

IN THE MATTER OF APPLICATION 21710
FILED TO CHANGE THE POINT OF DIVERSION
OF WATER HERETOFORE APPROPRIATED UNDER
PERMIT 20153.

RULING

General:

Application 21710 was filed on December 27, 1963 to change the point of diversion of water heretofore appropriated under Permit 20153 by Bunkowski Land & Livestock Company.

The map to support Application 21710 was filed on February 14, 1964, and the notice for publication was forwarded on February 26, 1964. This application became ready for action on April 27, 1964.

Permit 20153 was granted on May 2, 1962, for 6.0 c.f.s. of water to be diverted within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 2, T. 11 N., R. 23 E., M.D.B.&M. The time set for the filing of Proof of Completion of Work under this permit was December 2, 1962. On November 30, 1962 Application for Extension of Time was approved granting the permittee until December 2, 1963, to file the Proof of Commencement of Work with the provision that no further extensions of time would be granted for the filing of Proof of Commencement of Work.

No Proof of Commencement of Work was ever filed under this permit, and the permit was canceled on February 26, 1964, because of failure of the applicant to comply with the provisions of the permit.

RULING

Application 21710 is herewith denied on the grounds that it attempts to change a right which does not exist.

Respectfully submitted,



George W. Hennen
Assistant State Engineer

Dated this 23rd day of
September, 1964.

GWH:TJS