

IN THE OFFICE OF THE STATE ENGINEER

IN THE MATTER OF APPLICATION 47565)
FILED TO APPROPRIATE THE PUBLIC)
WATERS OF AN UNDERGROUND SOURCE IN)
EASTGATE VALLEY AREA, CHURCHILL)
COUNTY, NEVADA.)

RULING

GENERAL

Application 47565 was filed on January 10, 1984, by Buffalo Mining Co. to appropriate 2.0 c.f.s. of water from an underground source for mining purposes within the SW1/4, S1/2 NW1/4, SW1/4 NE1/4, NW1/4 SE1/4 Section 36; E1/2 SE1/4, SE1/4 NE1/4 Section 35; and SW1/4 NE1/4 Section 23, all in T.16N., R.37E., M.D.B.&M. The point of diversion is described as being within the SW1/4 NE1/4 Section 23, T.16N., R.37E., M.D.B.&M. Application 47565 became ready for action by the State Engineer's office on July 6, 1984.¹

FINDINGS OF FACT

I.

The applicant was notified by letter from the State Engineer's office dated August 20, 1984, that Application 47565 was ready to be approved and that, in accordance with NRS 533.435, it would be necessary that the sum of \$200.00 be remitted to the Division of Water Resources. No fees were submitted as a result of that notice.¹

II.

By certified letter dated February 20, 1985, the State Engineer's office notified the applicant again that the \$200.00 permit fee must be remitted within 30 days of the date of the letter or Application 47565 would be subject to denial. Properly endorsed receipts for the certified notice are on file in the office of the State Engineer. To date, no permit fees have been received for Application 47565.¹

CONCLUSIONS

I.

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

II.

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

¹ Public record in the office of the State Engineer.

RULING

Application 47565 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,

A handwritten signature in black ink, appearing to read "Peter G. Morros", is written over a horizontal line. The signature is stylized and cursive.

PETER G. MORROS
State Engineer

PGM/MD/bl

Dated this 16th day of
August, 1985.