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STATE OF NEVADA
DIVISION OF WATER RESOURCES

IN RE:)
)
 CANCELLATION OF PERMIT)
 NO. 39029 IN THE NAME OF)
 DONALD F. AND RICHARD A.)
 CARLSTROM.)
)

REPORTER'S TRANSCRIPT OF PROCEEDINGS

TUESDAY, SEPTEMBER 25, 1984
1:15 P.M.

AT THE DIVISION OF WATER RESOURCES
1515 EAST TROPICANA
SUITE 375
LAS VEGAS, NEVADA

REPORTED BY: LISA K. STEVENS
C.S.R. NO. 133

1 OBJECTIONS TO OUR ENTERING THIS INTO THE RECORD, THEN?

2 MR. CARLSTROM: PUTTING THIS IN THE RECORD?

3 NO. THAT'S FINE.

4 MS. THIEL: EXHIBIT 1 IS NOW ENTERED INTO THE
5 RECORD.

6 YOU ALSO HAD A BILL FROM STANDARD WHOLE-
7 SALE SUPPLY COMPANY TO CANYON MILLING.

8 MR. CARLSTROM: THAT WAS FOR COUPLINGS TO PUT
9 THE METER IN.

10 MS. THIEL: WE'LL MARK THAT FOR IDENTIFICATION
11 PURPOSES AS EXHIBIT NO. 2 FOR THE APPLICANT AND WE'LL ENTER
12 THAT INTO THE RECORD.

13 I'D ALSO LIKE TO TAKE ADMINISTRATIVE
14 NOTICE OF THE FILE OF 39029, IF YOU HAVE NO OBJECTIONS.

15 MR. CARLSTROM: THAT'S FINE.

16 MS. THIEL: WELL, I HAVE NO FURTHER QUESTIONS.

17 DO YOU HAVE ANY FURTHER QUESTIONS, TOM?

18 MR. SMALES: NO. I HAVE NO QUESTIONS.

19 MS. THIEL: I'D LIKE TO STATE AT THIS TIME THAT
20 THE STATE ENGINEER HAS GRANTED ME THE AUTHORITY TO ACT AT
21 THE CONCLUSION OF THIS HEARING IN HIS BEHALF, AND AFTER
22 REVIEWING THE FILE AND LISTENING TO YOUR TESTIMONY AND YOUR
23 EXHIBITS, IT IS MY RULING THAT THE CANCELLATION OF PERMIT
24 39029 IS HEREBY RESCINDED AND YOU WILL BE REQUIRED TO FILE
25 WITHIN 30 DAYS OF TODAY'S DATE EITHER AN APPLICATION FOR

1 EXTENSION OF TIME OR PROOF OF BENEFICIAL USE IN ORDER TO
2 KEEP YOUR PERMIT IN GOOD STANDING.

3 I WANT TO ALSO DRAW YOUR ATTENTION TO
4 THE PROVISIONS OF N.R.S. 533.395, SECTION 3, AND I'LL
5 QUOTE:

6 "IF THE DECISION OF THE
7 STATE ENGINEER MODIFIES OR RESCINDS
8 THE CANCELLATION OF A PERMIT, THE
9 EFFECTIVE DATE OF THE APPROPRIATION
10 UNDER THE PERMIT IS VACATED AND
11 REPLACED BY THE DATE OF THE FILING
12 OF THE WRITTEN PETITION WITH THE STATE
13 ENGINEER."

14 LOOKING INTO THE FILE, WE RECEIVED YOUR
15 WRITTEN PETITION ON JULY 2, 1984, SO THAT NOW BECOMES A NEW
16 DATE OF PRIORITY.

17 MR. CARLSTROM: WHAT DOES THAT MEAN TO ME
18 REALLY?

19 MS. THIEL: WELL, DATE OF PRIORITY, SHOULD THIS
20 BASE IN THE WALKER LAKE VALLEY EVER GET TO THE POINT THAT
21 WE WOULD HAVE TO COME IN AND SHUT SOMEBODY OFF, YOU WOULD
22 GO BY DATE OF PRIORITY. OKAY?

23 MR. CARLSTROM: SO I'VE LOST A COUPLE OF YEARS
24 OF SENIORITY IS WHAT IT AMOUNTS TO?

25 MS. THIEL: THAT'S BASICALLY WHAT YOU'VE DONE.

1 MR. CARLSTROM: I MIGHT JUST GET BADLY MAULED
2 INSTEAD OF JUST KILLED OVER THIS DEAL.

3 MS. THIEL: DO YOU HAVE ANYTHING ELSE FOR THE
4 RECORD?

5 MR. CARLSTROM: THERE WAS ONE LITTLE THING I
6 WANTED TO -- YES, MAY I SUBMIT THIS AGAIN?

7 MS. THIEL: WE CAN DO THAT AFTER WE'VE CONCLUDED
8 WITH THE HEARING.

9 MR. CARLSTROM: OKAY.

10 MS. THIEL: SO IF YOU HAVE NOTHING ELSE, I'LL
11 DECLARE THE HEARING CLOSED.

12 (WHEREUPON, THE HEARING CONCLUDED.)
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