

**IN THE OFFICE OF THE STATE ENGINEER
OF THE STATE OF NEVADA**

IN THE MATTER OF APPLICATIONS 75199,)
75200, 75201, 75202, 75203, 75204, 75205,)
75206, 75207 AND 75208 FILED TO)
CHANGE THE POINT OF DIVERSION AND)
PLACE OF USE OF THE PUBLIC WATERS)
OF AN UNDERGROUND SOURCE)
PREVIOUSLY APPROPRIATED UNDER)
PERMITS 28062 AND 45061, WITHIN THE)
AMARGOSA DESERT HYDROGRAPHIC)
BASIN (230), NYE COUNTY, NEVADA.)

RULING

#5895

GENERAL

I.

Application 75199 was filed on December 18, 2006, by John Timothy Jacobs and Teresa D. Jacobs to change the point of diversion and place of use of 0.1153 cubic feet per second (cfs) not to exceed 5.109 million gallons annually (mga), a portion of underground water previously appropriated under Permit 28062. The manner of use is for quasi-municipal and domestic purposes. The proposed place of use is described as being Little Nevada Subdivision Lots 143, 186, 187, 192, 193, 226, 194, 224, 223, 222, 201, 200, 179, and 178, located within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, T.18S., R.49E., M.D.B.&M. The existing place of use is described as being located within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, T.18S., R.49E., M.D.B.&M. The proposed point of diversion is described as being located within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, T.18S., R.49E., M.D.B.&M. The existing point of diversion is described as being located within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2, T.18S., R.49E., M.D.B.&M.¹

II.

Application 75200 was filed on December 18, 2006, by John Timothy Jacobs and Teresa D. Jacobs to change the point of diversion and place of use of 0.1026 cubic feet per second (cfs) not to exceed 5.109 million gallons annually (mga), a portion of underground water previously appropriated under Permit 45061. The manner of use is for quasi-municipal and domestic purposes. The proposed place of use is described as

¹ File No. 75199, official records in the Office of the State Engineer.

being Little Nevada Subdivision Lots 143, 186, 187, 192, 193, 226, 194, 224, 223, 222, 201, 200, 179, and 178, located within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, T.18S., R.49E., M.D.B.&M. The existing place of use is described as being located within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, T.18S., R.49E., M.D.B.&M. The proposed point of diversion is described as being located within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, T.18S., R.49E., M.D.B.&M. The existing point of diversion is described as being located within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2, T.18S., R.49E., M.D.B.&M.²

III.

Application 75201 was filed on December 18, 2006, by John Timothy Jacobs and Teresa D. Jacobs to change the point of diversion and place of use of 0.1071 cfs not to exceed 4.744 mga, a portion of underground water previously appropriated under Permit 28062. The manner of use is for quasi-municipal and domestic purposes. The proposed place of use is described as being Little Nevada Subdivision Lots 74, 75, 104, 105, 154, 155, 174, 175, 153, 176, 177, 202, and 221, located within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, T.18S., R.49E., M.D.B.&M. The existing place of use is described as being located within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, T.18S., R.49E., M.D.B.&M. The proposed point of diversion is described as being located within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11, T.18S., R.49E., M.D.B.&M. The existing point of diversion is described as being located within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2, T.18S., R.49E., M.D.B.&M.³

IV.

Application 75202 was filed on December 18, 2006, by John Timothy Jacobs and Teresa D. Jacobs to change the point of diversion and place of use of 0.0953 cfs not to exceed 4.744 mga, a portion of underground water previously appropriated under Permit 45061. The manner of use is for quasi-municipal and domestic purposes. The proposed place of use is described as being Little Nevada Subdivision Lots 74, 75, 104, 105, 154, 155, 174, 175, 153, 176, 177, 202, and 221, located within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11, T.18S., R.49E., M.D.B.&M. The existing place of use is described as being located within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, T.18S., R.49E., M.D.B.&M. The proposed point

² File No. 75200, official records in the Office of the State Engineer.

³ File No. 75201, official records in the Office of the State Engineer.

of diversion is described as being located within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11, T.18S., R.49E., M.D.B.&M. The existing point of diversion is described as being located within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2, T.18S., R.49E., M.D.B.&M.⁴

V.

Application 75203 was filed on December 18, 2006, by John Timothy Jacobs and Teresa D. Jacobs to change the point of diversion and place of use of 0.0164 cfs not to exceed 729,906 gallons annually, a portion of underground water previously appropriated under Permit 28062. The manner of use is for quasi-municipal and domestic purposes. The proposed place of use is described as being Little Nevada Subdivision Lots 123 and 157, located within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11, T.18S., R.49E., M.D.B.&M. The existing place of use is described as being located within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, T.18S., R.49E., M.D.B.&M. The proposed point of diversion is described as being located within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11, T.18S., R.49E., M.D.B.&M. The existing point of diversion is described as being located within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2, T.18S., R.49E., M.D.B.&M.⁵

VI.

Application 75204 was filed on December 18, 2006, by John Timothy Jacobs and Teresa D. Jacobs to change the point of diversion and place of use of 0.0147 cfs not to exceed 729,906 gallons annually, a portion of underground water previously appropriated under Permit 45061. The manner of use is for quasi-municipal and domestic purposes. The proposed place of use is described as being Little Nevada Subdivision Lots 123 and 157, located within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11, T.18S., R.49E., M.D.B.&M. The existing place of use is described as being located within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, T.18S., R.49E., M.D.B.&M. The proposed point of diversion is described as being located within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11, T.18S., R.49E., M.D.B.&M. The existing point of diversion is described as being located within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2, T.18S., R.49E., M.D.B.&M.⁶

⁴ File No. 75202, official records in the Office of the State Engineer.

⁵ File No. 75203, official records in the Office of the State Engineer.

