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STATE OF NEVADA
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF WATER RESOURCES
BEFORE THE HEARING OFFICER, JONATHAN C. PALM

-oOo-

Ruling No.

In the Matter of the)
PERMIT NUMBERS 16178)
and 20355)
_____)

4296

REPORTER'S TRANSCRIPT OF PROCEEDINGS
HEARING ON POSSIBLE FORFEITURE OF WATER RIGHTS
MONDAY, FEBRUARY 5, 1996
BEATTY, NEVADA

Reported By: KAREN YATES, RPR
Nevada CCR No. 195

1 Certificate 5762, and in regards to the 180 acre feet of
2 water.

3 Conclusion: Number one, the State Engineer has
4 jurisdiction in this matter in accordance with the Nevada
5 Revised Statutes 534.090.

6 Number two, NRS 534.090 provides that the failure
7 to use underground water for the purpose for which it was
8 acquired works a forfeiture of that water right if the water
9 had not been placed to a beneficial use for a continuous
10 period of five years.

11 Number three, a continuous period of non-use
12 exceeding the statutory five years has occurred on the place
13 of use of Permit 16178. Therefore, I conclude that the
14 right to use the water under this water right has been
15 forfeited.

16 The ruling: The right to use the water under
17 Permit 16178, Certificate 5762, is hereby declared forfeited
18 in the amount of 180 acre feet on the grounds that the water
19 under said certificate has not been placed to a beneficial
20 use for a continuous period exceeding five years.

21 The ruling with regard to the remaining 20 acre
22 feet is as follows: The holder of this right, Mr. Bell,
23 will be given until August 16, 1996 to file a change
24 application and appropriate ownership documents, if
25 required, regarding 20 acre feet of water right appurtenant

1 to assessor's parcel number 19-651-06.

2 With that, I will declare this hearing closed.

3 (The hearing concluded at 5:30 p.m.)

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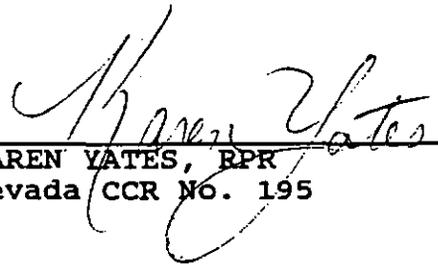
STATE OF NEVADA,)
) ss.
CARSON CITY.)

I, KAREN YATES, a Certified Court Reporter in
and for the State of Nevada, do hereby certify:

That I was present at a meeting of the Nevada
Department of Conservation and Natural Resources, Division
of Water Resources, on Monday, February 5, 1996, at the
Beatty Community Center, Beatty, Nevada, and took verbatim
stenotype notes of the proceedings had upon the hearing in
the matter of Permits 16178 and 20355, and thereafter
transcribed them into typewriting as herein appears,

That the foregoing transcript, consisting of
pages 1 through 154, is a full, true and correct
transcription of my stenotype notes of said hearing.

DATED at Carson City, Nevada, this 14th day of
February, 1996.



KAREN YATES, RPR
Nevada CCR No. 195