

IN THE MATTER OF APPLICATION)
16813 FILED BY CHARLES L. GLENN)
FOR PERMISSION TO APPROPRIATE)
WATER FROM GLENN CREEK IN)
HUMBOLDT COUNTY, NEVADA)

R U L I N G

33A

GENERAL:

Application 16813 was filed on December 13, 1955 by Charles L. Glenn to appropriate 3.5 c.f.s. of water from Glenn Creek for irrigation and domestic purposes. The proposed point of diversion is within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 3, T.44N., R.37E., M.D.B.&M. The proposed place of use is 120 acres within the W $\frac{1}{2}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 3. This application was protested by R. H. Hadley, Jr. on May 7, 1956 on the grounds that "there is no unappropriated water in this source, - - - to grant the application would contravene the water law of the State of Nevada and would irrevocably injure protestant." This application was assigned to Richard C. and Robin M. Schader on March 5, 1970.

A letter was forwarded to the protestant by certified mail on January 21, 1971 inquiring as to his continued interest in pursuing the protest. A return receipt, signed by W. O. Bradley, was received in this office on January 25, 1971. No response was received to this letter.

A letter was forwarded to B. B. Bouneff, agent for Richard C. and Robin M. Schader, on February 24, 1971 by certified mail requesting verification of the owner of records' continued interest in pursuing Application 16813. A copy of this letter was also forwarded by certified mail to Richard C. and Robin M. Schader. Return receipts for this letter, signed by B. B. Bouneff and by Dick Schader, were received in this office on February 26, 1971. However, no reply has been received.

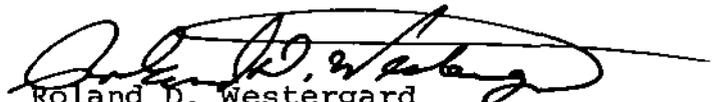
A letter was forwarded on April 22, 1971 to Mr. Ed C. Reed, Jr., attorney for Robin Schader, requesting verification of the owner of records' continued interest in this application. A return receipt signed by Edward C. Reed was received in this office on April 29, 1971. Mr. Reed's subsequent reply, received May 13, 1971, stated that he believed his clients did not wish to pursue this application

and if not that at a later date a withdrawal form would be submitted. No subsequent correspondence was received and by certified letter of April 11, 1973 to Mr. Reed, it was requested that the State Engineer's office be advised of whether or not Application 16813 was to be withdrawn. A return receipt signed by Evelyn Griswold was received in this office April 13, 1973. No reply has been received to that letter.

RULING:

Application 16813 is herewith denied on the grounds that the owner of record or his agents failed to submit the requested information necessary before a permit could be considered under this application.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW/lk

Dated this 27th day
of August, 1975.

