

IN THE MATTER OF APPLICATION 21042)
FILED ON FEBRUARY 13, 1963, BY)
MIKE T. ETCHEBERRY FOR PERMISSION)
TO CHANGE THE POINT OF DIVERSION)
OF THE UNDERGROUND WATER APPROPRI-)
ATED UNDER PERMIT 20593)

R U L I N G

Description of Application 21042:

137A
This application was filed by Mike T. Etcheberry for permission to change the point of diversion of 5.4 c.f.s. of the underground water heretofore appropriated under Permit 20593 for irrigation purposes. It is proposed to change the location of the point of diversion from a point within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 9 T. 9 N., R. 43 E., M.D.B.&M., or at a point from which the E $\frac{1}{4}$ corner, of said Section 9 bears S. 45° E., a distance of 50 feet to a point within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 9, T. 9 N., R. 43 E., M.D.B.&M., or at a point from which the NW corner of said Section 9 bears N. 45° W., a distance of 233 feet. This application was filed in support of Desert Land Entry 050134, which describes the place of use as 320 acres located within the N $\frac{1}{2}$ Section 9, T. 9 N., R. 43 E., M.D.B.&M.

General:

Permit 20593 is on our records in the name of Mike T. Etcheberry and was also filed in support of Desert Land Entry 050134. This permit was canceled on November 22, 1963, because of failure of the applicant to comply with the provisions of the permit

Opinion:

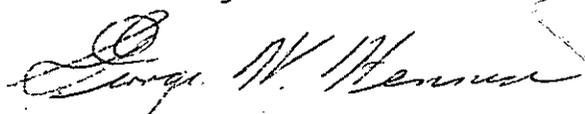
It is the opinion of this office that the granting of an application to change a water right that no longer exists would be detrimental to the public welfare.

RULING

Application 21042 is herewith denied on the grounds that its granting would be detrimental to the public welfare.

Respectfully submitted,

ELMO J. DeRICCO
State Engineer


By: George W. Hennen
Assistant State Engineer

Dated this 1st day of

May, 1964