

IN THE MATTER OF APPLICATION 10186)
FILED BY ROSA S. AND DAVID DOTTA)
AND THE CITY OF ELKO TO CHANGE THE)
PLACE AND MANNER OF USE UNDER PERMIT)
4070, CERTIFICATE 657, IN ELKO COUNTY,))
NEVADA)

R U L I N G

GENERAL:

49 Application 10186 was filed by Rosa S. and David Dotta and the City of Elko on November 2, 1937 to change the place and manner of use under Permit 4070, Certificate 657 of 0.0537 c.f.s. of water from Elko Hot Spring from irrigation to bathing purposes. The existing point of diversion is within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 21, T. 34 N., R. 55 E., M.D.B.&M. The existing place of use is described as 5.37 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 22, T. 34 N., R. 55 E., M.D.B.&M. The proposed place of use is in concrete pools in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 22, T. 34 N., R. 55 W., M.D.B.&M. The period of use is from April 1 to October 1 of each year. Protest to the granting of this application was filed on December 30, 1937 by Ellen, James and Charles Russell. Permit 4070, Certificate 657, stands in the name of James Russell, Geo. B. Russell and Chas. H. Keith as the owners of record.

A letter was sent to the applicants on January 2, 1969 by certified mail requesting additional information necessary before further action could be taken on Application 10186. The certified mail return receipt card was received in this office in January 6, 1969.

RULING

Application 10186 is herewith denied on the grounds that the applicant or his successors in interest have failed to submit additional information and the approval of this application without the information requested would be detrimental to the public welfare.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW:WJN:jls

Dated this 6th day
of February, 1969.