

IN THE OFFICE OF THE STATE ENGINEER
IN THE STATE OF NEVADA

IN THE MATTER OF APPLICATION 45737)
FILED TO APPROPRIATE UNDERGROUND)
SOURCE WITHIN TRUCKEE MEADOWS)
GROUND WATER BASIN, WASHOE COUNTY,))
NEVADA.)

RULING
#3777

GENERAL

I.

Application 45737 was filed on June 1, 1982, by Wilton Margrave and Frank Margrave Jr., to appropriate 2.50 c.f.s of water from an underground source for commercial and domestic purposes within a portion of the SW1/4 NW1/4 of Section 19, T.19N., R.20E., M.D.B.&M.¹

FINDINGS OF FACT

I.

The applicant was notified by certified mail on March 29, 1984,² to submit additional information to the State Engineer's Office, specifically, complete description of the proposed diversion works as well as an estimate of the total volume of geothermal fluids to be used consumptively on an annual basis. To date no response has been received from the applicant by the office of the State Engineer.¹

CONCLUSIONS

I.

The State Engineer has jurisdiction of the parties and the subject matter of this action and determination.³

1 Public record in the office of the State Engineer.

2 See return receipt No. P 369 827 178 in file 45737, public record in the office of the State Engineer.

3 NRS Chapters 533 and 534.

II.

Before either approving or rejecting an application, the State Engineer may require such additional information as will enable him to guard the public interest properly.⁴

III.

The State Engineer is prohibited by law from granting a permit under an application to appropriate the public water where:⁵

- A. There is no unappropriated water at the proposed source, or
- B. The proposed use conflicts with existing rights, or
- C. The proposed use threatens to prove detrimental to the public interest.

IV.

The applicant has failed, to submit the information requested by the State Engineer's Office. Therefore sufficient information is not available to the State Engineer to guard the public interest properly.

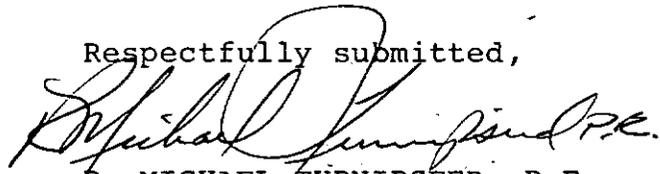
⁴ NRS 533.375.

⁵ NRS 533.370(3).

RULING

Application 45737 is herewith denied on the grounds that the applicant has not submitted the information requested by the State Engineer's Office and therefore the granting of said application without the additional information requested would not be in the public interest.

Respectfully submitted,


R. MICHAEL TURNIPSEED, P.E.
State Engineer

RMT/TEG/pm

Dated this 8th day of
February, 1991.