

IN THE MATTER OF APPLICATION 5443 )  
FILED ON APRIL 7, 1919, BY A. G. )  
BIRCH TO APPROPRIATE WATERS FROM )  
CREEK NO. 3 WITHIN ELKO COUNTY, )  
NEVADA. )

R U L I N G

4/0  
Application 5443 was filed April 7, 1919, by A. G. Birch for 15.0 c.f.s. of water for electrical power and domestic purposes. The proposed source is described as being Creek No. 3, lying between Stoddard and Kleckner Creeks. The source of the proposed diversion is described as being within the NW $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 8, T.31N., R.58E., M.D.B.&M. The works are described as being within the SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 10, T.31N., R.57E., M.D.B.&M.

A letter was sent under certified mail by this office to the applicant on August 7, 1968, requesting additional information necessary before action could be taken on this application. The letter was returned by the Post Office Department stamped: "Deceased" and "Unclaimed." It is the responsibility of the applicant or his successors in interest to keep this office informed of a current mailing address.

RULING

Application 5443 is herewith denied on the grounds that the applicant or his successors in interest failed to submit the information requested and the approval of this application, without the information requested, would be detrimental to the public welfare.

Respectfully submitted,

  
ROLAND D. WESTERGARD  
State Engineer

RDW:RED:jw

Dated this 16th day of  
September, 1968.