

IN THE MATTER OF APPLICATION )  
39131 TO APPROPRIATE WATER FROM )  
AN UNDERGROUND SOURCE IN MASON )  
VALLEY, LYON COUNTY, NEVADA )

R U L I N G

FINDINGS OF FACT

I

Application 39130 was filed on September 26, 1979, in the name of Jeffrey M. Lyons to appropriate 0.2 c.f.s. of water from an underground source to be located within the NW 1/4 SW 1/2 Sec. 35, T.14N., R.26E., M.D.B.&M. to be used for quasi-municipal purposes. The place of use is that being a portion of the NW 1/4 SW 1/4 of Section 35, T.14N., R.26E. Application 39131 became ready for action by the State Engineer's Office on April 20, 1980.

II

The applicant was notified by letter from the State Engineer's Office dated April 17, 1981, that before Application 39131 could be approved in accordance with NRS 533.375, it would be necessary for additional information to be submitted before consideration of the issuance of a permit. No information concerning the status of litigation regarding pending Application 39131 was submitted as a result of that notice. By a subsequent certified letter sent to Jeffrey M. Lyons and his agent, George Denson, dated April 19, 1982, the applicant was again advised to supply information regarding the status of litigation concerning pending Application 39131. This letter further stated that it would be necessary that this additional information be submitted before consideration of the issuance of a permit. A properly endorsed return receipt for the certified notice is on file in the office of the State Engineer. To the date of this ruling, no additional information has been received under Application 39131.

CONCLUSIONS

I

The State Engineer has jurisdiction in this matter under provisions of NRS 533.375.

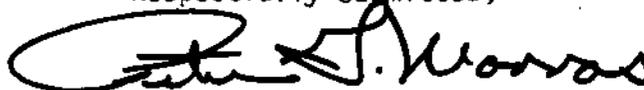
II

The applicant has been properly notified of the requirement for the submission of the additional information and has failed to comply with that requirement.

RULING

Application 39131 is herewith denied on the grounds that the applicant has failed to submit the additional information requested under the provisions of NRS 533.375.

Respectfully submitted,



Peter G. Morros  
State Engineer

PGM/MD/kc

Dated this 27th day  
of July, 1983.