

IN THE MATTER OF PERMIT 17890 FILED)  
MARCH 19, 1959, BY THE DIXIE VALLEY)  
CATTLE CORPORATION TO APPROPRIATE )  
WATER FROM SEVEN DEVILS SPRINGS IN )  
PERSHING COUNTY, NEVADA )

R U L I N G

GENERAL:

Application 17890 was filed on March 19, 1959, by the Dixie Valley Cattle Corporation for permission to appropriate 2.0 cfs of water from Seven Devils Springs for irrigation (200 acres) use. The point of diversion is described as within the SW $\frac{1}{4}$  SE $\frac{1}{4}$  Section 29, T. 26N., R. 38E., MDB&M. The place of use is described as within the SE $\frac{1}{4}$  SW $\frac{1}{4}$ , SW $\frac{1}{4}$  SE $\frac{1}{4}$  Section 32, T. 26N., R. 38E., MDB&M., And Lots 2 and 3 Section 5, T. 25N., R. 38E., MDB&M.

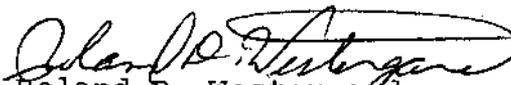
A permit was issued on July 24, 1959, under application 17890 for 2.0 cfs for irrigation use. The Proofs of Commencement and Completion of Work were filed February 24, 1960, and the Proof of Beneficial Use together with cultural map were filed March 18, 1966. The first notice for issuing and recording of certificate was forwarded on January 10, 1967, to William M. Lamb as agent for the Dixie Valley Cattle Corporation. A second notice was mailed on February 10, 1967, also directed to Mr. William M. Lamb. A Third Notice was sent to the Dixie Valley Cattle Corporation, P. O. Box 169, Fallon, Nevada, by certified mail on May 18, 1967, and returned unclaimed on June 5, 1967. A second third notice was sent by certified mail on May 23, 1967, to Mrs. Delma E. Emery, P. O. Box 84, Fallon, Nevada, and the return receipt card properly signed was received on May 29, 1967. Another notice was sent June 14, 1967, to the Dixie Valley Cattle Corporation with a copy to Mr. William Lamb who signed the Proof of Beneficial Use as ranch foreman and to Mrs. Delma E. Emery. Another third notice sent by certified mail on July 26, 1967, to Mr. William Lamb, c/o Lockes Ranch, Via Tonopah, Nevada, Ely stage and a return receipt card was received on August 14, 1967.

RULING:

Permit 17890 is herewith cancelled on the grounds that the permittee has failed to submit the statutory fee for issuing and recording a certificate of appropriation as provided by NRS 533.425

and 533.435 after proper notice.

Respectfully submitted,

  
Roland D. Westergaard  
State Engineer

RDW:WJN:dc

Dated this 13th day  
of September, 1967.