⁶ File No. 75204, official records in the Office of the State Engineer.

VII.

Application 75205 was filed on December 18, 2006, by John Timothy Jacobs and Teresa D. Jacobs to change the point of diversion and place of use of 0.1153 cfs not to exceed 5.109 mga, a portion of underground water previously appropriated under Permit 28062. The manner of use is for quasi-municipal and domestic purposes. The proposed place of use is described as being Little Nevada Subdivision Lots 19, 22, 23, 60, 61, 70, 71, 108, 109, 170, 171, 208, 209, and 218, located within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11, T.18S., R.49E., M.D.B.&M. The existing place of use is described as being located within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, T.18S., R.49E., M.D.B.&M. The proposed point of diversion is described as being located within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11, T.18S., R.49E., M.D.B.&M. The existing point of diversion is described as being located within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2, T.18S., R.49E., M.D.B.&M.⁷

VIII.

Application 75206 was filed on December 18, 2006, by John Timothy Jacobs and Teresa D. Jacobs to change the point of diversion and place of use of 0.1026 cfs not to exceed 5.109 mga, a portion of underground water previously appropriated under Permit 45061. The manner of use is for quasi-municipal and domestic purposes. The proposed place of use is described as being Little Nevada Subdivision Lots 19, 22, 23, 60, 61, 70, 71, 108, 109, 170, 171, 208, 209, and 218, located within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11, T.18S., R.49E., M.D.B.&M. The existing place of use is described as being located within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, T.18S., R.49E., M.D.B.&M. The proposed point of diversion is described as being located within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11, T.18S., R.49E., M.D.B.&M. The existing point of diversion is described as being located within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2, T.18S., R.49E., M.D.B.&M.⁸

IX.

Application 75207 was filed on December 18, 2006, by John Timothy Jacobs and Teresa D. Jacobs to change the point of diversion and place of use of 0.0440 cfs not to exceed 2.1897 mga, a portion of underground water previously appropriated under Permit 45061. The manner of use is for quasi-municipal and domestic purposes. The proposed

⁷ File No. 75205, official records in the Office of the State Engineer.

⁸ File No. 75206, official records in the Office of the State Engineer.

place of use is described as Little Nevada Subdivision Lots 160, 161, 168, 169, 210 and 216, being located within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11, T.18S., R.49E., M.D.B.&M. The existing place of use is described as being located within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, T.18S., R.49E., M.D.B.&M. The proposed point of diversion is described as being located within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11, T.18S., R.49E., M.D.B.&M. The existing point of diversion is described as being located within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2, T.18S., R.49E., M.D.B.&M.⁹

X.

Application 75208 was filed on December 18, 2006, by John Timothy Jacobs and Teresa D. Jacobs to change the point of diversion and place of use of 0.0494 cfs not to exceed 2.1897 mga, a portion of underground water previously appropriated under Permit 28062. The manner of use is for quasi-municipal and domestic purposes. The proposed place of use is described as being Little Nevada Subdivision Lots 160, 161, 168, 169, 210, and 216 located within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11, T.18S., R.49E., M.D.B.&M. The existing place of use is described as being located within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, T.18S., R.49E., M.D.B.&M. The proposed point of diversion is described as being located within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11, T.18S., R.49E., M.D.B.&M. The existing point of diversion is described as being located within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2, T.18S., R.49E., M.D.B.&M.¹⁰

XI.

Applications 75199, 75200, 75201, 75202, 75203, 75204, 75205, 75206, 75207 and 75208 were timely protested by John F. Bosta and Antonio Guerra Martinez. Each Protestant's protest issues are identical and summarized as follows:^{1,2,3,4,5,6,7,8,9,10}

1. The transfer of water rights under Permits 28062 and 45061 to any parcel void of water rights should be denied.
2. The 107 parcels marked WS that remain with appurtenant water rights under Permits 28062 and 45061 should not be transferred to any of the remaining 102 parcels that are void of water rights under Permit 28062 and 45061 (cite omitted).

⁹ File No. 75207, official records in the Office of the State Engineer.

¹⁰ File No. 75208, official records in the Office of the State Engineer.

3. The applicant should offer to connect any of 107 Parcels marked WS that remain with appurtenant water rights under Permits 28062 and 45061 on a copy of Certified Subdivision Map filed for Permit 28061 with water lines at the original cost of \$500 per meter and supply water to each lot using the 119.840545 AFA under Permits 28062 and 45061.
4. The State Engineer should restore the canceled 52.048544 AFA, which will be used to supply water to each of the void lot on a copy of Certified Subdivision Map filed for Permit 28061 with water meters and lines at the original cost of \$500 per connection. The priority of service will be based upon the date on the GRANT, BARGAIN, and SALE signed by TED A. EMBRY, TRUSTEE "EMBRY 1997 TRUST." The earliest date of sale will receive service first.
5. The applicant's Water Company, T-N-T Enterprises, a.k.a. Embry Water System, should be designated as a public water system.

XII.

After all parties were duly noticed by certified mail, a public administrative hearing was held on February 27, 2008, regarding Applications 75199, 75200, 75201, 75202, 75203, 75204, 75205, 75206, 75207 and 75208 in Carson City, Nevada, before representatives of the Office of the State Engineer.¹¹

FINDINGS OF FACT

I.

The existing water rights at issue were permitted for the Little Nevada Subdivision in Amargosa Valley. The Little Nevada Subdivision originally was granted conditional approval relying upon the commitment of the developer to furnish water service to all subdivision lots by a community water system. The original permittees were W.D. and Gertrude Embry, Sr. and the community water system was referred to as the Embry Water System. Permits 28062 and 45061 were approved for a total combined duty of 88.6 mga or 271.90 afa, to serve 226 residential lots and commercial development. Each lot was assigned 1.12 afa for a total commitment of 253.12 afa. The remaining 18.78 afa was assigned to serve commercial purposes.¹²

¹¹ Exhibits and Transcripts, public administrative hearing before the State Engineer, February 27, 2008, official records in the Office of the State Engineer (Hereafter, "Transcript" and "Exhibits").

