

IN THE MATTER OF APPLICATION 8139 FILED)
BY RANDALL SAGE FOR PERMISSION TO APPRO-)
PRIATE WATER FROM MCDERMITT CREEK IN) RULING
HUMBOLDT COUNTY, NEVADA.)

GENERAL:

Application 8139 was filed by Randall Sage on May 24, 1927, for permission to appropriate 0.5 c.f.s. of water for watering of 250 head of cattle. It was proposed that the water would not be diverted from its source as the livestock would water from the main channel of McDermitt Creek.

A protest was filed under this application by Ernest and Adelaide Sullivan on June 24, 1927, on the grounds that the protestants had used the waters of McDermitt Creek for more than 30 years; and by Giacometti Bros. on July 1, 1927, on the grounds that the protestants had prior right to the flow of McDermitt Creek; and by Juan and Silbrestre Jaca on July 19, 1927, on the grounds that all the water of McDermitt Creek "Had been used" by the protestant for the past 30 years.

A letter was sent to the applicant by certified mail on September 15, 1969, requesting additional information necessary before a permit could be issued under this application. This letter was returned stamped "Unclaimed-Unknown" by the Post Office Department. It is the responsibility of the applicant or his successors in interest to keep this office informed of their current address.

RULING

Application 8139 is herewith denied on the grounds that the applicant failed to submit the requested information and the granting of a permit under this application without said information would be detrimental to the public welfare.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW:dc

Dated this 22nd day
of October, 1969.