

IN THE MATTER OF APPLICATION 3293 FILED)  
BY EULOGIO GABIOLA TO APPROPRIATE WATER)  
FROM LUTHER BUTLER CREEK IN ELKO COUNTY)  
NEVADA. )

RULING

GENERAL:

Application 3293 was filed by Eulogio Gabiola on March 8, 1915, to appropriate 2.0 cfs of water from Luther Butler Branch of Ten Mile Creek for irrigation (200 acres) and domestic purposes. The point of diversion is described as within the SW $\frac{1}{2}$ SE $\frac{1}{2}$  Section 23, T33N., R56E., MDB&M. The place of use is described as within a portion of the S $\frac{1}{2}$  Section 11, T33N., R56E., MDB&M. Protest to the granting of this application was filed by Edward Helth on March 29, 1915.

A letter was sent to the applicant on January 21, 1969, by certified mail requesting additional information necessary before further action could be taken on Application 3293. It is the responsibility of the applicant or his successors in interest to keep this office informed of his current mailing address.

RULING

Application 3293 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:dc

Dated this 4th day  
of March, 1969.