

IN THE MATTER OF APPLICATION 42897 )  
TO APPROPRIATE WATER FROM AN UNDER-) )  
GROUND SOURCE WITHIN LAS VEGAS ) )  
VALLEY, CLARK COUNTY, NEVADA ) )

R U L I N G

FINDINGS OF FACT

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I

Application 42897 was filed November 28, 1980, in the name of Rodney Kuba to appropriate 0.00557 c.f.s. of the public waters of the State of Nevada. The proposed point of diversion is given as being within the SE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 36, T.21S., R.61E., M.D.B. & M. and the proposed place of use is given as being within the NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 36, T.21S., R.61E., M.D.B. & M., where water was proposed to be used for quasi-municipal purposes.

II

On April 28, 1981, the applicant was advised by the State Engineer's office in accordance with NRS 533.435 to forward the sum of \$10.00 within 30 days of the notice for the issuance of the permit under this application. No response to that letter was received.

III

A subsequent certified letter dated June 8, 1981, was sent to the applicant whereby notice was given that in the event the required permit fee was not submitted within thirty (30) days of that letter, the application would be subject to denial. A properly endorsed receipt for said letter was returned to the Division of Water Resources on June 25, 1981. As of the date of this ruling, the required permit fee has not been remitted.

CONCLUSIONS

I

The State Engineer has jurisdiction in this matter in accordance with the provisions of NRS 533.325 through 533.365 and 533.435.

II

Proper notice requesting remittance of the required permit fee has been served on the applicant by certified mail.

RULING

Application 42897 is herewith denied on the grounds that the applicant has failed to comply with the requirements of NRS 533.435 for submission of the fees necessary for the issuance of a permit.

Respectfully submitted,



Peter G. Morros  
State Engineer

PGM/GMT/dh

Dated this 2nd day

of October, 1981.