¹² Exhibit No. 41.

Subsequently, Little Nevada Subdivision was revised and reduced to 209 residential lots at 234.08 afa with the difference in the residential commitment increasing the allocation for commercial purposes to 37.82 afa; the total allocation for the project remained at 271.90 afa.¹³

In 1988 and 1989, the Office of the State Engineer expressed concern about the lack of progress in placing water to beneficial use and the continuous filing of extensions of time under Permits 28062 and 45061. The Embry's were warned that the permits may be subject to cancellation.¹⁴ By letter dated October 16, 1989, Ted A. Embry responded to the request for additional information. Mr. Embry indicated that Permits 28062 and 45061 were to provide water to the trailer park within the subdivision and to the subdivision lots as they were purchased. A quasi-municipal water system was designed and the first stage of the water system was completed in 1984. The water system was designed to initially serve 63 customers and to accommodate expansion as additional lots were sold. At this time Amargosa Valley was a thriving and expanding area and it was anticipated that the lots in the subdivision would be sold to people working at a nearby mine in Death Valley; however, the mine closed in 1986. Through 1985, approximately 112 lots were sold (38 different property owners) and about 25 customers were receiving water service; however, due to the adverse economic conditions caused by the mine closure, many of the customers moved away. It was stated that Embry was trying to sell a large part of the subdivision's water rights to James A. Marsh with the intention of selling the remainder of the subdivision to Mr. Marsh to accommodate personnel for his commercial project. It was noted that Gertrude Embry's home was constructed on lots 39 and 44 of the subdivision and she has lived there since 1962.¹⁵

On November 20, 1989, water was sold from the subdivision to James A. Marsh and Permits 53181 and 53182 were approved to change 100 afa from Permits 28062 and 45061 for a commercial project outside the place of use of the subdivision. The 100 afa included the water allocated for commercial purposes (37.82 afa) and water allocated to serve 55+ residential lots (62.18 afa).¹⁶ The 62.18 afa of water was stripped from a portion of the remaining lots owned by Embry. In 1990, Mr. Marsh was still negotiating

¹³ Exhibit No. 41.

¹⁴ See, Correspondence of July 15, 1988 and August 2, 1989, File No. 28062 vol. 1 of 4, official records in the Office of the State Engineer.

¹⁵ See, Correspondence of October 16, 1989, File No. 28062 vol. 1 of 4, official records in the Office of the State Engineer.

¹⁶ Exhibit No. 41.

to purchase the remaining water-righted lots owned by Embry.¹⁷ Ultimately, the sale of the remaining 46+ lots to Mr. Marsh did not occur as planned.

On July 22, 1993, a portion of the combined duty of water remaining under Permits 28062 and 45061, being 16.96 mga or 52.05 afa, was cancelled.

There is a remaining combined duty portion of 16.960 MGA (52.05 AFA) under Permits 28062 and 45061 that is uncommitted to beneficial use or to specific development in progress, and that is not obligated to specific future service by a binding commitment between the water purveyor and customer.

The record lacks evidence that there has been satisfactory progress to establish beneficial use for the remaining 16.960 MGA combined duty portion under Permits 28062 and 45061.

The State Engineer finds that the owner has not shown good cause to grant an extension of time for the remaining 16.960 MGA uncommitted portion as provided under NRS 533.410 and that the owner is not proceeding in good faith and with reasonable diligence as provided under NRS 533.395(1). Therefore, the remaining 16.960 MGA combined duty portion under Permits 28062 and 45061 is hereby cancelled effective the date of this notice.¹⁸

This cancellation included water allocated to serve 46+ residential lots. After the sale and approval of 100 afa under Permits 53181 and 53182 and the cancellation of 52.05 afa, there is a remaining combined duty of 119.85 afa under Permits 28062 and 45061. The remaining duty is sufficient to serve 107 residential lots,¹⁹ at 1.12 afa per lot; leaving 102 residential lots within the Little Nevada Subdivision without water rights under Permits 28062 and 45061.²⁰

As previously detailed, there is only enough water remaining under Permits 28062 and 45061 to serve 107 residential lots within the Little Nevada Subdivision. Of the original 226 lots, it is the duty of the Office of the State Engineer to determine which of these lots have appurtenant water. This task is complicated by the lack of information regarding what specific lots were stripped of water under Permits 53181 and 53182, the revision of the original subdivision maps, the selling of lots in excess of the water available, the drilling of domestic wells within the subdivision, the lack of specific lot

¹⁷ Correspondence, October 29, 1990, File No. 28062 vol. 1 of 4, official records in the Office of the State Engineer.

¹⁸ Cancellation Notice, July 22, 1993, File No. 28062 vol. 2 of 4, official records in the Office of the State Engineer.

¹⁹ Note, the Marsh transfer actually removed the equivalent amount of water for ~55.5 lots and the cancellation removed ~46.5 lots, such that the original 209 lots minus 55.5 minus 46.5 equals 107 lots remaining with water.

²⁰ Exhibit No. 41.

numbers where water was cancelled, the later combining of lots into larger parcels, and the reliance of the Applicant and Protestants on a draft map known as the “Thayer Map”²¹ and draft worksheets.²² However, from a review of records on file in the Office of the State Engineer and data presented at the administrative hearing, the Office of the State Engineer was able to prepare a summary spreadsheet showing the status of each lot.²³ For convenience, the spreadsheet is attached to this ruling as Appendix A. On the spreadsheet under the column labeled ‘The 107’, a ‘YES’ indicates that the lot is one of the 107 lots with appurtenant water and a ‘NO’ indicates the lot is dry. The column to the left of the ‘The 107’ is the corresponding lot number, labeled ‘LNS LOT NUMBER’. The first column is the Nye County Assessor Parcel Number, labeled ‘APN’ associated with each lot or lots. It should be noted that some of the 107 lots have been combined such that there are 97 individual parcels.

