

IN THE MATTER OF APPLICATION 35386)
TO APPROPRIATE WATER FROM AN UNDER-)
GROUND SOURCE IN LAS VEGAS VALLEY,)
(L.V.A.B.) CLARK COUNTY, NEVADA.)

R U L I N G

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GENERAL:

Application 35386 was filed in the State Engineer's Office on May 5, 1978 in the name of Eliseo A. Aguillar to appropriate .06 c.f.s. of water from an underground source for quasi-municipal (subdivision) service to 21 individual lots. The point of diversion was described as being located within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 14, T.22S., R.60E., M.D.B.& M., and the place of use was described as being located within portions of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 14. Notice of Publication was sent to the Henderson Home News on May 15, 1978. The application became ready for action by the State Engineer's Office on July 15, 1978.

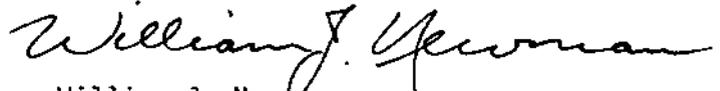
By formal written notice dated December 5, 1978, the applicant was notified that the application was ready to be approved by the State Engineer's Office and that in accordance with NRS 533.435 it would be necessary that the sum of \$10.00 for the issuance of a permit be submitted to the State Engineer's Office within 30 days of the date of that notice. No permit fee was received as requested.

By certified letter dated January 9, 1978, the applicant and his agent were both notified that it would be necessary that the \$10.00 permit fee be submitted. Said letter further indicated that the permit fee must be submitted within 30 days of the date of that letter, and that in the event the permit fee was not received within 30 days the application would be subject to denial. Properly endorsed receipts for that certified letter have been returned to the State Engineer's Office. To date the required \$10.00 permit fee has not been received by the State Engineer's Office.

RULING:

Application 35386 is herewith denied on the grounds that the applicant has failed to submit the necessary permit fee as required in accordance with NRS 533.435.

Respectfully submitted,



William J. Newman
State Engineer

WJN/BAR/dh

Dated this 27th day
of February 1979.