

IN THE OFFICE OF THE STATE ENGINEER

IN THE MATTER OF APPLICATION 39811)
FILED TO APPROPRIATE THE PUBLIC)
WATERS OF AN UNDERGROUND SOURCE IN)
SPRING VALLEY, LINCOLN COUNTY,)
NEVADA.)

RULING 309³

GENERAL

Application 39811 was filed on November 23, 1979, by Einar Erickson to appropriate 0.1 c.f.s. of water from an underground source for mining, milling and domestic purposes within the NE1/4 NW1/4 Section 21, T.7N., R.68E., M.D.B.&M. The point of diversion is described as being within the SE1/4 NW1/4 Section 21, T.7N., R.68E., M.D.B.&M.¹

FINDINGS OF FACT

I.

On September 26, 1984, and October 26, 1984, certified letters were sent to Einar Erickson at 709 Cline, Las Vegas, Nevada, 89128. These letters requested additional information concerning Application 39811. The return receipt for the September 26, 1984, letter (P537 462 870) was never returned. The receipt for the October 26, 1984, letter (P665-704-967) was returned and had been signed.²

II.

A review of the record under Application 39811 revealed that there has been no response to the described letters 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 Application 39811.
² The certified letters and Certified Mail Receipt No. P665 704 967 are public record on file with Application 39811 in the office of the State Engineer.
³ NRS 533.325.

II.

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

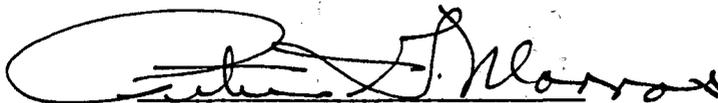
III.

There has been no response to the request for additional information from the applicant under Application 39811.

RULING

Application 39811 is hereby denied on the grounds that the additional information requested from the applicant was not received by the State Engineer and to approve said application without the additional information requested would not be in the public interest.

Respectfully submitted



Peter G. Morros
State Engineer

PGM/JT/bl

Dated this 4th day of
January, 1985.

4 NRS 533.375.