

IN THE MATTER OF APPLICATION 4164 FILED)  
BY THE HUMBOLDT LAND AND CATTLE COMPANY)  
TO APPROPRIATE WATER FROM MAX CREEK IN )  
EUREKA COUNTY, NEVADA. )

RULING

GENERAL:

Application 4164 was filed by the Humboldt Land and Cattle Company on September 23, 1916, to appropriate 1.6 cfs of water from Max Creek for irrigation (160 acres) and stockwatering purposes. The point of diversion is described as within the SE $\frac{1}{2}$ NE $\frac{1}{2}$  Section 18, T33N., R50E., MDB&M. The place of use is described as within the S $\frac{1}{2}$ NE $\frac{1}{2}$  and the N $\frac{1}{2}$ NW $\frac{1}{2}$  Section 18, T33N., R50E., MDB&M. Protest to the granting of this application was filed by T. R. Weber and Z. F. Wheeler on October 24, 1916.

A letter was sent to the applicant on January 20, 1969, by certified mail requesting additional information necessary before further action could be taken on Application 4164. The letter was returned by the Post Office Department marked "Unknown" and "Insufficient Address". It is the responsibility of the applicant or his successors in interest to keep this office informed of his current mailing address.

RULING

Application 4164 is herewith denied on the grounds that the applicant or his successors in interest have failed to submit additional information 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:WJN:dc

Dated this 4th day  
of March, 1969.