

IN THE MATTER OF APPLICATION 43566)  
TO APPROPRIATE WATER FROM AN )  
UNDERGROUND SOURCE IN LAS VEGAS )  
VALLEY, CLARK COUNTY, NEVADA )

R U L I N G

FINDINGS OF FACT

I

Application 43566 was filed on April 20, 1981, in the name of Frank H. Leemans to appropriate .02 c.f.s. of water from an underground source to be located within the NE 1/4 NW 1/4 Sec. 16, T.22S., R.61E., M.D.B.&M. to be used for quasi-municipal purposes. The place of use is that being a portion of the NE 1/4 NW 1/4 or Section 16, T.22S., R.61E. Application 43566 became ready for action by the State Engineer's Office on October 29, 1981.

II

The applicant was notified by letter from the State Engineer's office dated November 19, 1981, that Application 43566 was 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 a permit be submitted to the Division of Water Resources. No fees were submitted as a result of that notice; and by subsequent certified letter dated December 21, 1981, the applicant was again advised that the application was ready to be approved, but that it would first be necessary that the sum of \$100 for the issuance of the permit be submitted. Said letter further stated that in the event the permit fee was not received within 30 days from the date of that letter, the application would be subject to denial. A properly endorsed return 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 Application 43566.

CONCLUSIONS

I

The State Engineer has jurisdiction in this matter under the provisions of NRS 533.325 and 533.435.

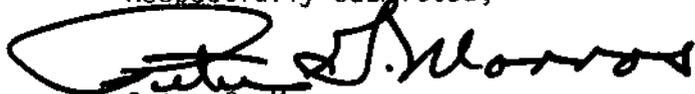
II

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

Application 43566 is 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/MD/kc

Dated this 27th day  
of July, 1983.