

IN THE OFFICE OF THE STATE ENGINEER

IN THE MATTER OF APPLICATION 32767)
FILED TO APPROPRIATE THE PUBLIC)
WATERS OF AN UNDERGROUND SOURCE IN)
SPRING VALLEY, WHITE PINE COUNTY,)
NEVADA.)

RULING 3320

GENERAL

Application 32767 was filed on July 12, 1977, by Great Basin Ranching and Mining, Inc., to appropriate 5.4 c.f.s. of water from an underground source for irrigation and domestic purposes on 320 acres of land within Sections 21 and 22, T.13N., R.67E., M.D.B.&M. The point of diversion is described as being within the NE1/4 SE1/4 Section 22, T.13N., R.67E., M.D.B.&M.¹

FINDINGS OF FACT

I.

On November 3, 1977, a letter was sent to Great Basin Ranching and Mining, Inc., which requested that the applicant submit documentation to show ownership of the proposed place of use, as the records of the State Engineer's office showed existing rights in other ownership. The applicant was given a period of 30 days to respond.¹

II.

On December 1, 1977, the State Engineer received documents from the office of the White Pine Recorder and \$2.00 in filing fees in response to the November 3, 1977, letter.¹

III.

On March 3, 1978, the documents were returned to the applicant because they were deficient. The cover letter indicated that the filing fees would be retained for a period of 30 days during which the applicant could supply additional documentation.¹

IV.

On May 18, 1978, an excess remittance in the amount of \$2.00 was sent to the applicant.¹

V.

On December 5, 1985, a letter was sent certified mail to the applicant requesting documentation establishing ownership of the place of use of Application 32767. A period of sixty days was given the applicant to respond.

¹ Public record in the office of the State Engineer under Application 32767.

VI.

On December 10, 1985, this certified letter was returned to the State Engineer marked "Fwd Expired (return)". This same letter was remailed on December 17, 1985, by certified mail to a new address. The return receipt was received by the State Engineer's office on December 26, 1985, signed by Ursel Rhodes.

VII.

As of February 17, 1986, no documentation or information has been received from the applicant.

CONCLUSIONS

I.

The State Engineer has jurisdiction of the parties and the subject matter of this action.²

II.

Before issuing a permit, the State Engineer may require additional information.³

III.

The applicant has failed to submit additional information requested by the State Engineer.

RULING

Application 32767 is hereby denied on the grounds that the additional information requested from the applicant was not received by the State Engineer and to approve said application without the additional information requested would not be in the public interest.

Respectfully submitted,


PETER G. MORROS
State Engineer

PGM/KN/bl

Dated this 5th day of
March, 1986.

² NRS 533.025 and NRS 533.030.

³ NRS 533.375.