

IN THE MATTER OF APPLICATION 3901)
FILED TO CHANGE THE POINT OF DIVERSION)
OF APPLICATION 3389 IN ELKO COUNTY,)
NEVADA)

R U L I N G

GENERAL:

46 Application 3901 was filed on April 13, 1916 by Manuel Erro and Miguel Murillo to change the point of diversion of waters under Application 3389. Water is to be diverted from Lamoille Creek within the SW $\frac{1}{2}$ NE $\frac{1}{2}$ Section 31, T. 33 N., R. 58 E. The point of diversion under Application 3389 is within the NE $\frac{1}{2}$ NE $\frac{1}{2}$ Section 24, T. 33 N., R. 57 E. The amount of water to be changed is 7.2 c.f.s, which is to be used for irrigation of 640 acres of land within Section 15, T. 33 N., R. 57 E.

Application 3389 was filed on May 10, 1915 by Manuel Erro and Miguel Murillo and was denied on June 1, 1948 on the grounds that the stream system was fully appropriated.

RULING

Application 3901 is hereby denied on the grounds that no water right exists which can be changed.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW:TJS:jls

Dated this 25th day

of July, 1969.