

IN THE MATTER OF APPLICATION 8557 )  
FILED BY FRANK M. FLYNN AND LEN H.)  
RATHFON TO CHANGE THE POINT OF )  
DIVERSION AND PLACE OF USE UNDER )  
PERMIT 3125 FROM LAMOILLE CREEK IN)  
ELKO COUNTY, NEVADA )

R U L I N G

GENERAL:

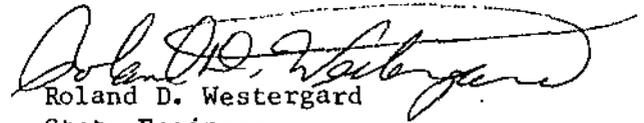
Application 8557 was filed by Frank M. Flynn and Len H. Rathfon on June 4, 1928, to change the point of diversion and place of use of 3.2 c.f.s. of water from Lamoille Creek heretofore granted under Permit 3125 for irrigation purposes from April to October of each year. The existing point of diversion is described as within the SE $\frac{1}{2}$  SE $\frac{1}{2}$  Section 34, T. 35 N., R. 58 E., M.D.B.&M. The existing place of use is described as within the E $\frac{1}{2}$  of Section 17, T. 35 N., R. 58 E., M.D.B.&M. The proposed point of diversion is described as within the SW $\frac{1}{2}$  SE $\frac{1}{2}$  Section 21, T. 34 N., R. 58 E., M.D.B.&M. The proposed place of use is described as within the E $\frac{1}{2}$  Section 17, T. 35 N., R. 58 E., M.D.B.&M.

A letter was sent to the applicants by certified mail on February 28, 1969 requesting additional information necessary before further action could be taken on Application 8557. The letter was returned by the Post Office Department marked "Unknown" and "Insufficient Address". It is the responsibility of the applicants or their successors in interest to keep this office informed of their correct mailing address.

RULING

Application 8557 is herewith denied on the grounds that the applicants or their successors in interest have failed to submit the information requested 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 10th day  
of April, 1969.