

IN THE MATTER OF PERMIT 19531,
FILED FEBRUARY 3, 1961, BY MRS.
JAMES F. BOCCARDO, ASSIGNED TO
RUTH G. FINK, TO APPROPRIATE
WATER FROM ALDER CREEK AND THE
TRIBUTARIES IN HUMBOLDT COUNTY,
NEVADA.

R U L I N G

GENERAL:

Application 19531 was filed February 3, 1961 to appropriate 3.0 cfs of water from Alder Creek and Tributaries for irrigation and domestic purposes. The point of diversion is in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 10, T. 44 N., R. 28 E. The place of use is 160 acres within the W $\frac{1}{2}$ SW $\frac{1}{4}$, Section 26 and E $\frac{1}{2}$ SE $\frac{1}{4}$ Section 27, T. 45 N., R. 28 E., M.D.B.&M. A permit was issued for 2.7 cfs, November 14, 1963.

Proof of Beneficial Use and supporting map were submitted May 22nd, 1968 and May 8th, 1968, respectively. It was claimed that water had been beneficially used upon 107.0 acres within the designated place of use.

A field investigation, held August 27, 1968, disclosed that seed had been planted but there was no evidence that water had been applied to beneficial use on the land. On November 1st, 1968, a letter was sent by certified mail to the owner of record, requesting additional evidence to substantiate the Proof of Beneficial Use. No reply was received.

RULING

Permit 19531 is herewith cancelled on the grounds that the owner of record failed to submit the evidence requested and required to show compliance with the permit provisions.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW:KAR:jb

Dated This 12th Day

of March, 1969.