

IN THE OFFICE OF THE STATE ENGINEER

IN THE MATTER OF APPLICATION 45406)
FILED TO APPROPRIATE THE PUBLIC)
WATERS OF AN UNDERGROUND SOURCE IN)
UPPER REESE RIVER VALLEY, LANDER)
COUNTY, NEVADA.)

RULING

GENERAL

Application 45406 was filed on February 26, 1982, by Chemical and Petroleum Corporation of America to appropriate 1.5 c.f.s. of water from an underground source for mining, milling and domestic purposes within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 23, T.23N., R.43E., M.D.B.&M. The point of diversion is described as being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 23, T.23N., R.43E., M.D.B.&M.¹

FINDINGS OF FACT

I.

On November 9, 1982, a letter was sent to Mr. John M. Torok, President, Chemical and Petroleum Corporation of America, 390 Freeport Blvd., Sparks, Nevada, 89431, requesting additional information concerning the consumptive use of the project. No response to that letter has been received in the State Engineer's office.¹

II.

On June 4, 1984, a certified letter was sent to John M. Torok at the above address requesting additional information concerning the consumptive use of the project. This letter was returned to the State Engineer's office as "Not deliverable as addressed".¹

III.

On June 12, 1984, the certified letter was remailed to John Torok at 4635 Alpha Ave., Reno, Nevada, 89501, requesting additional information concerning the consumptive use of the project. The return receipt, No. P718-196-231 was returned to the State Engineer's office signed. No response to that letter has been received in the State Engineer's office.¹

¹ Public record in the office of the State Engineer.

CONCLUSIONS

I.

The State Engineer has jurisdiction of the parties and the subject matter of this action.²

II.

The State Engineer may require additional information before approval or rejection of an application.³

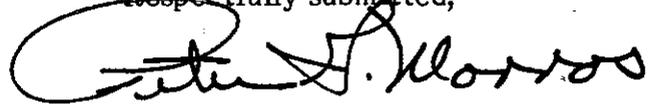
III.

There has been no response to the request for additional information from the applicants for Application 45406.

RULING

Application 45406 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/GT/bl

Dated this 4th day of

April, 1985.

² NRS 533.025 and NRS 533.030.

³ NRS 533.375.