

IN THE MATTER OF APPLICATION)
47552 FILED TO APPROPRIATE THE)
WATERS OF AN UNDERGROUND SOURCE)
IN UPPER REESE RIVER VALLEY,)
LANDER COUNTY, NEVADA)

R U L I N G

FINDINGS OF FACT

I.

Application 47552 was filed on December 29, 1983 by John H. Lenox, Jr., to appropriate 2.7 c.f.s. of water from an underground source to irrigate 160 acres of land within Sections 24 and 25, T. 17 N, R. 41 E, M.D.B. & M. The proposed point of diversion was within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 24, T. 17 N, R. 41 E, M.D.B. & M.

II.

The State Engineer is directed by statute to collect One Hundred Dollars (\$100.00) to file an application to appropriate water. 1/

III.

The statutory filing fee was paid by Check No. 1829. 2/

IV.

Check No. 1829 was returned to the State Engineer by First Interstate Bank with a "Returned Item(s) Advice Letter," No. 233719, dated January 6, 1984 and the check was stamped "Not Sufficient Funds." 3/

CONCLUSION

The State Engineer has jurisdiction of the parties and the subject matter of this action. 4/

RULING

Application 47552 is hereby cancelled because the applicant failed to submit the statutory filing fee.

Respectfully submitted,



PETER G. MORROS,
State Engineer

PGM/KN*jm

DATED: This 29th day of
February, 1984.

FOOTNOTES

1. NRS 533.435, subsection 1.
2. Receipt No. 160708 filed in Application 47552.
3. Application 47552.
4. NRS 533.025 and NRS 533.030, subsection 1.