

IN THE OFFICE OF THE STATE ENGINEER  
OF THE STATE OF NEVADA

IN THE MATTER OF APPLICATION 45145 )  
FILED TO APPROPRIATE THE PUBLIC )  
WATERS OF AN UNNAMED SPRING WITHIN )  
THE CARSON VALLEY GROUNDWATER BASIN )  
(8-105), DOUGLAS COUNTY, NEVADA. )

RULING

# 4758

GENERAL

I.

Application 45145 was filed on December 18, 1981, by Morris G. Campbell and Alana L. Campbell to appropriate 0.007 cubic feet per second (cfs) of water from an unnamed spring. The proposed manner of use is for irrigation and domestic purposes within the NE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 19, T.14N., R.20E., M.D.B.&M. The point of diversion is described as being located within the SW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 18, T.14N., R.20E., M.D.B.&M.<sup>1</sup>

FINDINGS OF FACT

I.

On May 11, 1999, the applicants were notified by certified letter to inform the State Engineer's office within 60 days whether they were interested in pursuing Application 45145. The letter stated that if the applicants failed to reply within the sixty (60) days the application would be denied. The letter was returned by the U.S. Postal Service "Attempted-Not Known" on May 18, 1999, with no forwarding address.<sup>1</sup>

<sup>1</sup> File No. 45145, official records in the office of the State Engineer.

II.

The State Engineer finds that no information was received in response to the request for information.<sup>1</sup>

III.

The State Engineer finds it is the responsibility of the applicants or their successor in interest to keep this office informed of a current mailing address.

CONCLUSIONS

I.

The State Engineer has jurisdiction over the parties and the subject matter of this action and determination.<sup>2</sup>

II.

Before either approving or rejecting an application, the State Engineer may require such information from the current owner of record as will enable him to properly guard the public interest.<sup>3</sup>

III.

The State Engineer is prohibited by law from granting an application to appropriate the public waters where:<sup>4</sup>

- A. there is no unappropriated water at the proposed source;
- B. the proposed use conflicts with existing rights;  
or
- C. the proposed use threatens to prove detrimental to the public interest.

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<sup>2</sup> NRS Chapter 533.

<sup>3</sup> NRS § 533.375.

<sup>4</sup> NRS § 533.370(3).

IV.

The applicant has failed to submit the information requested by the State Engineer's office. The State Engineer concludes that without the additional data sufficient information is not available to properly guard the public interest.

RULING

Application 45145 is hereby denied on the grounds that the applicant has not submitted the data and information requested by the State Engineer's office and that without this information granting of the application would be detrimental to the public interest.

Respectfully submitted,



R. MICHAEL TURNIPSEED, P. E.

State Engineer

RMT/KES/cl

Dated this 5th day of  
August, 1999.