The State Engineer finds that the remaining water under Permits 28062 and 45061 is appurtenant to the 107 lots identified in Appendix A and the remaining subdivision lots are dry. A review of Applications 75199, 75200, 75201, 75202, 75203, 75204, 75205, 75206, 75207 and 75208 indicates lots would be served by the Applicant under these applications, identified by Little Nevada Subdivision Lot Number. These are Lots 19, 22, 23, 60, 61, 70, 71, 74, 75, 105, 108, 109, 123, 143, 153, 154, 155, 157, 160, 161, 168, 169, 170, 171, 174, 175, 176, 177, 178, 179, 186, 187, 192, 193, 194, 200, 201, 202, 208, 209, 210, 216, 218, 221, 222, 223, 224, and 226. By comparing these lots to the aforementioned summary spreadsheet, the State Engineer finds that water would be transferred from the 107 lots with committed water to 34 lots that are void of water rights under Permits 28062 and 45061. The remaining 14 lots described by the applications already have water committed to the lots and to transfer additional water to those lots would server no purpose. The State Engineer further finds that the Little Nevada Subdivision Summary Spreadsheet supersedes all previous map and worksheet drafts contained in File Nos. 28062 and 45061.

²¹ Exhibit No. 42.

²² Exhibit No. 85.

²³ Little Nevada Subdivision Summary Spreadsheet, File No. 28062, vol. 4 of 4, official records in the Office of the State Engineer.

II.

The Applicant indicated several times at the hearing that he is not a water company²⁴ and the Applicant further stated, "I did not purchase a water company."²⁵ However, the Applicant sent water bills to customers connected to the water system. The Applicant explained, "In that deed [Exhibit No. 90] there was some supplement [sic] escrow instructions which said that the buyer is to continue to furnish existing customers under 15 hookups as long as it is feasible and they are currently paid." The Applicant indicated he purchased the two parcels where the wells under Permits 28062 and 45061 are located, Lot 28 and Lot 40, and with this purchase the deed indicates that he would receive all of the remaining water under Permits 28062 and 45061 being 39.055 mga or 119.85 afa.²⁶ It should be noted that Lot 28 and Lot 40 are not part of the 107 lots and do not have appurtenant water rights. The Applicant owns 8 lots that are a part of the 107 lots and these lots are identified as Lots 104, 105, 124, 125, 140, 141, 188 and 221; the appurtenant water rights total 8.96 afa.²⁷

The Applicant filed a Report of Conveyance on June 9, 2004, indicating ownership of the water under Permits 28062 and 45061. Based on this information, the records in the Office of the State Engineer were updated to reflect the Applicant as owner of record of 39.05 mga or 119.85 afa. However, the Applicant was advised the following:²⁸

Please be advised that according to NRS 533.386(2.) that this confirmation of your Report of Conveyance does not guarantee that a) the water right is in good standing with the office of the State Engineer; or b) that the amount of water referenced in this notice or in the report is the actual amount of water entitled to be used.

This assignment reflects only the information that has been filed with this office and may be subject to amendment upon receipt of additional documentation.

²⁴ Transcript, pp. 110, 136-137, 141-142.

²⁵ Transcript, p. 110.

²⁶ Transcript, p. 111; Exhibit No. 90.

²⁷ Little Nevada Subdivision Summary Spreadsheet, File No. 28062, vol. 4 of 4, official records in the Office of the State Engineer.

²⁸ Confirmation letter, March 7, 2005, File No. 28062, vol. 4 of 4, official records in the Office of the State Engineer.

Nevada water law also states that a confirmation letter is not a determination of ownership and that only a court of competent jurisdiction may adjudicate conflicting claims to ownership of a water right.²⁹

The issue of ownership of the water was brought out at the administrative hearing by both Protestants. Protestant Bosta testified that all five of his deeds for the lots he purchased did not exclude any water rights and therefore, any water appurtenant to his lots transferred with the property.³⁰ Protestant Martinez provided a copy of his deed for Lot 137 showing that there was no reservation of the water rights appurtenant to the property and that the transfer included water rights benefiting said realty.³¹ In addition, Protestant Martinez paid a connection fee for water service, as evidenced by his escrow instructions.³² The chain of title submitted by the Applicant did not include any deeds for lots sold by Embry prior to the Applicant and did not account for any water relinquished for domestic wells.

The State Engineer finds the deed provided for Lot 137 indicates that the water transferred with the sale of the property and there was a binding commitment for water service. The State Engineer finds that the chain of title submitted by the Applicant now appears to be incomplete, based on the evidence submitted at the hearing. The State Engineer finds that only a court of competent jurisdiction may adjudicate conflicting claims to ownership of a water right and the State Engineer may not act to approve any change application where such a conflict exists. The State Engineer finds that the water under Permits 28062 and 45061 is committed to serve the 107 lots identified as having appurtenant water and the water cannot be stripped from these lots without the consent of the lot or parcel owner. The State Engineer finds that, for those parcels that are currently being served by a domestic well and are a part of the 107 lots, the water appurtenant to the lots is considered relinquished to the ground water basin to avoid inadvertent circumvention of the intent of Permits 28062 and 45061 and Nevada subdivision laws.

III.

Under the proposed applications, additional quasi-municipal wells would be drilled and the Applicant would serve up to 14 residential lots from 5 separate wells or

²⁹ NRS § 533.386.

