

IN THE MATTER OF APPLICATION 47158 FILED )  
TO CHANGE THE POINT OF DIVERSION AND PLACE )  
OF USE OF A PORTION OF PERMIT 29352 ISSUED )  
FOR THE WATERS OF AN UNDERGROUND SOURCE IN )  
PAHRUMP VALLEY, NYE COUNTY, NEVADA. )

R U L I N G

FINDINGS OF FACT

I

Application 29352 was filed by Ronald Sharp on April 22, 1975 to change the point of diversion and place of use of a portion of permit 23196, Certificate 8041. Permit 29352 was approved on August 27, 1975. On July 23, 1975, Permit 29352 was assigned by Ronald Sharp to Ronald R. and Sandra K. Sharp. The Quitclaim Deed was filed July 31, 1975 in Permit 29352.

II

Application 46403 was filed by Ronald R. and Sandra K. Sharp on December 1, 1982, to change the place of use of a portion of Permit 29352. Application 46403 was cancelled on August 3, 1983, by the State Engineer because of failure to refile a corrected application within statutory time.

III

Application 47158 was filed by Ronald Sharp on August 11, 1983, to change the place of use and point of diversion of Permit 29352.

By letter on August 30, 1983, a copy of Application 47158 and the original map were returned for the following corrections:

- 1) Addition of a Notary stamp and original Notary signature.
- 2) Completion of a chain of title to show the current owner to be Ronald R. and Sandra K. Sharp; the map and application showed Ronald Sharp only.
- 3) Correct map and application to show existing point of diversion to be SE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 36, T.19 S., R. 52 E., M.D.B. & M., or at a point from which the SE corner of Section 36 bears S. 07° 18' E., a distance of 590 feet.

IV

An unsigned Amended Application 47158 was received on September 30, 1983. This Amended Application was filed in the name of Ronald R. and Sandra K. Sharp. This application was returned to the agent for signature and was received again on October 17, 1983.

Corrections to Application 47158 were completed as specified in the letter from Division of Water Resources dated August 30, 1983. The map was in the name of Ronald R. and Sandra K. Sharp.

V

A completed chain of title was not sent with Amended Application 47158 due to inconsistent information by this office regarding the correct applicants' name to be used on the application.

VI

In an August 19, 1982 letter, the owner of Permit 29352 was incorrectly referred to as Ronald Sharp instead of Ronald R. and Sandra K. Sharp. A carbon copy of that letter was sent to Ronald R. and Sandra Sharp.

CONCLUSIONS

I

The State Engineer has jurisdiction of the parties and the subject matter of this action. 1/

II

Ambiguous instructions and references to the actual owner of title from the Division of Water Resources have caused some confusion in the application process.

III

The applicants' names used on Amended Application 47158 dated August 11, 1983 correspond with the owners of title on the Quitclaim Deed dated July 23, 1975 and filed in Application 29352 on July 31, 1975. This deed reassigned the title from Ronald Sharp to Ronald R. and Sandra K. Sharp, husband and wife, as joint tenants of 20 acres of water rights from Application 29352.

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RULING

Application 47158 has been found to be acceptable although it is not the policy of this office to accept a change in applicants' names from the original to the amended application without comments supporting the change in names. Since Application 29352 was assigned to Ronald R. and Sandra K. Sharp, the Amended Application to Change 47158 will be forwarded to publication without further amendments or reapplication.

Respectfully submitted,



PETER G. MORROS  
State Engineer

PGM/SW/jlm

Dated this 2nd day of  
November, 1983.