

IN THE MATTER OF APPLICATION 8140 FILED)
BY ABLE AND RAYMOND TO APPROPRIATE WATER)
FROM PARADISE HILL SPRING IN HUMBOLDT)
COUNTY, NEVADA.)

GENERAL:

Application 8140 was filed by Able and Raymond on May 24, 1927, for permission to appropriate 0.05 c.f.s. of water from Paradise Hill Spring for watering of 5,000 head of sheep and 50 horses. The proposed point of diversion and place of use is described as the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 16, T. 40 N., R. 38 E., M.D.B.&M.

A protest was filed under this application by Gerhard Miller, Sr., on June 21, 1927, on the grounds that the protestants have used the Paradise Hill Spring for watering livestock since 1884; and by J. C. Charters & Emrich Simonich on July 6, 1927, on the grounds that the protestants have existing Applications 2130 and 7339 from Paradise Hill Spring and have beneficially used the water therefrom.

A letter was sent by certified mail to the applicant on September 15, 1969, requesting additional information necessary before a permit could be issued under this application. This letter was returned to this office stamped "Unclaimed-Unknown", by the postal department. It is the responsibility of the applicant or their successors in interest to keep this office informed of their current mailing address.

RULING

Application 8140 is herewith denied on the grounds that the applicant failed to submit the requested information and the granting of a permit without said information would be detrimental to the public welfare.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW:RRD:dc

Dated this 22nd day
of October, 1969.