³⁰ Exhibit No. 19, Slide 33.

³¹ Exhibit No. 51.

³² Exhibit, No. 51, pp. 4-6.

water systems, for total service to 70 lots.³³ The Applicant explained that he filed the applications to get more water to more lots, while avoiding regulation as a public water utility by the Nevada Public Utilities Commission (PUC). The Applicant indicated that any system with 15 or more connections would be regulated and the cost to upgrade his water system to meet the standards for such a system would be over 1,000,000 dollars.³⁴ The Protestants have asked that the State Engineer designate the water system as a public water system, no matter how many wells the Applicant utilizes.

The State Engineer finds that authority for classification of water systems lies with the PUC.

CONCLUSIONS

I.

The State Engineer has jurisdiction over the parties and the subject matter of this determination.³⁵

II.

The State Engineer is prohibited by law from granting a permit under a change application that requests to appropriate the public waters where:³⁶

- A. there is no unappropriated water at the proposed source;
- B. the proposed use or change conflicts with existing rights;
- C. the proposed use or change conflicts with protectible interests in existing domestic wells as set forth in NRS § 533.024; or
- D. the proposed use or change threatens to prove detrimental to the public interest.

III.

Permits 28062 and 45061 were approved for a total combined duty of 88.6 mga or 271.90 afa. The water was committed to serve the Little Nevada Subdivision, with some water set aside for commercial development. Ultimately, the water set aside for commercial development and water from unsold lots was transferred from the project under Permits 53181 and 53182 and, in 1989, the remaining uncommitted water was cancelled. The State Engineer concludes the remaining water is committed to serve 107 specific lots within the subdivision.

³³ Transcript, p. 171.

³⁴ Transcript, pp. 131-132 and 138-139.

³⁵ NRS chapters 533 and 534.

³⁶ NRS § 533.370 (5).

IV.

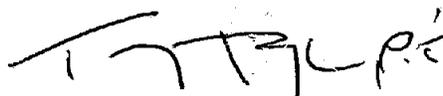
The Applicant has insisted that he did not purchase the Embry Water System, but he did purchase the properties with the wells and pumps as well as all of the water under Permits 28062 and 45061. Water was transferred to Marsh, water was cancelled and water was sold and committed for water service, by the Embry, as evidenced by the Protestant's deed. Water has also been relinquished to drill domestic wells within the subdivision.

The State Engineer concludes that the Applicant cannot demonstrate a clear chain of title to the remaining water under Permits 28062 and 45061. Until the ownership is resolved by a court of competent jurisdiction, change applications on Permits 28061 and 45061 cannot be considered. The State Engineer further concludes that water approved for a quasi-municipal water system cannot be stripped from lots that have been created and sold to individuals without leaving said individuals without a source of water supply, and any such action would threaten to prove detrimental to the public interest.

RULING

The protests are upheld, in part, and Applications 75199, 75200, 75201, 75202, 75203, 75204, 75205, 75206, 75207 and 75208 are hereby denied on the grounds that their approval would threaten to prove detrimental to the public interest.

Respectfully submitted,



TRACY TAYLOR, P.E.
State Engineer

TT/TW/jm

Dated this 20th day of
October, 2008.

<u>APN</u>	<u>OWNER</u>	<u>SOURCE</u>	<u>LNS LOT NUMBER</u>	<u>The 107</u>	<u>REMARKS</u>
019-441-01	CULBERSON, MILDRED	METER	002	YES	
019-441-02	CULBERSON, JACK J. & MILDRED	METER	001	YES	
019-441-03	JACOBS, JOHN T. & TERESA D.	WELL	040	NO	WELL SITE
019-441-04	CYPERT, DARRELL E. & TINA L.	NONE	041	NO	
019-441-05	CYPERT, DARRELL E. & TINA L.	METER	042	NO	
019-441-06	CYPERT, DARRELL E. & TINA L.	METER	043	YES	
019-441-07	CYPERT, DARRELL E. & TINA L.	METER	088	YES	
019-441-08	CYPERT, DARRELL E. & TINA L.	METER	089	YES	
019-441-09	CYPERT, DARRELL E. & TINA L.	METER	090	YES	
019-441-10	CYPERT, DARRELL E. & TINA L.	METER	091	YES	
019-442-01	STAPISH, JOHN G.	NONE	093	YES	
019-442-02	JACOBS, JOHN T. & TERESA D.	NONE	092	NO	
019-442-03	GRAY, RANDY W. & KATHY M.	METER	087	YES	
019-442-04	GRAY, LORAIN & TROY	METER	086	NO	
019-442-05	NARANJO, FELIPE	NONE	045	YES	
019-442-06	NARANJO, FELIPE	METER	044	NO	
019-442-07	COHAN, JOSEPH A. & LOIS A.	OK	039	YES	STORAGE SHEDS
019-442-08	COHAN, JOSEPH A. & LOIS A.	WELL	038	NO	
019-442-09	COHAN, JOSEPH A. & LOIS A.	METER	003	YES	
019-442-10	COHAN, JOSEPH A. & LOIS A.	OK	004	YES	TRAILER
019-442-11	COHAN, JOSEPH A. & LOIS A.	NONE	006	YES	
019-442-12	PICK AND SHOVEL INVESTMENTS, LLC	METER	005	YES	
019-442-13	COHAN, JOSEPH A. & LOIS A.	PROBLEM	035	YES	OTHER RESIDENCES DAISY-CHAINED OFF DOMESTIC WELL
019-442-14	THOMPSON, CONNIE	OK	037	YES	TRAILERS
019-442-15	THOMPSON, CONNIE	METER	046	YES	
019-442-16	ARNOLD FAMILT TRUST	METER	047	YES	
019-442-17	LYNN, ANDREA ET AL.	METER	084	YES	
019-442-18	LYNN, ANDREA ET AL.	METER	085	YES	
019-451-01	CYPERT, DARRELL E. & TINA L.	METER	138	YES	
019-451-02	CYPERT, DARRELL E. & TINA L.	METER	139	YES	
019-451-03	JACOBS, JOHN T. & TERESA D.	METER	140	YES	
019-451-04	JACOBS, JOHN T. & TERESA D.	METER	141	YES	
019-451-05	JACOBS, JOHN T. & TERESA D.	METER	188	YES	
019-451-06	JACOBS, JOHN T. & TERESA D.	METER	189	NO	
019-451-07	JACOBS, JOHN T. & TERESA D.	METER	190	NO	
019-451-08	JACOBS, JOHN T. & TERESA D.	METER	191	NO	
019-451-09	JACOBS, JOHN T. & TERESA D.	METER	227	NO	
019-452-01	GUERRA,ANTONIO M. & MARIA S.	PROBLEM	136	NO	OTHER RESIDENCES DAISY-CHAINED OFF METERED PRIMARY
019-452-02	GUERRA,ANTONIO M. & MARIA S.	METER	137	YES	
019-452-03	GUERRA,ANTONIO M. & MARIA S.	OK	142	NO	STORAGE AND TRAILERS

