

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

IN THE MATTER OF APPLICATION 60656 )  
FILED TO APROPRIATE THE PUBLIC )  
WATERS OF AN UNDERGROUND SOURCE )  
WITHIN GRASS VALLEY HYDROGRAPHIC )  
BASIN (71), HUMBOLDT COUNTY, NEVADA. )

RULING

# 4961

GENERAL

I.

Application 60656 was filed on November 15, 1994, by Robert Parlasca to appropriate 0.04 cubic feet per second of water from an underground source for stockwatering (1,000 cattle and horses) and domestic purposes within portions of the W $\frac{1}{2}$  of Section 25; T.35N., R.37E., M.D.B.&M. The proposed point of diversion is described as being located within the SW $\frac{1}{4}$  NW $\frac{1}{4}$  of said Section 25.<sup>1</sup>

FINDINGS OF FACT

I.

The applicant and his agents, John H. Milton and Gary Tompkins, were notified by certified mail dated February 9, 1996, that additional information was needed regarding Application 60656. The return receipts from these certified letters were received in the office of the State Engineer from the above three parties on February 13, February 12, and February 14, 1996, respectively. The State Engineer finds that to date the information requested has not been received.<sup>1</sup>

II.

The State Engineer finds that the applicant was properly notified of the request for additional information and failed to respond.

CONCLUSIONS

I.

The State Engineer has jurisdiction over the parties and of the subject matter of this action and determination.<sup>2</sup>

<sup>1</sup> File No. 60656, official records in the office of the State Engineer.

<sup>2</sup> NRS chapters 533 and 534.

**II.**

Before either approving or rejecting an application, the State Engineer may require such additional information as will enable him to properly guard the public interest.<sup>3</sup>

**III.**

The State Engineer is prohibited by law from granting a permit under an application to appropriate the public waters where:<sup>4</sup>

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

**IV.**

The applicant and his agents were properly notified of the requirement for additional information concerning this application and have failed to submit the information to the State Engineer's office. The State Engineer concludes that without the information requested sufficient information is not available for the State Engineer to properly guard the public interest.

**RULING**

Application 60656 is hereby denied on the grounds that the applicant has not submitted the information requested by the State Engineer's office and that without this information the granting of the application would threaten to prove detrimental to the public interest.

Respectfully submitted,

*Hugh Ricci, P.E.*  
HUGH RICCI, P.E.  
State Engineer

HR/RAD/cl

Dated this 25th day of  
August, 2000.

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<sup>3</sup> NRS § 533.375.

<sup>4</sup> NRS § 533.370(3).