

IN THE MATTER OF APPLICATIONS 44290 AND)
44291 FILED TO APPROPRIATE WATER FROM) R U L I N G
UNDERGROUND SOURCES IN LAS VEGAS VALLEY,)
CLARK COUNTY, NEVADA)

FINDINGS OF FACT

I

Application 44290 was filed on August 13, 1981, in the name of Pine Tree, Inc., to appropriate 0.5 c.f.s. of water from an underground source to be located within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 28, T19S, R57E, MDB&M, to be used for quasi-municipal and domestic purposes. Notice of publication of Application 44290 was mailed to the Boulder City News in accordance with NRS 533.360 on March 17, 1982. Application 44290 became ready for action by the State Engineer's office on May 22, 1982.

Application 44291 was filed on August 13, 1981, in the name of Pine Tree, Inc., to appropriate 0.5 c.f.s. of water from an underground source to be located within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 28, T19S, R57E, MDB&M, to be used for commercial and domestic purposes. Notice of publication of Application 44291 was mailed to the Boulder City News in accordance with NRS 533.360 on March 17, 1982. Application 44291 became ready for action by the State Engineer's office on May 22, 1982.

II

The applicant was notified by letter from the State Engineer's office dated July 7, 1982, that Applications 44290 and 44291 were ready to be approved but that in accordance with NRS 533.435, it would be necessary that the sum of \$100 for the issuance of each permit be remitted to this office. A subsequent certified letter dated August 11, 1982, again advised the applicant that the applications were ready to be approved, but that it would first be necessary that the sum of \$200 for the issuance of the permits be remitted. Said letter further stated that in the event the permit fees were not received within 30 days from the date of that letter, the applications would be subject to denial. A properly endorsed receipt for that certified notice is on file in the office of the State Engineer. To the date of this ruling, no permit fees have been received under Applications 44290 and 44291.

CONCLUSIONS

I

The State Engineer has jurisdiction in this matter under the provisions of NRS 533.325 and NRS 533.425.

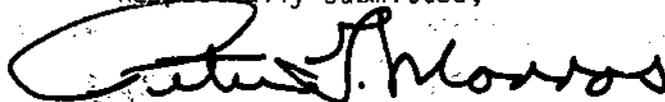
II

The applicant has been properly notified of the requirement for the submission of the statutory permit fees and has failed to comply with that requirement.

RULING

Applications 44290 and 44291 are herewith denied on the grounds that the applicant has failed to submit the permit fees required under the provisions of NRS 533.435.

Respectfully submitted,



Peter G. Morros
State Engineer

PGM/AJV/ja

Dated this 4th day

of OCTOBER, 1982.