

IN THE OFFICE OF THE STATE ENGINEER  
OF THE STATE OF NEVADA

IN THE MATTER OF APPLICATION 48446)  
FILED TO APPROPRIATE THE PUBLIC )  
WATERS OF AN UNDERGROUND SOURCE, )  
WITHIN THE TRACY SEGMENT GROUND )  
WATER BASIN, WASHOE COUNTY, )  
NEVADA. )

RULING

GENERAL

I.

Application 48446 was filed on October 1, 1984, by Geonomics, Inc. to appropriate 1.0 c.f.s. of water from an underground source for mining, milling and domestic purposes within the NE1/4 Section 10, T.19N., R.21E., M.D.B.&M. The point of diversion is described as being within the NE1/4 NE1/4 Section 10, T.19N., R.21E., M.D.B.&M.<sup>1</sup>

FINDINGS OF FACT

I.

The applicant and agent were notified by certified mail on June 5, 1990 to submit additional information to the State Engineer's office regarding consumptive use, specifically, requesting data concerning water conservation measures and amount of water to be recycled. The return receipts were received from the addressees on June 8, 1990 and June 12, 1990, respectively.<sup>2</sup> To date the information requested has not been received from the applicant.<sup>3</sup>

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1 Public record in the office of the State Engineer.

2 See Certified Mail return Receipt No's. P 560 206 073 and P 560 206 072.

3 A check of the record of the State Engineer indicates that no information has been received.

CONCLUSIONS

The State Engineer has jurisdiction of the parties and the subject matter of this action and determination.<sup>4</sup>

II.

Before either approving or rejecting an application, the State Engineer may require such additional information as will enable him to guard the public interest properly.<sup>5</sup>

III.

The State Engineer is prohibited by law from granting a permit under an application to appropriate the public waters where:<sup>6</sup>

- A. There is no unappropriated water at the proposed source, or
- B. The proposed use conflicts with existing rights, or
- C. The proposed use threatens to prove detrimental to the public interest.

IV.

The applicant has failed to submit the information requested by the State Engineer's office. Therefore sufficient information is not available to the State Engineer to guard the public interest properly.

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<sup>4</sup> NRS Chapters 533 and 534.

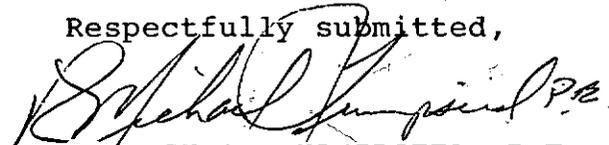
<sup>5</sup> NRS 533.375.

<sup>6</sup> NRS 533.370(3).

RULING

Application 48446 is hereby denied on the grounds that the applicant has not submitted the information requested by the State Engineer's office and therefore the granting of said application without the additional information requested would not be in the public interest.

Respectfully submitted,



R. MICHAEL TURNIPSEED, P.E.  
State Engineer

RMT/DJL/pm

Dated this 1st day of  
August, 1990