

IN THE MATTER OF APPLICATIONS 22494)
FILED ON MARCH 16, 1965 AND APPLI-)
CATION 22584 FILED ON MAY 12, 1965)
BY SMART SALES, INC. TO APPROPRIATE)
WATER FROM AN UNDERGROUND SOURCE IN)
NYE COUNTY, NEVADA.)

RULING

GENERAL:

Application 22494 was filed on March 16, 1965 by Smart Sales, Inc. to appropriate underground waters for mining and manufacturing purposes. The point of diversion is described as being in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 16, T. 11 S., R. 47 E., M.D.B.&M., and the place of use was stated as being the "NW Cor. Millsite #2." The date and place of incorporation were omitted from the application. The amount of water applied for was given as "10.0 c.f.s. - 4,000 g.p.d."

Application 22584 was filed on May 12, 1965 by Smart Sales Inc., to appropriate underground waters for mining and manufacturing purposes. The point of diversion is described as being the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 21, T. 11 S., R. 47 E., M.D.B.&M., and the place of use was given as "A portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 16, a portion of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 21, a portion of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 15 and a portion of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 22, all being in T. 11 S., R. 47 E., M.D.B.&M., being further described as Millsite #5 and Millsite #6, said Millsites being 335' x 660' each and comprising approximately 5 acres each." The date and place of incorporation were omitted from the application. The amount of water applied for was given as "10.0 c.f.s. - 4,000 g.p.d."

On October 5, 1965, a letter was sent to Tyson Engineering Co., 1209 South Commerce Street, Las Vegas, Nevada, who filed the applications for Smart Sales, Inc. No address was given for Smart Sales, Inc. Tyson Engineering Co., was requested to furnish this office with the date and place of incorporation and also which of the two different quantities of water listed in the applications they desired to apply for. No reply was received.

On December 30, 1965, a similar letter was sent to Tyson Engineering Co., requesting the same information and advising them that if no reply was received by January 14, 1966, both applications would be canceled. No reply was received.

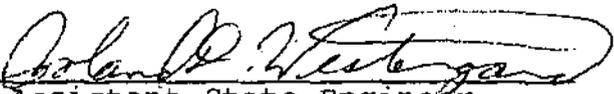
On February 11, 1966 a letter was sent by registered mail (#873991) to Tyson Engineering Co., with return receipt requested. Delivery was secured on Tyson Engineering Co., on February 16 and the signed receipt was received by this office on February 21, 1966. The letter requested that the applicant supply the required information to this office before February 25, 1966, or the two applications would be canceled. To date no reply has been received.

RULING

Applications 22494 and 22584 are denied on the grounds that the applicant or his agent failed to submit the information required on the applications, and that approval without such information would be detrimental to the public welfare.

Respectfully submitted,

GEORGE W. HENNEN
State Engineer

By 
Assistant State Engineer

Dated this 8th day of
March 1966

GWH:RDW:SH:hs

