

IN THE MATTER OF APPLICATION 6865 )  
FILED BY F. J. SMYTH FOR PERMISSION )  
TO APPROPRIATE WATER FROM DRY SUSIE CREEK ) R U L I N G  
IN ELKO COUNTY, NEVADA. )

GENERAL:

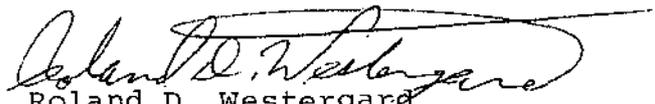
50 Application 6865 was filed by F. J. Smyth on February 23, 1923, for permission to appropriate 0.60 c.f.s. of water from Dry Susie Creek for irrigation (60 acres) and domestic purposes. The proposed point of diversion is described as within the NW $\frac{1}{4}$  SE $\frac{1}{4}$  Section 4, T. 33 N., R. 53 E., M.D.B.&M. The proposed place of use is described as within the NW $\frac{1}{4}$  SE $\frac{1}{4}$ , SW $\frac{1}{4}$  SW $\frac{1}{4}$  and E $\frac{1}{2}$  SW $\frac{1}{4}$  Section 4, T. 33 N., R. 53 E., M.D.B.&M.

A letter dated September 5, 1968, was sent by certified mail, to the best available address for the applicant, 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 applicant or his successory in interest to keep this office informed of their current mailing address.

RULING

Application 6865 is herewith denied on the grounds that the applicant or his successors in interest failed to submit the requested information necessary before a Permit could be issued under this Application, 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:jls .....

Dated this 10th Day

of October, 1968