

IN THE OFFICE OF THE STATE ENGINEER

IN THE MATTER OF APPLICATIONS 46462 )  
AND 46534 FILED TO APPROPRIATE THE )  
PUBLIC WATERS OF AN UNDERGROUND )  
SOURCE IN GABBS VALLEY, MINERAL )  
COUNTY, NEVADA. )

RULING

GENERAL

Application 46462 was filed on December 22, 1982, by Elizabeth J. Raudio to appropriate 0.25 c.f.s. of water from an underground source for mining, milling and domestic purposes within portions of Section 33, T.12N., R.32E., M.D.B.&M. The point of diversion is described as being within the NE1/4 SE1/4 Section 33, T.12N., R.32E., M.D.B.&M.<sup>1</sup>

Application 46534 was filed on January 12, 1983, by Elizabeth J. Raudio to appropriate 1.0 c.f.s. of water from an underground source for mining, milling and domestic purposes within portions of Sections 32 and 33, T.12N., R.32E., M.D.B.&M. The point of diversion is described as being within the NW1/4 NE1/4 Section 21, T.12N., R.32E., M.D.B.&M.<sup>1</sup>

FINDINGS OF FACT

I.

On July 17, 1984, a certified letter (P616 538 439) was sent to Elizabeth J. Raudio at P.O. Box 826, Hawthorne, Nevada, 89415.<sup>1</sup>

On August 28, 1984, a certified letter (P616 538 191) was sent to Elizabeth J. Raudio at the aforementioned address.<sup>1</sup>

On December 10, 1984, certified letters were sent to Elizabeth J. Raudio at the aforementioned address and to George Denson (agent) at P.O. Box 528, Yerington, Nevada, 89447, and to Central Nevada Mining Lab at P.O. Box 195, Babbit, Nevada, 89416.<sup>1</sup>

II.

The above letters requested additional information concerning Applications 46462 and 46534. All of the letters sent to Elizabeth J. Raudio were returned to sender with the stamp "Unclaimed" and "Addressee Unknown".<sup>1</sup>

The return receipts for George Denson and Central Nevada Mining Lab were returned with signatures indicating delivery.<sup>1</sup>

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<sup>1</sup> Public record in the office of the State Engineer.

III.

A review of the record under Applications 46462 and 46534 revealed that there has been no response to the described letters of requesting additional information within the time limit specified therein.<sup>1</sup>

CONCLUSIONS

I.

The State Engineer has jurisdiction of the parties and the subject matter of this action.<sup>2</sup>

II.

The State Engineer may require additional information before approval or rejection of an application.<sup>3</sup>

III.

There has been no response to the request for additional information from the applicant for Applications 46462 and 46534.

RULING

Applications 46462 and 46534 are hereby denied on the grounds that the additional information requested from the applicant 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/GT/bl

Dated this 5th day of  
February, 1985.

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<sup>2</sup> NRS 533.025 and NRS 533.030.

<sup>3</sup> NRS 533.375.