

IN THE MATTER OF APPLICATION 6248 FILED)
BY JAMES & GEORGE E. CRISP FOR PERMIS-)
SION TO CHANGE THE PLACE OF USE OF PERMIT))
3401 ISSUED FOR WATER FROM DEER CREEK IN)
ELKO COUNTY, NEVADA.)

RULING

GENERAL:

Application 6248 was filed by James and George E. Crisp on September 1, 1920, for permission to change the place of use of Permit 3401 issued for 3.2 c.f.s. of water from Deer Creek for irrigation and domestic purposes. The point of diversion is within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 17, T. 46N., R. 58E., M.D.B.&M. The proposed place of use is described as within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 20, SW $\frac{1}{4}$ NW $\frac{1}{4}$ and S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 29, SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 16, N $\frac{1}{2}$ NW $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 21, T. 47 N., R. 58 E., M.D.B.&M. This application was ready for action on November 21, 1920.

Application 3401 was filed by George and James Crisp on May 20, 1915, for permission to appropriate 3.2 c.f.s. of water from Deer Creek for irrigation and domestic purposes. The place of use is described under the application as 320 acres of land within the N $\frac{1}{2}$ Section 32, and S $\frac{1}{2}$ Section 29, T. 47 N., R. 58 E., M.D.B.&M. A permit was issued under this application January 6, 1916, and the Proof of Completion of Work was filed May 27, 1922. This permit was cancelled July 26, 1935, because of the failure of the applicant to comply with the provisions of the permit.

RULING

Application 6248 is herewith denied on the grounds that the permit being changed has been cancelled, therefore, no water rights remain to be changed by this application.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW:RRD:dc

Dated this 27th day
of February, 1970.