

IN THE MATTER OF APPLICATION 39396)
FILED TO APPROPRIATE THE PUBLIC)
WATERS OF AN UNDERGROUND SOURCE IN)
LAS VEGAS VALLEY, CLARK COUNTY,)
NEVADA.)

RULING

INTRODUCTION

Application 39396 was filed on October 26, 1979, by Earl Williams & Sons, Inc., to appropriate 0.5 c.f.s. of underground water within the NW1/4 SE1/4 of Section 28, T.21S., R.60E., M.D.B.&M., for mining purposes within Section 28, T.21S., R.60E., M.D.B.&M.

FINDINGS OF FACT

I.

On May 9, 1980, a letter was written to the applicant requesting the anticipated annual ground water use and the type of mining operation proposed.¹

II.

On March 5, 1984, a certified letter was forwarded to the applicant again requesting the anticipated annual ground water use and the type of mining operation relevant to Application 39396. This letter requested a response by the applicant within 30 days.¹

III.

The applicant has made no response to the request for additional information.¹

CONCLUSIONS

I.

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

II.

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

¹ Public records in the office of the State Engineer.

III.

The State Engineer may require additional information before approval or rejection of an application.²

RULING

Application 39396 is hereby denied on the grounds that additional information requested from the applicant was not received by the State Engineer and to consider action on the application without the additional information requested would not be in the public interest.

Respectfully submitted



Peter G. Morros
State Engineer

PGM/GB/bl

Dated this 19th day of
APRIL, 1984.