

IN THE MATTER OF APPLICATION NO.)
24658 FILED BY W. B. HARMAN FOR)
PERMISSION TO CHANGE THE POINT OF) R U L I N G
DIVERSION AND PLACE OF USE OF WATER)
UNDER PERMIT 22014, FROM AN UNDERGROUND)
SOURCE IN HUMBOLDT COUNTY, NEVADA)

GENERAL:

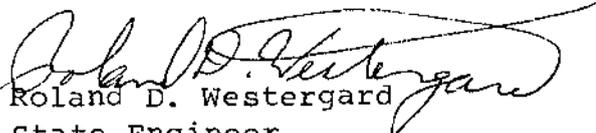
23A
Application No. 24658 was filed by W. B. Harman on August 22, 1968 for permission to change the point of diversion and place of use of 2.0 c.f.s. of water for irrigation purposes heretofore appropriated under Permit 22014. The proposed point of diversion is described as within SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 17, T. 42 N., R. 37 E., M.D.B.&M. The proposed place of use is described as 160 acres of land within the NW $\frac{1}{4}$ Section 17, T. 42 N., R. 37 E., M.D.B.&M.

Application No. 22014 was filed by W. B. Harman on May 21, 1964 for permission to change the place of use of a portion (2.0 c.f.s.) of water heretofore appropriated under Permit 17557, Certificate 4842. The proposed point of diversion is described as within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 8, T. 42 N., R. 37 E., M.D.B.&M. The proposed place of use is described as 160 acres of land within the NE $\frac{1}{4}$ Section 8, T. 42 N., R. 37 E., M.D.B.&M. A permit was granted under this application on February 3, 1965 for 2.0 c.f.s. for irrigation and domestic purposes. This permit was cancelled October 18, 1968 because of the failure of the applicant to file the Proof of Beneficial Use and Cultural Map due on September 3, 1968, after proper notice was given by certified mail.

RULING

Application 24658 is herewith denied on the grounds that since Permit 22014 has been cancelled, there remains no water right to be changed by this application.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW:RRD:jls

Dated this 24th day

of January, 1969.