

ROLAND D. WESTERGARD
Director

PETER G. MORROS
State Engineer

STATE OF NEVADA
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF WATER RESOURCES

Capitol Complex

201 S. Fall Street, Carson City, Nevada 89710

In reply refer to
No.

43101, 43368, 43369

Address All Communications to
the State Engineer, Division
of Water Resources
Telephone (702) 885-4380

June 20, 1983

Mr. Roy Avery
525 Roberts Street, Suite 100
Reno, Nevada 89502

Dear Mr. Avery:

Enclosed are copies of your Applications 43101, 43368 and
43369 which have been denied by the State Engineer for the reasons
set forth.

Very truly yours,



Peter G. Morros
State Engineer

PGM/bc

Certified Mail No. P369 806 537

cc: James W. Johnson, Jr.

1 BEFORE THE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
2 DIVISION OF WATER RESOURCES
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5 In the Matter of Application Numbers:)
34756, 35726, 36090, 41485, 43101,)
6 43368, 43369, 43624, 44515, 44516,)
44517, 44662, 44663, 45235, 45333,)
7 45334, 45536, 45537, 45538, 45608,)
45672, 45889, 46437, 46495.)
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TRANSCRIPT OF PROCEEDINGS

1205 MILL STREET
RENO, NEVADA

THURSDAY, APRIL 28, 1983

9:02 A. M.

REPORTED BY: ERIC V. NELSON, CSR NO. 57

1 people or approval by the people to sell these wells,
2 then, these sales are null and void.

3 Also, one of the other wells was sold by two
4 other men, Samuel Nelson and a Paul Hayden, and the whole
5 thing smells to high heaven.

6 But I am requesting this Board that they take
7 action under the NRS on the forfeiture of the wells.

8 STATE ENGINEER MORROS: Okay, Mr. Newcomer.
9 Did you have anything further you wanted to offer?

10 MR. NEWCOMER: Just help give the people a
11 break. That's all I am asking you.

12 STATE ENGINEER MORROS: Thank you. Anybody
13 representing the applicants under these applications,
14 representing Mr. Roy Avery that wish to testify at this
15 time?

16 Let the record reflect no response. In view of
17 the fact that there is no response, there appears to be
18 no further interest on the part of the applicant to pursue
19 these applications. Therefore, it is my ruling that
20 Applications 43101, 43368 and 43369 are denied on the
21 grounds that the applicant has failed to show a continuing
22 interest to pursue these applications.

23 In response to your request, Mr. Newcomer,
24 regarding the possible forfeiture of the existing rights,
25 that two of these applications propose to change the point

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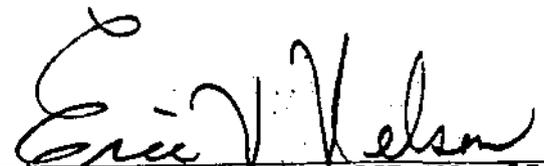
STATE OF NEVADA,)
) ss.
COUNTY OF WASHOE.)

I, ERIC V. NELSON, a Certified Shorthand Reporter,
do hereby certify:

That at 9:02 a.m., Thursday, April 28, 1983,
at the Washoe County Commission Chambers, 1205 Mill Street,
Reno, Nevada, I was present and took stenotype notes of
the hearing held before the Department of Conservation and
Natural Resources Division of Water Resources of the
State of Nevada in the matter entitled herein, and
thereafter transcribed the same into typewriting as herein
appears;

That the foregoing transcript, consisting of
pages 1 through 43, is a full, true and correct
transcription of my stenotype notes of said hearing.

Dated at Reno, Nevada, this 11th day of May,
1983.


ERIC V. NELSON, CSR NO. 57