

IN THE MATTER OF APPLICATIONS)
22201, 22202, AND 22203, FILED)
BY CAVANAUGH BROTHERS FOR)
PERMISSION TO APPROPRIATE WATER)
FROM AN UNDERGROUND SOURCE IN)
WASHOE COUNTY, NEVADA.)

R U L I N G

128 Applications 22201, 22202, and 22203 were filed August 24, 1964, for permission to appropriate 6.0 c.f.s. of water each from an underground source for quasi-municipal (sub-division) purposes. The proposed points of diversion are as follows:

Under Application 22201, is described as within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 5, T. 20 N., R. 19 E., M.D.B.&M. The point of diversion under Application 22202 is described as within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 5, T. 20 N., R. 19 E., M.D.B.&M. The proposed point of diversion under Application 22203 is described as within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 5, T. 20 N., R. 19 E., M.D.B.&M. The proposed place of use under these applications is described as within the E $\frac{1}{2}$ and E $\frac{1}{2}$ W $\frac{1}{2}$ Section 5, T. 20 N., R. 19 E., and SE $\frac{1}{4}$ Section 32, T. 21 N., R. 19 E.

A letter dated March 27, 1967, was sent by certified mail to the applicants requesting additional information necessary before permits could be issued under these applications. The applicants were informed that it would be necessary to submit evidence that they had applied for a Certificate of Public Convenience and Necessity from the Nevada Public Service Commission.

A letter dated June 4, 1968, was sent to the applicants repeating the request for additional evidence. No reply was received to this letter.

On September 12, 1968, a letter was sent to the applicants requesting the above mentioned information.

A telephone request for an appointment was made September 13, 1968, for an appointment on October 11, 1968, to discuss this matter. The applicants contacted this office on September 27, 1968, by telephone requesting an additional 30 days to submit the necessary information.

A letter dated September 12, 1968, was sent to the Public Service Commission, State of Nevada, requesting information regarding an application by the applicants under these applications for a Certificate of Public Convenience and Necessity. Their reply dated October 4, 1968, stated that they had not received any applications for said certificates.

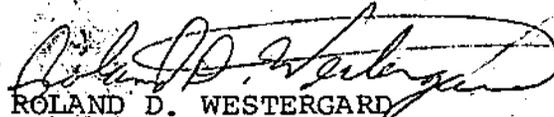
OPINION:

It is the opinion of this office that the granting of permits under these applications where the applicants do not have a Certificate of Public Convenience and Necessity and failed to apply for same within the allotted time would be detrimental to the public welfare.

RULING

Applications 22201, 22202, and 22203 are herewith denied on the grounds that the granting of permits under these applications where the applicants do not have or have not applied for a Certificate of Public Convenience and Necessity to operate as a public utility would be detrimental to the public welfare.

Respectfully submitted,


ROLAND D. WESTERGARD
State Engineer

RDW:RRD:jw

Dated this 30th day 01 00
of January, 1969.

