

IN THE MATTER OF APPLICATION 6695)
FILED BY CATLIN SHALE PRODUCTS)
COMPANY FOR PERMISSION TO APPRO-)
PRIATE WATER FROM AN UNDERGROUND)
SOURCE IN ELKO, COUNTY, NEVADA.)

R U L I N G

GENERAL:

Application 6695 was filed by Catlin Shale Products Company on June 13, 1922, for permission to appropriate 5.0 c.f.s. of water from an underground source for mining, manufacturing, milling and domestic purposes. The proposed point of diversion was described as within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 32, T.34N., R.55E., M.D.B.&M., and the proposed place of use was described as within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 27, T.34N., R.52E., and Section 26 and 27, T.34N., R.55E., M.D.B.&M. A permit was issued under this application April 25, 1924, and the map filed in support of this application on May 8, 1927, shows the point of diversion within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 22, T.34N., R.55E.

A letter dated June 6, 1927, was sent to the permittees notifying them that an application to correct the point of diversion would be required. No reply was received to said letter.

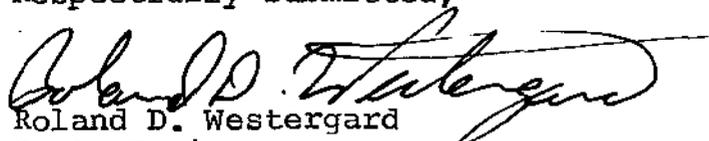
A letter dated July 18, 1969, was sent to the applicants by certified mail requesting information whether they were still interested in pursuing this water right. No reply was received to this letter.

A letter was sent to the permittees on November 10, 1969, by certified mail notifying them that it was necessary that an application to correct the point of diversion be filed to keep this permit in good standing. A 30 day period was given in which to file said application to change. A return receipt signed by Rita M. Holden was received in this office November 14, 1969. No reply has been received to this letter.

RULING

Permit 6695 is herewith cancelled on the grounds that the permittee did not comply with the provisions of the permit in that the point of diversion was not made at the permitted location and failed to file an application to correct said discrepancies after proper notice.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW:RRD:jw

Dated this 15th day of
December, 19 69