

IN THE MATTER OF APPLICATION)  
27682 FILED TO CHANGE THE )  
POINT OF DIVERSION, MANNER )  
AND PLACE OF USE OF PROOF )  
NO. 00154, HUMBOLDT RIVER )  
DECREE, ELKO COUNTY, NEVADA )

R U L I N G

GENERAL:

Application 27682 was filed August 10, 1973 by Lockheed Shipbuilding and Construction Co. to change the point of diversion, manner and place of use of 0.015 c.f.s. of the water of the Humboldt River heretofore appropriated under Proof No. 00154, Humboldt River Decree. The water was to be diverted within the NW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 28, T.33N., R.53E. and was to be used in construction of the Carlin Canyon Tunnels for Interstate Route 80.

Application 27682 became ready for action on November 12, 1973. At that time it was noted that no portion of Proof 00154 was of record in the name of Lockheed Shipbuilding and Construction Co. By letter of August 19, 1974, it was requested that documents be submitted to complete the chain of title, for that portion of Proof 00154 to be changed, from the decreed owners to Lockheed Shipbuilding and Construction Co.

By return letter of August 27, 1974 from Alan S. Boyack, agent for the applicant, it was indicated that construction of the Carlin Canyon Tunnels had been completed and that the applicant did not wish to pursue the issuance of a permit.

RULING:

The application is herewith denied on the grounds that the applicant does not own or control the water to be changed by the application and further that the applicant, through his agent, has expressed no further interest in pursuing the application.

Respectfully submitted,

  
Roland D. Westergard  
State Engineer

RDW/BAR/bs

Dated this 13th day  
of December, 1974.