

IN THE MATTER OF APPLICATION NO.)
10259 FILED ON JULY 6, 1937, BY)
ROSEMARY de LONGCHAMPS TO)
APPROPRIATE THE WATERS OF STARRETT)
SPRING (ROBERT E. SPRING) IN LANDER)
COUNTY, NEVADA.)

R U L I N G

GENERAL:

Application No. 10259 was filed on July 6, 1937 by Rosemary de Longchamps for permission to appropriate 0.5 c.f.s. of water from Starrett Spring (Robert E. Spring) for mining, milling and domestic purposes. The point of diversion and place of use are described as within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 9, T. 31 N., R. 43 E., M.D.B.&M. The application was protested on November 30, 1938, by J. A. Langwith and on December 21, 1938, by Dudley F. Wilson.

In order to take action on Application No. 10259 the State Engineer requested the applicant to express an interest in completing the application by letter dated February 26, 1948. No evidence is on file that the applicant answered this letter expressing an interest to continue the statutory procedure to granting a permit. A second letter dated October 20, 1966, was forwarded to the applicant by certified mail requesting an expression of interest in this application be returned to the office of the State Engineer within 30 days of the date of the letter. A certified mail return receipt card properly signed by the applicant was received in the office of the State Engineer on October 25, 1966. The applicant has not responded to two requests by the State Engineer to express an interest to complete Application No. 10259, the granting of a permit.

RULING:

Application No. 10259 is herewith denied on the grounds that the applicant has not indicated or expressed an interest in the proposed appropriation and, therefore, the granting of this application would be detrimental to the public welfare.

Respectfully submitted,


ROLAND D. WESTERGARD
State Engineer

Dated this 8th day
of January, 1968.

RDW:WJN:jw