

IN THE MATTER OF APPLICATION 47114 )  
FILED TO APPROPRIATE THE PUBLIC )  
WATERS OF AN UNDERGROUND SOURCE IN )  
SNAKE VALLEY, WHITE PINE COUNTY, )  
NEVADA. )

RULING 2183

GENERAL

I.

Application 47114<sup>1</sup> was filed on August 2, 1983, by Farrell B. Smith to appropriate 0.01 c.f.s. of water from an underground source for use within the NW1/4 SE1/4 Section 35, T.15N., R.68E., M.D.B.&M., for stockwatering purposes. The point of diversion is described as being within the NW1/4 SE1/4 Section 35, T.15N., R.68E., M.D.B.&M.

FINDINGS OF FACT

I.

Application 47114 was processed, published and became ready for action on June 28, 1980.<sup>1</sup>

II.

On November 14, 1983, a certified letter was written to the applicant requesting, within 60 days of the date of the letter, additional information, deeds or documents showing ownership or control of the land under the place of use.<sup>1</sup>

III.

Letters were written to both the Bureau of Land Management, Ely District Office, Ely, Nevada and the U. S. Forest Service, Ogden, Utah, requesting information on the range permittee within the place of use under Application 47114. Both agencies replied that the applicant was not the permittee within the area.<sup>1</sup>

IV.

The State Engineer's office has received no response to the request for the additional information from the applicant.<sup>1</sup>

CONCLUSIONS

I.

The State Engineer has jurisdiction in this matter under the provisions of NRS 533.325 and NRS 533.375.

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<sup>1</sup> Public record in the office of the State Engineer under Application 47114.

II.

The applicant has been properly notified of the requirement for additional information and has failed to comply with the said requirements.

III.

The State Engineer may require additional information before approval or rejection of any application.<sup>2</sup>

RULING

Application 47114 is hereby denied on the grounds that additional information requested from the applicant was not received by the State Engineer and to grant the application without the additional information would not be in the public interest.

Respectfully submitted



Peter G. Morros  
State Engineer

PGM/BD/bl

Dated this 11th day of  
APRIL, 1984.