

IN THE OFFICE OF THE STATE ENGINEER

IN THE MATTER OF APPLICATIONS 32999)
AND 33000 FILED TO APPROPRIATE THE)
PUBLIC WATERS OF AN UNDERGROUND)
SOURCE AND LACKAWANNA SPRINGS IN)
STEPTOE VALLEY, WHITE PINE COUNTY,)
NEVADA.)

RULING

GENERAL

Application 32999 was filed on August 1, 1977, by John A. Boundy to appropriate .67 c.f.s. of water from an underground source for mining, milling and domestic purposes within the SW1/4 NE1/4 Section 3, T.16N., R.63E., M.D.B.&M. The point of diversion is described as being within the SW1/4 NE1/4 Section 3, T.16N., R.63E., M.D.B.&M.¹

Application 33000 was filed on August 1, 1977, by John A. Boundy to appropriate .45 c.f.s. of water from Lackawanna Springs for mining, milling and domestic purposes within the SW1/4 NE1/4 Section 3, T.16N., R.63E., M.D.B.&M. The point of diversion is described as being within the SE1/4 NE1/4 Section 3, T.16N., R.63E., M.D.B.&M.¹

FINDINGS OF FACT

I.

On August 28, 1984, a certified letter was sent to John A. Boundy, P.O. Box 173, Ely, Nevada, 89301, requesting additional information concerning Applications 32999 and 33000. The Certified Mail Receipt No. P616 538 193 was returned to this office signed by Mrs. John Boundy and the date of delivery was August 31, 1984.²

II.

A review of the record under Applications 32999 and 33000 revealed there has been no response to the described letter of request for additional information.

CONCLUSIONS

I.

The State Engineer has jurisdiction of the parties and the subject matter of this action.³

¹ Public record in the office of the State Engineer under Applications 32999 and 33000.

² The certified letter to John A. Boundy and Certified Mail Receipt No. P616 538 193 are public record filed with Application 32999 in the office of the State Engineer.

³ NRS 535.325.

II.

The State Engineer may require additional information before approval or rejection of an application.⁴

III.

There has been no response to the request for additional information from the applicant under Applications 32999 and 33000.

RULING

Applications 32999 and 33000 are hereby denied on the grounds that additional information requested from the applicant was not received by the State Engineer and to approve said applications without the additional information requested would not be in the public interest.

Respectfully submitted



Peter G. Morros
State Engineer

PGM/TT/bl

Dated this 4th day of

January, 1985.

⁴ NRS 533.375.