

IN THE MATTER OF APPLICATION 42706 FILED)
TO CHANGE THE POINT OF DIVERSION AND PLACE)
OF USE OF A PORTION OF PERMIT 22034 ISSUED)
FOR THE WATERS OF AN UNDERGROUND SOURCE IN)
WINNEMUCCA SEGMENT, HUMBOLDT COUNTY, NEVADA)

R U L I N G

FINDINGS OF FACT

I

Application 34811 was filed by Donnell J. and Andree L. Richards on December 29, 1977, to change the point of diversion and place of use of Permit 22034, Certificate 7569. Permit 34811 was approved on January 11, 1980.

Permit 34811 was cancelled on October 3, 1980, by the State Engineer for failure of the applicant to comply with the provisions of the permit. 1/

II

Application 42706 was filed by Donnell J. and Andree L. Richards on October 23, 1980, to change the point of diversion and place of use of 0.0815 cfs, a portion of water heretofore appropriated under Permit 22034, Certificate 7569. 2/

III

The cancellation of Permit 34811 was rescinded on July 23, 1981. 3/

IV

Application 42706 was filed to replace cancelled Permit 34811 and became ready for action on August 20, 1981.

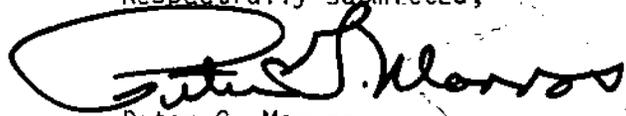
CONCLUSIONS

The State Engineer has jurisdiction over the parties and subject matter of this action. 4/

RULING

Application 42706 is herewith denied on the grounds that since the cancellation of Permit 34811 was rescinded, there is no basis or cause to approve Application 42706.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Peter G. Morros". The signature is written in a cursive style with a large, looping initial "P".

Peter G. Morros
State Engineer

PGM/KN/ja

Dated this 6th day

of SEPTEMBER, 1983.

FOOTNOTES

1. Permit 34811; Public records in the office of the State Engineer.
2. Application 42706; Public records in the office of the State Engineer.
3. State Engineer's Ruling No. 2686; Public records in the office of the State Engineer.
4. NRS 533.025.