

IN THE MATTER OF APPLICATION 41453)
FILED BY JOE SHELVER TO APPRO-)
PRIATE 1.0 C.F.S OF WATER FROM AN)
UNDERGROUND SOURCE FOR MINING,)
MILLING AND DOMESTIC PURPOSES)
LOCATED IN GABBS VALLEY, NEVADA)

R U L I N G

GENERAL

Application 41453 was filed on June 2, 1980 by Joe Shelver to appropriate 1.0 c.f.s. of water for mining, milling and domestic purposes.

The point of diversion is described as being in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 2, T.12N., R.32E., M.D.B.& M. and the place of use within the NW $\frac{1}{4}$ Section 2, T.12N., R.32E., M.D.B.& M.

Application 41453 completed the statutory processing and became ready for action on November 14, 1980. On September 15, 1981 a letter was forwarded to the applicant's agent, Mr. Lowell D. Emery, Post Office Box 84, Fallon, Nevada 89406 requesting additional information concerning consumptive use under the application before action could be taken. A copy of the letter was forwarded to the applicant, Joe Shelver. The copy of the letter forwarded to Mr. Joe Shelver was returned to the State Engineer's office on September 17, 1981 marked "not deliverable as addressed, unable to forward." The letter and the envelope returned by the postal department is a matter of record in the office of the State Engineer under Application 41453 and is made a part of this Ruling by reference.

On October 26, 1981, a letter was forwarded by certified mail no. 4230172 to the last-known address of the applicant again requesting information concerning water consumption under Application 41453. A carbon copy of this letter was forwarded to the agent, Lowell Emery. This letter was also returned to the office of the State Engineer marked "addressee unknown." The letter and the envelope returned by the postal department are a matter of record in the office of the State Engineer under Application 41453 and are made a part of this Ruling by reference.

RULING

Application 41453 is herewith denied on the grounds that the applicant has failed to submit the additional information requested and to grant said application without the additional information requested would be not in the public interest and welfare.

Respectfully submitted,



Peter G. Morros
State Engineer

PGM/dh

Dated this 2nd day
of December 1981.