

IN THE MATTER OF APPLICATION 6421)
FILED BY ANDREW WESTLUND TO CHANGE)
THE POINT OF DIVERSION AND PLACES)
OF USE OF WATER WITHIN ELKO COUNTY,)
NEVADA)

RULING

GENERAL:

Application 6421 was filed by Andrew Westlund on March 17, 1921, for permission to change the point of diversion and place of use of a vested right dating back to 1871. The quantity of water desired to be changed is 1.0 cfs and is to be used for irrigation and domestic purposes. The source of the proposed appropriation is Snell Creek and the point of diversion is described as being 150 feet SE of the $\frac{1}{4}$ corner common to Sections 28 and 33, T33N., R58E., MDB&M. The 47.5 acres described under the place of use are within the $W\frac{1}{2}SE\frac{1}{4}$ Section 29, T33N., R58E., MDB&M. The quantity of water heretofore appropriated is 1.0 cfs and used for irrigation and domestic purposes. The point of diversion under the former appropriation is in the $SE\frac{1}{4}SW\frac{1}{4}$ Section 28, T33N., R58E., MDB&M., and the 47.5 acres described under the place of use are within the $NE\frac{1}{4}$ Section 29, T33N., R58E., MDB&M.

A letter was sent by this office by certified mail to the applicant on August 12, 1968, requesting additional information necessary before action could be taken on this application. A return receipt card signed by Charles B. Evans, Jr., and Susan E. Westbrook was returned to this office August 5, 1968.

RULING

Application 6438 is herewith denied on the grounds that the applicant or his successors in interest failed to submit the information requested and the approval of this application, without the requested information would be detrimental to the public welfare.

Respectfully submitted,


Roland D. Westergaard
State Engineer

RDW:RdL:dc

Dated this 30th day
of September, 1968.