<u>APN</u>	<u>OWNER</u>	<u>SOURCE</u>	<u>LNS LOT NUMBER</u>	<u>The 107</u>	<u>REMARKS</u>
019-452-04	JACOBS, JOHN T. & TERESA D.	NONE	143	NO	
019-452-05	JACOBS, JOHN T. & TERESA D.	NONE	186	NO	
019-452-06	JACOBS, JOHN T. & TERESA D.	NONE	187	NO	
019-452-07	JACOBS, JOHN T. & TERESA D.	NONE	192	NO	
019-452-08	JACOBS, JOHN T. & TERESA D.	NONE	193	NO	
019-452-09	JACOBS, JOHN T. & TERESA D.	NONE	226	NO	
019-452-10	PETTY, ROBERT & AMANDA LYNCH	NONE	225	NO	
019-452-11	PETTY, ROBERT & AMANDA LYNCH	METER	195	NO	
019-452-12	PETTY, ROBERT & AMANDA LYNCH	NONE	194	NO	
019-452-13	MCKINNEY, PAUL D. & PATRICIA R.	NONE	185	YES	
019-452-14	MCKINNEY, PAUL D. & PATRICIA R.	WELL	184	YES	
019-452-15	MCKINNEY, PAUL D. & PATRICIA R.	WELL	145	YES	
019-452-16	JONES, WILLIAM B. & MARY S.	OK	144	YES	OUTBUILDINGS AND STORAGE
019-452-17	JONES, WILLIAM B. & MARY S.	OK	135	YES	OUTBUILDINGS AND STORAGE
019-452-18	JONES, WILLIAM B. & MARY S.	WELL	095,134	NO	
019-452-19	LYNN, ANDREA ET AL.	WELL	094,095	YES	
019-461-01	MUTZ, FRANK F. & LANORA K.	WELL	097,132,133,146	NO	
019-461-02	NYE COUNTY	NONE	147	YES	
019-461-03	NYE COUNTY	NONE	182	YES	
019-461-04	NYE COUNTY	NONE	183	YES	
019-461-05	CUGINO, GREGORY E. SR & SHARON	NONE	196	NO	
019-461-06	LUSTER, JEFFREY & ANDREA R.	NONE	197	NO	
019-461-07	JACOBS, JOHN T. & TERESA D.	NONE	224	NO	
019-461-08	JACOBS, JOHN T. & TERESA D.	NONE	223	NO	
019-461-09	LUSTER, JEFFREY & ANDREA R.	NONE	199	NO	
019-461-10	CUGINO, FRANK A.	NONE	198	NO	
019-461-11	BILAL, MIAN & HELEN SCHLISSEL	NONE	181	NO	
019-461-12	BILAL, MIAN & HELEN SCHLISSEL	NONE	180	NO	
019-461-13	ROGERS, RICHARD F. & SHARON R.	NONE	149	YES	
019-461-14	ROGERS, RICHARD F. & SHARON R.	NONE	148	YES	
019-461-15	ROGERS, RICHARD F. & SHARON R.	NONE	098,099,130	YES	
019-462-01	WILSON, RALPH AND MONA	NONE	128	YES	
019-462-05	JACOBS, JOHN T. & TERESA D.	NONE	178	NO	
019-462-06	SHIMOKAWA, ROBBY & NAHONOPIILANI	NONE	179	NO	
019-462-07	JACOBS, JOHN T. & TERESA D.	NONE	200	NO	
019-462-08	HANAS, BENEDICT & LANA	NONE	201	NO	
019-462-09	HANAS, BENEDICT & LANA	METER	222	YES	
019-462-10	JACOBS, JOHN T. & TERESA D.	METER	221	YES	
019-462-11	JACOBS, JOHN T. & TERESA D.	NONE	203	NO	
019-462-12	MORGAN, MORRIS E.	NONE	202	NO	

