

IN THE MATTER OF APPLICATION 38848 )  
FILED BY A. J. HUBBARD AND TONY CONETTO )  
FOR PERMISSION TO APPROPRIATE 1.5 C.F.S.)  
OF WATER FROM AN UNNAMED STREAM IN )  
DOUGLAS COUNTY, NEVADA )

R U L I N G

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INTRODUCTION

I

Application 38848 was filed to appropriate water from an unnamed stream for placer mining purposes in Smith Valley, Douglas County, Nevada.

FINDINGS OF FACT

I

Application 38848 was filed by A. J. Hubbard and Tony Conetto on August 21, 1979, for permission to appropriate 1.5 c.f.s., of water from an unnamed stream for placer mining purposes. The point of diversion is located within the NW $\frac{1}{4}$  NE $\frac{1}{4}$  Section 16, T.13N., R.23E., M.D.B. & M., in Douglas County, Nevada. The point of diversion is from an intermittent stream tributary to Artesia Lake in Smith Valley. The place of use is described as various subdivisions in Sections 3, 4, 9, 10, 15, 22 and 27, all in T.13N., R.23E., M.D.B. & M.

Application 38848 was ready for action on April 26, 1980. No protests were filed against Application 38848.

II

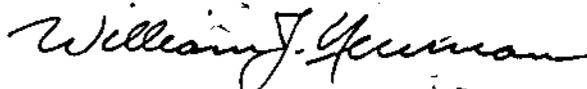
A certified letter was mailed to the applicants on June 12, 1980, requesting additional information regarding the proposed appropriation. A copy of the letter was sent by certified mail to George H. Denson, agent for the applicants. Return receipts in our records show that our letter of June 12, 1980, was delivered on June 13, 1980, to both the applicants and the agent.

There has been no response to our letter of June 12, 1980, as of July 14, 1980.

RULING

Application 38848 is denied on the grounds that the proposed appropriation would be detrimental to the public interest without the required information.

Respectfully submitted,



William J. Newman  
State Engineer

WJN/JCP/bc

Dated this 13th day of  
August, 1980.