

IN THE OFFICE OF THE STATE ENGINEER

IN THE MATTER OF APPLICATIONS 41569 )  
AND 41570 FILED TO APPROPRIATE THE )  
PUBLIC WATERS OF AN UNDERGROUND )  
SOURCE IN SMITH VALLEY, LYON COUNTY, )  
NEVADA. )

RULING

GENERAL

Application 41569 was filed on June 23, 1980, by C. D. Hanson, Mark Schonecht and Lawrence Schaefer to appropriate 1.0 c.f.s. of water from an underground source for mining and milling purposes within the N1/2 Section 19, E1/2 Section 7, E1/2 Section 18 and Sections 8, 17 and 20, T.13N., R.24E., M.D.B.&M. The point of diversion is described as being within the NE1/4 NE1/4 Section 19, T.13N., R.24E., M.D.B.&M.<sup>1</sup>

Application 41570 was filed on June 23, 1980, by C. D. Hanson, Mark Schonecht and Lawrence Schaefer to appropriate 1.0 c.f.s. of water from an underground source for mining and milling purposes within the N1/2 Section 19, E1/2 Section 7, E1/2 Section 18 and Sections 8, 17 and 20, T.13N., R.24E., M.D.B.&M. The point of diversion is described as being within the SW1/4 SW1/4 Section 20, T.13N., R.24E., M.D.B.&M.<sup>1</sup>

FINDINGS OF FACT

I.

On July 17, 1984, and August 22, 1984, certified letters were sent to C. D. Hanson, Mark Schoenecht and Lawrence Schaefer at P.O. Box 213, Yerington, NV, 89447. These letters requested additional information concerning Applications 41569 and 41570. The return receipts for the certified letters, P616 538 433 and P616 537 828, respectively, were both returned with the signature of C. D. Hanson.<sup>2</sup>

II.

A review of the record under Applications 41569 and 41570 revealed there has been no response to the described letters of request for additional information.

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<sup>1</sup> Public record in the office of the State Engineer under Applications 41569 and 41570.

<sup>2</sup> The certified letters, filed under Applications 41569 and 41570, and the certified mail receipts, filed under Application 41569, are public record in the office of the State Engineer.

CONCLUSIONS

I.

The State Engineer has jurisdiction of the parties and the subject matter of this action.<sup>3</sup>

II.

The State Engineer may require additional information before approval or rejection of an application.<sup>4</sup>

III.

There has been no response to the request for additional information from the applicants under Applications 41569 and 41570.

RULING

Applications 41569 and 41570 are hereby denied on the grounds that additional information requested from the applicants was not received by the State Engineer and to approve said applications without the additional information requested would not be in the public interest.

Respectfully submitted



Peter G. Morros  
State Engineer

PGM/JT/bl

Dated this 4th day of  
January, 1985.

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<sup>3</sup> NRS 535.325.

<sup>4</sup> NRS 533.375.