

IN THE OFFICE OF THE STATE ENGINEER

IN THE MATTER OF APPLICATION 36185)
FILED TO APPROPRIATE THE PUBLIC)
WATERS OF AN UNDERGROUND SOURCE IN)
DAYTON VALLEY, LYON COUNTY, NEVADA.)

RULING

GENERAL

Application 36185 was filed on November 21, 1978, by McGee Manufacturing Company to appropriate 0.022 c.f.s. of water from an underground source for commercial purposes within the SW1/4 SE1/4 SE1/4 Section 30, T.16N., R.21E., M.D.B.&M. The point of diversion is described as being within the SE1/4 SE1/4 Section 30, T.16N., R.21E., M.D.B.&M.¹

FINDINGS OF FACT

I.

On June 1, 1979, a telephone call was received by the State Engineer's office from a representative of McGee Manufacturing Co. stating that it was their desire to withdraw Application 36185.

II.

On June 1, 1979, a certified letter was sent to the applicant acknowledging the telephone call that informed the State Engineer's office of their intent to withdraw the application and informed the applicant that a written request was necessary. No response to that letter was received by the State Engineer's office.¹

III.

On July 31, 1984, a certified letter was sent to the applicant requesting additional information concerning Application 36185. This letter was returned to the State Engineer's office undelivered and with no known forwarding address.¹

CONCLUSIONS

I.

The State Engineer has jurisdiction of the parties and the subject matter of this action under the provisions of NRS 533.325.

II.

The State Engineer may require additional information before approval or rejection of an application under the provisions of NRS 533.375.

¹ Public record in the office of the State Engineer.

III.

There has been no response to the request for additional information from the applicant under Application 36185.

RULING

Application 36185 is hereby denied on the grounds that the additional information requested from the applicant was not received by the State Engineer and to approve said application without the additional information requested would not be in the public interest.

Respectfully submitted,



PETER G. MORROS
State Engineer

PGM/JO/bl

Dated this 17th day of
December, 1985.