<u>APN</u>	<u>OWNER</u>	<u>SOURCE</u>	<u>LNS LOT NUMBER</u>	<u>The 107</u>	<u>REMARKS</u>
019-462-13	DY, SANFORD J.	NONE	177	NO	
019-462-14	JACOBS, JOHN T. & TERESA D.	NONE	176	NO	
019-462-15	JACOBS, JOHN T. & TERESA D.	NONE	153	NO	
019-462-18	HERNANDEZ, RAYMUNDO & BLANCA	WELL	126	YES	
019-462-19	VARGAS, ELIEZER & SALUD MENDOZA TRUST	WELL	129,150,151	NO	
019-462-20	DIMAS, CANDELARIO	WELL	127,152	NO	
019-471-01	MUTZ, FRANK F. & LANORA K.	METER	096	YES	
019-471-02	WATERS, GERALD A. & TAMMY L.	OK	083	YES	
019-471-03	WATERS, GERALD A. & TAMMY L.	WELL	082	YES	
019-471-04	NYE COUNTY	WELL	048,049	YES	FIRE STATION
019-471-05	PICK AND SHOVEL INVESTMENTS, LLC	NONE	035	YES	
019-471-06	PICK AND SHOVEL INVESTMENTS, LLC	NONE	034	YES	
019-471-07	TED A. EMBRY TRUST	METER	007	YES	
019-471-08	NICKELL, TOMMY L. & MARY L.	NONE	008	YES	
019-471-09	NICKELL, TOMMY L. & MARY L.	NONE	009	YES	
019-471-10	NICKELL, TOMMY L. & MARY L.	METER	010	YES	
019-471-11	PICK AND SHOVEL INVESTMENTS, LLC	NONE	032	YES	
019-471-12	PICK AND SHOVEL INVESTMENTS, LLC	NONE	033	YES	
019-471-13	SETTLEMYER TRUST & PANNEE MCMACKIN	WELL	050,051,080	NO	
019-471-14	HOWARD, JAMES M.	NONE	081	YES	
019-471-15	VANALSTINE, LEON W. & YONNA J.	WELL	098,099,130	NO	
019-472-01	WILSON, RALPH AND MONA	METER	101	YES	
019-472-02	KALAN, DAVID	METER	100	YES	
019-472-03	KALAN, DAVID	PROBLEM	079	YES	DUPLEX APPEARS TO HAVE NO WATER SERVICE
019-472-04	DORIS M. JACKSON TRUST	WELL	052,053,078	NO	
019-472-07	EMBRY, VIRGINIA K. & JEFFREY	NONE	011	NO	
019-472-08	EMBRY, WILLIAM & JENNIFER RAINEY	NONE	012	NO	
019-472-09	DEARMAN, BILL SUCCESSOR TRUSTEE	NONE	013,014	YES	
019-472-10	JACOBS, JOHN T. & TERESA D.	WELL	028	NO	WELL SITE
019-472-11	JACOBS, JOHN T. & TERESA D.	NONE	029	NO	
019-472-12	MCCLURE, TERESA	NONE	054	YES	
019-472-13	MCCLURE, TERESA	NONE	055	YES	
019-472-14	MCCLURE, TERESA	NONE	076	YES	
019-472-15	BOWLIN, ROBERT L. JR. & JODIE	WELL	077,102	YES	
019-472-16	HERNANDEZ, RAYMUNDO & BLANCA	WELL	103	YES	
019-472-17	NICHOLE, MARIE	WELL	030,031	YES	
019-481-01	JACOBS, TERESA D.	METER	105	YES	
019-481-02	JACOBS, JOHN T. & TERESA D.	METER	104	YES	
019-481-03	JACOBS, JOHN T. & TERESA D.	METER	075	YES	
019-481-04	JACOBS, JOHN T. & TERESA D.	NONE	074	NO	

<u>APN</u>	<u>OWNER</u>	<u>SOURCE</u>	<u>LNS LOT NUMBER</u>	<u>The 107</u>	<u>REMARKS</u>
019-481-05	DEWITT, MARY & WILLIAM	NONE	056,057	YES	
019-481-06	AMARGOSA CHURCH OF CHRIST	WELL	024,025,026,027	YES	
019-481-07	GUERRA, ANTONIO M. & MARIA S.	OK	015	NO	TRAILERS AND SEACANS
019-481-08	GUERRA, ANTONIO M. & MARIA S.	OK	016	NO	TRAILERS AND SEACANS
019-481-09	TED A. EMBRY TRUST	NONE	017	NO	
019-481-10	TED A. EMBRY TRUST	NONE	018	NO	
019-481-11	LYNN, ALLEN J.	WELL	058	NO	
019-481-12	LYNN, ALLEN J.	NONE	059	NO	
019-481-13	JACOBS, JOHN T. & TERESA D.	NONE	072	NO	
019-481-14	JACOBS, TERESA D.	NONE	073	NO	
019-481-15	JACOBS, TERESA D.	NONE	106	NO	
019-481-16	JACOBS, TERESA D.	NONE	107	NO	
019-482-01	HULTQUIST, ROBERT E. & MARY E.	NONE	019	NO	
019-482-02	HULTQUIST, ROBERT E. & MARY E.	NONE	022	NO	
019-482-03	HULTQUIST, ROBERT E. & MARY E.	NONE	023	NO	
019-482-04	HULTQUIST, ROBERT E. & MARY E.	NONE	060	NO	
019-482-05	HULTQUIST, ROBERT E. & MARY E.	NONE	061	NO	
019-482-06	HULTQUIST, ROBERT E. & MARY E.	NONE	070	NO	
019-482-07	HULTQUIST, ROBERT E. TRUST	NONE	071	NO	
019-482-08	HULTQUIST, ROBERT E. TRUST	NONE	108	NO	
019-482-09	HULTQUIST, ROBERT E. TRUST	NONE	109	NO	
019-482-10	HULTQUIST, ROBERT ET AL.	NONE	111	YES	
019-482-11	HULTQUIST, ROBERT ET AL.	NONE	110	YES	
019-482-12	HULTQUIST, ROBERT H. & JOYCE A.	NONE	069	NO	
019-482-13	HULTQUIST, RAYMOND H. & JOYCE A.	NONE	068	NO	
019-482-14	PASSARELLI, EUGENE L. TRUST	NONE	063	YES	
019-482-15	PASSARELLI, EUGENE L. TRUST	NONE	062	YES	
019-482-16	GELGOOD-GODFREY FAMILY TRUST	NONE	020,021	YES	
019-491-01	JACOBS, JOHN T. & TERESA D.	WELL	124	YES	
019-491-02	JACOBS, JOHN T. & TERESA D.	METER	125	YES	
019-491-03	JACOBS, JOHN T. & TERESA D.	METER	154	NO	
019-491-04	JACOBS, JOHN T. & TERESA D.	NONE	155	NO	
019-491-05	JACOBS, JOHN T. & TERESA D.	NONE	174	NO	
019-491-06	JACOBS, JOHN T. & TERESA D.	NONE	175	NO	
019-491-07	JACOBS, JOHN T. & TERESA D.	NONE	204	NO	
019-491-08	TUCKER, FREDERICK G.	NONE	205	NO	
019-491-09	TUCKER, FREDERICK G.	WELL	220	YES	
019-491-10	TUCKER, FREDERICK G.	NONE	219	NO	
019-491-11	JACOBS, JOHN T. & TERESA D.	NONE	207	NO	
019-491-12	JACOBS, JOHN T. & TERESA D.	NONE	206	NO	

