

IN THE MATTER OF APPLICATION
22943 FILED BY TIMOTHY J. BRAIDY
TO CHANGE THE POINT OF DIVERSION
OF PERMIT 20754 IN KINGS RIVER
VALLEY HUMBOLDT COUNTY, NEVADA

R U L I N G

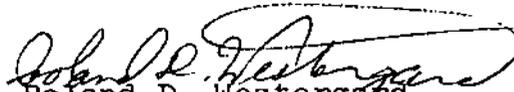
Application 22934 was filed on January 28, 1966 to change the point of diversion of water heretofore appropriated under Permit 20754. This application is to change 3.5 c.f.s. of the waters of an underground source from the existing point of diversion located within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 5, T. 44N., R. 34E., M.D.B.&M., to the proposed point of diversion to be located within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Said Sec. 5,. The place of use was to remain the same, being 320 acres located within the W $\frac{1}{2}$ of said Sec. 5.

Proof of Completion of Work was due for filing under Permit 20754 on March 29, 1966. Application 22943 was not ready for action until May 31, 1966. By letter, dated May 5, 1966 to Charles C. Armuth, agent for Mr. Braidy, and by copy of same letter to Mr. Braidy they were informed that it would be necessary to file an application for extension of time in order to keep 20754 in good standing until Application 22943 was ready for action. No application for extension of time was received. Permit 20754 was summarily cancelled.

Ruling

Application 22943 is herewith denied on the grounds that there is no right existing to be changed by said application.

Respectfully Submitted,


Roland D. Westergaard
Assistant State Engineer

RDW:TJS:jb

Dated This 4th Day
of January 1967