

IN THE MATTER OF APPLICATION 8828)
FILED BY H. M. BRENNEN TO APPRO-)
PRIATE WATER FROM RATTLESNAKE)
CREEK WITHIN ELKO COUNTY, NEVADA)

RULING

GENERAL:

Application 8828 was filed on February 6, 1929, to change the place of use under Proof of Appropriation 00388. The proposed source is Rattlesnake Creek and is to be diverted in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 33, T31N., R57E., MDB&M. The 50 acres described under the place of use are within the SE $\frac{1}{4}$ Section 29, T31N., R57E., MDB&M.

A letter was sent to the applicant on October 7, 1968, by certified mail requesting additional information necessary before action could be taken on this application. A return receipt signed by W. H. Settelmeyer was received in this office October 9, 1968.

RULING

Application 8828 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:Rd:dc

Dated this 13th day
of November, 1968.