

IN THE MATTER OF APPLICATION)
29398 TO APPROPRIATE WATER)
FROM AN UNDERGROUND SOURCE)
IN NYE COUNTY, NEVADA.)

R U L I N G

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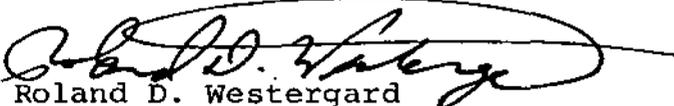
GENERAL:

Application 29398 was filed on May 19, 1975 in the name of J & R Development, Inc., to change the manner of use of Permit 23327. The Point of Diversion is an underground source located within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 15, T.17S., R.49E., and the Place of Use is located within the NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 15. The existing manner of use is irrigation and domestic. The proposed manner of use is quasi-municipal (subdivision). Application 29398 became ready for action on September 2, 1975. Permit 23327, also of record in the name of J & R Development, Inc., which was to be changed by Application 29398, was cancelled August 21, 1975. The date of cancellation of Permit 23327 preceeded the ready for action date of Application 29398.

RULING:

Application 29398 to change the manner of use of Permit 23327 is herewith denied on the grounds that Permit 23327 was cancelled, leaving no water right available to be changed by Application 29398.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW:BAR:sk

Dated this 29th day of
January , 1976.