

IN THE MATTER OF APPLICATIONS 42543)  
and 42544 FILED TO APPROPRIATE THE )  
WATERS OF AN UNDERGROUND SOURCE IN.)  
GRASS VALLEY, LANDER COUNTY, NEVADA)

R U L I N G

INTRODUCTION

Applications 42543 and 42544 were filed to appropriate the underground waters of the State of Nevada in Grass Valley, Lander County, Nevada.

FINDINGS OF FACT

I

Application 42543 was filed September 26, 1980, by Diane M. Blackmon to appropriate 5.4 c.f.s. of water from an underground source for irrigation and domestic purposes to be diverted within the SE $\frac{1}{4}$ -SE $\frac{1}{4}$  Section 7, T.21N., R.47E., M.D.B.&M. The period of use is from January 1st to December 31st of each year. The place of use listed in Application 42543 is 320 acres in the E $\frac{1}{2}$  Section 7, T.21N., R.47E., M.D.B.&M. 1/

II

Application 42544 was filed September 26, 1980, by James A. Blackmon to appropriate 5.4 c.f.s. of water from an underground source for irrigation and domestic purposes to be diverted within the SE $\frac{1}{4}$  SW $\frac{1}{4}$  Section 29, T.22N., R.47E., M.D.B.&M. The period of use is from January 1st to December 31st of each year. The place of use listed in Application 42544 is 320 acres in the S $\frac{1}{2}$  Section 29, T.22N., R.47E., M.D.B.&M. 2/

III

Both Applications 42543 and 42544 were in support of a Desert Land Entry. 3/

IV

Both Applications 42543 and 42544 were timely protested by Molly F. Knudtsen and Grass Valley Ranch, Inc. 4/

V

Representatives of the State Engineer's office held a field investigation in the matter of the two applications, 42543 and 42544, on September 21, 1983. 5/

VI

The applicants were duly notified by certified mail of the time and place of the field investigation held on September 21, 1983. 6/

VII

Neither the applicant nor his agent attended the field investigation on September 21, 1983. Both the protestant and his agent were present and gave their views in regard to the two applications. 7/

VIII

No written request for postponement of this field investigation was received by the State Engineer. A telephone message was received on September 20, 1983 at the State Engineer's Carson City office, stating that Mr. and Mrs. Blackmon were not coming to the field investigation and they intended to withdraw their applications. 8/

CONCLUSION

The applicants have failed to show the necessary continuing interest pursuant to these applications and, therefore, it is concluded that the applicants have no continuing interest in pursuing the applications.

RULING

Applications 42543 and 42544 are herewith denied on the grounds that the applicants have failed to show a necessary continuing interest in support of Applications 42543 and 42544 and to consider the applications for approval would not be in the public interest. No ruling is made in the matter of the protests.

Respectfully submitted,

  
Peter G. Morros  
State Engineer

PGM/BD/bc

Dated this 1st day of  
NOVEMBER, 1983.

FOOTNOTES

1. Public records in the office of the State Engineer.
2. Public records in the office of the State Engineer.
3. Public records in the office of the State Engineer.
4. Public records in the office of the State Engineer.
5. Public records in the office of the State Engineer.
6. Public records in the office of the State Engineer.
7. Public records in the office of the State Engineer.
8. Public records in the office of the State Engineer.