

IN THE MATTER OF APPLICATIONS 12719, 12720)
AND 12721 FILED BY THE WELLS POWER COMPANY)
TO APPROPRIATE WATER FROM BOULDER CREEK)
(WEST FORK), BOULDER CREEK (EAST FORK) AND)
BOULDER CREEK (WEST FORK OF THE EAST FORK),)
RESPECTIVELY, IN ELKO COUNTY, NEVADA)

RULING

GENERAL:

Application 12719 was filed by the Wells Power Company on November 10, 1948, to appropriate 3.5 cfs of water from the West Fork of Boulder Creek for power generation. The point of diversion is described as within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 5, T35N., R60E., MDB&M. The place of use is described as within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 30, T36N., R60E., MDB&M.

Application 12720 was filed by the Wells Power Company on November 10, 1948, to appropriate 2.5 cfs of water from the East Fork of Boulder Creek for power generation. The point of diversion is described as within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 3, T35N., R60E., MDB&M. The place of use is described as within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 30, T36N., R60E., MDB&M. Protest to the granting of application 12720 was filed by William H. Lane on September 26, 1949, and withdrawn on September 9, 1953. An informal protest was received from Harvey A. Dahl and M. J. Dahl on December 6, 1949.

Application 12721 was filed by the Wells Power Company on November 10, 1948, to appropriate 2.0 cfs of water from the West Fork of the East Fork of Boulder Creek for power generation. The point of diversion is described as within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 3, T35N., R60E., MDB&M. The place of use is described as within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 30, T36N., R60E., MDB&M. Protest to the granting of Application 12721 was filed by William H. Lane on September 26, 1949, and withdrawn on September 9, 1953. An informal protest was received from Harvey A. Dahl and M. J. Dahl on December 6, 1949.

Letters were sent by certified mail to the applicant on October 9, 1968, under Application 12719 and on January 23, 1969, under Applications 12720 and 12721 requesting additional information necessary before further action could be taken on these applications. The certified mail return receipt card under Application 12719 was received in this office on October 21, 1968, and under Applications 12720 and 12721 on January 27, 1969.

RULING

Applications 12719, 12720, and 12721 are herewith denied on the grounds that the applicant or his successors in interest have failed to submit the additional information requested and the approval of these applications without the information requested would be detrimental to the public welfare.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW:WJN:dc

Dated this 4th day

of March, 1969.