

IN THE MATTER OF APPLICATION 5138
FILED BY THOMAS SUTTON, W. J. LORING,
L. A. FRIEDMAN TO APPROPRIATE WATER
FROM AN UNDERGROUND SOURCE WITHIN
PERSHING COUNTY, NEVADA. }

R U L I N G

GENERAL:

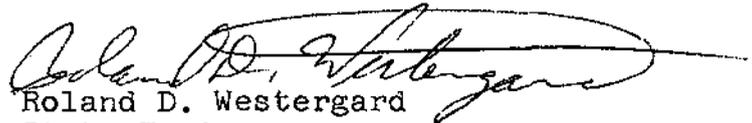
72 Application 5138 was filed on July 5, 1968 for 2.0 cfs of water for mining and domestic purposes. The proposed source is underground and is to be diverted in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 33, T. 34 N., R. 35 E., M.D.B.&M. The place of use is within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 35, and SE $\frac{1}{4}$ Section 27, T. 34 N., R. 34 E., SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 33, T. 34 N., R. 35 E., M.D.B.&M.

A letter was sent to the applicant on October 10, 1968 by certified mail requesting additional information necessary before action could be taken on this application. The letter was returned by the Postal Department stamped, "Unknown or Deceased". It is the responsibility of the applicants or their successors in interest to keep this office informed of their current mailing address.

RULING

Application 5138 is herewith denied on the grounds that the applicants 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:KAR:jb

Dated This 8th Day

of January, 1969.