appropriate water under Permits 18665 and 18666 had been forfeited.

R U L I N G

Applications 34559 and 34560 are hereby denied on the grounds that no water rights exist under Permits 18665 and 18665 to be changed.

Respectfully submitted,

  
Roland D. Westergard  
State Engineer

Dated this 9th day  
of November, 1978.