

IN THE MATTER OF APPLICATION NO. 238)
FILED BY F. W. BENEDICT ET. AL., TO)
APPROPRIATE WATER FROM LABEAU CREEK)
IN NYE COUNTY, NEVADA.)

R U L I N G

General:

Application No. 238 was filed on October 18, 1906 by F. W. Benedict, H. W. Bruner and William R. Pearson to appropriate 2.0 c.f.s. of water from LaBeau Creek for mining, milling, and townsite purposes. The proposed point of diversion and place of use were not described on the application.

A letter dated July 24, 1968, was sent by certified mail to the best available address for the applicants requesting additional information necessary before a permit could be issued under this application. This letter was returned to this office, stamped "unclaimed", by the Post Office Department. It is the responsibility of the applicants or their successors in interest to keep this office informed of their current mailing address.

RULING

Application No. 238 is herewith denied on the grounds that the applicants or their successors in interest failed to submit the requested information and the granting of this application, without said information, would be detrimental to the public welfare.

Respectfully Submitted,


Roland D. Westergard
State Engineer

RDW:RRD:jb

Dated This 27th Day
of August, 1968.