

IN THE MATTER OF APPLICATION 9296)
FILED BY JAMES DOUTRE FOR PERMIS-)
SION TO APPROPRIATE WATER FROM) R U L I N G
NIGGER ABE CREEK IN WHITE PINE)
COUNTY, NEVADA)

GENERAL:

Application 9296 was filed by James Doutre on July 13, 1930, for permission to appropriate 1.5 c.f.s. of water from Nigger Abe Creek for irrigation purposes. The proposed point of diversion is described as within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 29, T. 21 N., R. 66 E., M.D.B.&M. The proposed place of use is described as 150 acres within the SW $\frac{1}{4}$ of Section 28, T. 21 N., R. 66 E., M.D.B.&M.

A Protest was filed under this application for B. H. Robison on December 17, 1930. No further action has been taken since that time.

A letter was sent to the applicant by certified mail on July 3, 1969, requesting additional information necessary before a permit could be issued under this application. A return receipt signed for Mr. Doutre by Grace Rast was received in this office July 9, 1969. No reply has been received to this letter.

RULING

Application 9296 is herewith denied on the grounds that the applicant failed to submit the necessary information and the granting of a permit without said information would be detrimental to the public welfare.

Respectfully Submitted,


Roland D. Westergard
State Engineer

RDW:RRD:md

Dated this 7th day

of December, 1970