

IN THE MATTER OF APPLICATION 5031)
FILED BY C. R. BERRIGER TO APPRO-)
PRIATE WATER FROM SPRING CREEK IN)
ELKO COUNTY, NEVADA)

RULING

GENERAL:

Application 5031 was filed on April 26, 1968, to change the place of use of waters appropriated under Permit 2586. The proposed source is Spring Creek and is to be diverted in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 26, T37N., R58E., MDB&M. The 40 acres described under the place of use are within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 36, T37N., R58E., MDB&M.

A letter was sent to the applicant on October 9, 1968, by certified mail requesting additional information necessary before action could be taken on this application. The letter was returned by the Postal Department stamped, "Unknown". It is the responsibility of the applicant or his successors in interest to keep this office informed of their current mailing address.

RULING

Application 5031 is herewith denied on the grounds that the applicant or his successors in interest failed to submit the information requested and the approval of this application without the information requested, would be detrimental to the public welfare.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW:Rd:dc

Dated this 13th day
of November, 1968.