

IN THE MATTER OF APPLICATION 8186)
FILED BY A. C. FLORIO FOR PERMIS-)
SION TO APPROPRIATE WATER FROM) RULING
DALE CANYON SPRING IN EUREKA COUNTY,)
NEVADA.)

GENERAL:

Application 8186 was filed by A. C. Florio on June 20, 1927, for permission to appropriate 0.2 c.f.s. of water from Dale Canyon Spring for watering of 8,000 head of sheep and 300 head of cattle. The proposed point of diversion and place of use is described as within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 13, T. 18 N., R. 53 E., (Unsurveyed).

A protest was filed under this application by Emma Schaefer on July 21, 1927, on the grounds that "Protestant and her predecessors have used the water of Dale Canyon Spring for a period of 30 years for stock watering purposes---".

A letter was sent to the applicant on September 15, 1969, by certified mail, requesting additional information necessary before a permit could be issued under this application. This letter was returned to this office stamped "Deceased", by the Post Office Department.

RULING

Application 8186 is herewith denied on the grounds that the applicant or his successors in interest 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:RRD:dc

Dated this 22nd day of
October, 1969.