

IN THE MATTER OF APPLICATION 5541 FILED)  
BY THE NEVADA HYDRAULIC GOLD MINING CO. )  
TO APPROPRIATE WATER FROM SIMON CREEK IN)  
EUREKA COUNTY, NEVADA. )

RULING

GENERAL:

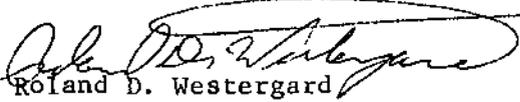
5) Application 5541 was filed by the Nevada Hydraulic Gold Mining Company on June 16, 1919, to appropriate 1,200 acre-feet or 3.0 cfs of water from Simon Creek for mining, milling and domestic purposes. The point of diversion is described as within the NW $\frac{1}{4}$ NW $\frac{1}{4}$  Section 13, T.35N., R.50E., MDB&M. The place of use is described as within the NW $\frac{1}{4}$ NW $\frac{1}{4}$  Section 19, T35N., R51E., MDB&M. Protest to the granting of this application was filed by the Dunphy Estate on September 13, 1919.

A letter was sent to the applicant on January 23, 1969, by certified mail requesting additional information necessary before further action could be taken on Application 5541. The certified mail return receipt was returned to this office on January 27, 1969.

RULING

Application 5541 is herewith denied on the grounds that the applicant or his successors in interest have failed to submit additional information and the approval of this application without the information requested would be detrimental to the public welfare.

Respectfully submitted,

  
Roland D. Westergard  
State Engineer

RDW:WJN:dc

Dated this 4th day  
of March, 1969.