

IN THE MATTER OF APPLICATIONS 8468)
AND 8469 FILED BY W. H. MORGAN TO)
APPROPRIATE WATER FROM MITCHELL)
SPRING AND LAPHAN CANYON CREEK,)
RESPECTIVELY, IN LYON AND MINERAL)
COUNTIES, NEVADA)

R U L I N G

GENERAL:

Application 8468 was filed by W. H. Morgan on March 2, 1928 to appropriate 0.25 c.f.s. of water from Mitchell Spring and Creek for stockwatering and domestic purposes. The point of diversion is described as within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 25, T. 8 N., R. 27 E., M.D.B.&M. The place of use is described as within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 25, T. 8 N., R. 27 E., M.D.B.&M. Period of use is from January 1 to December 31 of each year to water 800 cattle and 4,000 sheep.

Protest to the granting of this application was filed by Ira Fallon on February 13, 1929.

Application 8469 was filed by W. H. Morgan on March 2, 1928 to appropriate 0.25 c.f.s. of water from Laphan Canyon Creek for stockwatering and domestic purposes. The point of diversion is described as within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 20, T. 8 N., R. 28 E., M.D.B.&M. The place of use is described as within the N $\frac{1}{2}$ SW $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 19; S $\frac{1}{2}$ NW $\frac{1}{4}$ and S $\frac{1}{2}$ NE $\frac{1}{4}$ Section 20, all in T. 8 N., R. 28 E., M.D.B.&M. Period of use is from January 1 to December 31 of each year to water 800 cattle and 4,000 sheep.

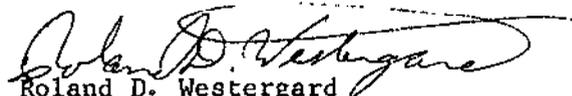
An informal protest to the granting of this application was filed by Ira Fallon on June 3, 1929.

A letter was sent to the applicant on March 27, 1969 by certified mail requesting additional information necessary before further action could be taken on Applications 8468 and 8469. The letter was returned by the Post Office Department marked "Deceased." It is the responsibility of the applicant or his successors in interest to keep this office informed of his current mailing address.

RULING

Applications 8468 and 8469 are herewith denied on the grounds that the applicant or his successors in interest have failed to submit the information requested, and the approval of these applications without the information requested would be detrimental to the public welfare.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW:WJN:jls

Dated this 7th day

of May, 1969.