<u>APN</u>	<u>OWNER</u>	<u>SOURCE</u>	<u>LNS LOT NUMBER</u>	<u>The 107</u>	<u>REMARKS</u>
019-491-13	JACOBS, JOHN T. & TERESA D.	NONE	173	NO	
019-491-14	JACOBS, JOHN T. & TERESA D.	NONE	172	NO	
019-491-15	JACOBS, JOHN T. & TERESA D.	NONE	157	NO	
019-491-16	JACOBS, JOHN T. & TERESA D.	OK	156	NO	OUTBUILDINGS AND STORAGE
019-491-17	JACOBS, JOHN T. & TERESA D.	METER	123	NO	
019-491-18	JACOBS, JOHN T. & TERESA D.	OK	122	NO	OUTBUILDINGS AND STORAGE
019-492-01	TED A. EMBRY TRUST	NONE	120	NO	
019-492-02	TED A. EMBRY TRUST	NONE	121	NO	
019-492-03	RAINEY, JENNIFER L.	NONE	158	NO	
019-492-04	RAINEY, JENNIFER L.	NONE	159	NO	
019-492-05	HULTQUIST, ROBERT ET AL.	NONE	170	YES	
019-492-06	HULTQUIST, ROBERT ET AL.	NONE	171	YES	
019-492-07	HULTQUIST, ROBERT ET AL.	NONE	208	YES	
019-492-08	HULTQUIST, ROBERT ET AL.	NONE	209	YES	
019-492-09	HULTQUIST, ROBERT ET AL.	NONE	218	YES	
019-492-10	HULTQUIST, ROBERT ET AL.	NONE	217	YES	
019-492-11	HULTQUIST, ROBERT ET AL.	NONE	211	YES	
019-492-12	HULTQUIST, ROBERT ET AL.	NONE	210	YES	
019-492-13	HULTQUIST, ROBERT ET AL.	NONE	169	YES	
019-492-14	HULTQUIST, ROBERT ET AL.	NONE	168	YES	
019-492-15	HULTQUIST, ROBERT ET AL.	NONE	161	YES	
019-492-16	HULTQUIST, ROBERT ET AL.	NONE	160	YES	
019-492-17	HULTQUIST, ROBERT ET AL.	NONE	119	YES	
019-492-18	HULTQUIST, ROBERT ET AL.	NONE	118	YES	
019-501-01	HULTQUIST, ROBERT E. & MARY E.	NONE	116	NO	
019-501-02	HULTQUIST, ROBERT E. & MARY E.	NONE	117	NO	
019-501-03	HULTQUIST, ROBERT E. & MARY E.	NONE	162	NO	
019-501-04	HULTQUIST, ROBERT E. & MARY E.	NONE	163	NO	
019-501-05	HULTQUIST, ROBERT E. & MARY E.	NONE	166	NO	
019-501-06	HULTQUIST, ROBERT E. & MARY E.	NONE	167	NO	
019-501-07	HULTQUIST, ROBERT E. & MARY E.	OK	212	NO	TRAILERS AND SEACANS
019-501-08	HULTQUIST, RAYMOND H. & JOYCE A.	NONE	213	NO	
019-501-09	HULTQUIST, ROBERT E. & MARY E.	NONE	216	NO	
019-501-10	HULTQUIST, RAYMOND H. & JOYCE A.	WELL	215	NO	
019-501-11	HULTQUIST, RAYMOND H. & JOYCE A.	OK	214	NO	SHOP AND STORAGE
019-501-12	HULTQUIST, ROBERT E. & MARY E.	NONE	165	NO	
019-501-13	HULTQUIST, RAYMOND H. & JOYCE A.	NONE	164	NO	
019-501-14	HULTQUIST, RAYMOND H. & JOYCE A.	NONE	115	NO	
019-511-01	HULTQUIST, ROBERT ET AL.	NONE	064	YES	
019-511-02	HULTQUIST, ROBERT E. TRUST	NONE	066	YES	

<u>APN</u>	<u>OWNER</u>	<u>SOURCE</u>	<u>LNS LOT NUMBER</u>	<u>The 107</u>	<u>REMARKS</u>
019-511-03	HULTQUIST, ROBERT E. TRUST	NONE	067	YES	
019-511-04	HULTQUIST, ROBERT E. TRUST	NONE	112	YES	
019-511-05	HULTQUIST, ROBERT E. & MARY E.	NONE	113	NO	
019-511-06	HULTQUIST, RAYMOND H. & JOYCE A.	NONE	114	NO	
019-511-07	HULTQUIST, RAYMOND H. & JOYCE A.	NONE	065	NO	