

**IN THE OFFICE OF THE STATE ENGINEER**

IN THE MATTER OF APPLICATIONS 50942)  
AND 50943 FILED TO APPROPRIATE THE)  
PUBLIC WATERS OF EFFLUENT IN THE LAS)  
VEGAS ARTESIAN BASIN, CLARK COUNTY,)  
NEVADA. )

**RULING**

**GENERAL**

Application 50942 was filed on May 18, 1987, by Larry Lewis to appropriate 421.86689 c.f.s. of water from effluent of the City of Las Vegas Waste Water Treatment Plants for pollution abatement/power production purposes within Sections 1 through 18, T.21S., R.64E.; Sections 12 and 13, T.21S., R.63E.; Section 13, T.21S., R.63-1/2E.; Sections 13 through 24, 29 through 31, T.21S., R.65E.; M.D.B.&M. The point of diversion is described as being within the SE1/4 SW1/4 Section 10, T.21S., R.62E., M.D.B.&M.<sup>1</sup>

Application 50943 was filed on May 18, 1987, by Larry Lewis to appropriate 506.33311 c.f.s. of water from effluent of the Clark County Waste Water Treatment Plants for pollution abatement/power production purposes within Sections 1 through 18, T.21S., R.64E.; Sections 12 and 13, T.21S., R.63E.; Section 13, T.21S., R.63-1/2E.; Sections 13 through 24, 29 through 31, T.21S., R.65E.; M.D.B.&M. The point of diversion is described as being within the NW1/4 NW1/4 Section 23, T.21S., R.62E., M.D.B.&M.<sup>1</sup>

**FINDINGS OF FACT**

I.

Applications 50942 and 50943 were submitted to the State Engineer's office on May 18, 1987. These applications were returned for correction on June 29, 1987, with a deadline of August 28, 1987, for the corrections to be made and the supporting map submitted to the Office of the State Engineer.

II.

Extensions of time were submitted for Applications 50942 and 50943 on August 27, 1987, requesting 60 additional days to file the corrected applications and supporting map. The extensions of time were accompanied by Check No. 2501 in the amount of \$50.00. After deposit, the check was returned to the IBEW Plus Credit Union of Las Vegas, Nevada, stamped "Refer to Maker".<sup>1</sup> Pursuant to NRS 533.435, a \$25.00 filing fee must accompany each extension of time.

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<sup>1</sup> Public record in the office of the State Engineer.

CONCLUSIONS

I.

The State Engineer has jurisdiction of the parties and the subject matter of this action and determination under the provisions of NRS 533.355 , subsection 2, and NRS 533.435.

II.

Since the check representing the filing fees of the subject applications for extension of time was returned by the IBEW Plus Credit Union of Las Vegas, Nevada, the extensions of time were not accompanied by the statutory filing fee of \$25.00 each as required under the provisions of NRS 533.435.

RULING

Applications 50942 and 50943 are herewith cancelled on the grounds that the applicant did not comply with the return for correction notice of June 29, 1987, within the time frame allowed pursuant to NRS 533.355(2) since the extension of time requests were not accompanied by the filing fees required under the provisions of NRS 533.435.

Respectfully submitted,

PETER G. MORROS  
State Engineer

By



ROLAND D. WESTERGARD  
Director, Dept. of Conservation  
and Natural Resources

RDW/MM/bl

Dated this 6th day of  
November, 1987.