

IN THE MATTER OF APPLICATION 44277)
TO APPROPRIATE THE WATERS OF AN UNDER-)
GROUND SOURCE IN THE LAS VEGAS VALLEY)
ARTESIAN BASIN, CLARK COUNTY, NEVADA.)

R U L I N G

GENERAL

Application 44277 was filed to appropriate water from an underground source in the Las Vegas Valley Artesian Basin, Clark County, Nevada.

FINDINGS OF FACT

I

Application 44277 was filed by Steven N. Greenhalgh and Sydney B. Hudson on August 10, 1981, to appropriate 0.00892 c.f.s. of underground water for domestic and quasi-municipal purposes. The point of diversion is within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 32, T. 19 S., R. 60 E., M.D.B.&M. The place of use is within the same 40-acre subdivision as the point of diversion.

II

On October 20, 1981, Application 44277 and supporting map were returned for correction to Richard Brand for several items, including the fact that "the application is in the name of Steven N. Greenhalgh and Sydney B. Hudson while the map is in the name of Steven Greenhalgh and Mildred M. Greenhalgh. Please change map" The deadline for returning the map and amended application was December 9, 1981.

III

On December 1, 1981, the amended map and application were received in our Las Vegas Branch Office. The names on the application were Steven N. Greenhalgh and Mildred M. Greenhalgh.

IV

Mr. Brand was subsequently advised that the policy of this office is to not allow the name of an applicant to change without a formal document which authorizes the change.

V

On December 9, 1981, Richard Brand filed an application for an extension of time in our Las Vegas Branch Office, along with the \$25 filing fee. In his letter of explanation, Mr. Brand requested the "...withdrawal of community well Application 44277 under the names of Steven N. Greenhalgh and Sydney B. Hudson and a re-instatement of the same permit number under the names of Steven Greenhalgh and Mildred M. Greenhalgh."

VI

On December 23, 1981, the supporting map for Application 44277 was returned to Mr. Brand since the map was in the name of Steven and Mildred Greenhalgh. The corrected map was to be returned by January 8, 1982.

VII

The supporting map in the names of Steven N. Greenhalgh and Sydney B. Hudson was received in the Las Vegas Office on December 30, 1981. The map was subsequently received in the Carson City Office on January 11, 1982.

VIII

The application was subsequently published in the Las Vegas Sun on January 20, 27 and February 3, 10 and 17, 1982, under the names of Steven N. Greenhalgh and Sydney B. Hudson.

IX

Permit 44277 was subsequently issued, in error, in the names of Sydney N. Greenhalgh and Mildred M. Greenhalgh on September 14, 1982.

CONCLUSIONS

The State Engineer has jurisdiction of the parties and the subject matter of this action. 1/

There are no documents on file which convey the interests of Sydney B. Hudson to Mildred M. Greenhalgh.

RULING

A corrected Permit 44277 is to be issued changing the names from Steven N. Greenhalgh and Mildred M. Greenhalgh to the names of Steven N. Greenhalgh and Sydney B. Hudson.

Respectfully submitted,



Peter G. Morros
State Engineer

PGM/KN/br

Dated this 1st day of

June, 1983.

FOOTNOTES

1/ NRS 533.325 and 533.435.