

IN THE MATTER OF APPLICATION)
4439 FILED BY C. F. SCOTT AND)
ELLA ADAMS TO CHANGE THE POINT)
OF DIVERSION AND PLACE OF USE OF)
WATERS FROM BIG COTTONWOOD CREEK)
IN ELKO COUNTY, NEVADA)

R U L I N G

GENERAL:

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Application 4439 was filed by C. F. Scott and Ella Adams on May 16, 1917 to change the point of diversion and place of use of 0.8 c.f.s. of water from Big Cottonwood Creek for irrigation and domestic purposes from April until September of each year. The original point of diversion is described as within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 19, T. 30 N., R. 57 E., M.D.B.&M., and the lands upon which the water is claimed to have been beneficially used are described as within the S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 19, T. 30 N., R. 57 E., M.D.B.&M. The proposed point of diversion is described as within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 17; T. 30 N., R. 57 E., M.D.B.&M. The proposed place of use is described as within the E $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 18, T. 30 N., R. 57 E., M.D.B.&M. Protest to the granting of Application 4439 was filed by Antone Zunino, George Hanna, Dan Riordan and J. A. McBride on June 27, 1917.

A letter was sent to the applicants by certified mail on February 28, 1969 requesting additional information necessary before further action could be taken on Application 4439. The letter was returned by the Post Office Department marked "Unclaimed" and "Unknown". It is the responsibility of the applicants or their successors in interest to keep this office informed of their current mailing address.

RULING

Application 4439 is herewith denied on the grounds that the applicants or their successors in interest have 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:WJN:jls

Dated this 10th day
of April, 1969.