

IN THE OFFICE OF THE STATE ENGINEER

IN THE MATTER OF APPLICATION 53042)
FILED TO APPROPRIATE THE WATERS OF)
AN UNDERGROUND SOURCE IN CHURCHILL)
VALLEY, LYON COUNTY, NEVADA.)

RULING

FINDINGS OF FACT

I.

Application 53042 was filed on March 17, 1989, by David W. and Robin Miles to appropriate 1.0 c.f.s. of water from an underground source for quasi-municipal and domestic purposes within a portion of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 1, T.17N., R.24E., M.D.B.&M. The point of diversion is located within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 1, T.17N., R.24E., M.D.B.&M.¹

II.

The State Engineer is required pursuant to NRS 533.435, subsection 1, to collect a fee of one hundred dollars (\$100.00) for filing any application to appropriate the public waters of the State of Nevada.

III.

The statutory filing fee was paid by check No. 4426 from the account of David W. and Robin Miles on March 17, 1989.¹

IV.

Check No. 4426 was returned to the State Engineer on March 29, 1989, by First Interstate Bank of Nevada marked "Refer to Maker".¹

¹ Information on file in the State Engineer's office under Application 53042.

CONCLUSION

I.

The State Engineer has jurisdiction of the parties and the subject matter of this action.²

II.

The filing fee of \$100.00 did not accompany Application 53042 since check No. 4426 was returned unpaid by the bank.

RULING

Application 53042 is hereby cancelled because the applicant failed to submit the required statutory application fee.

Respectfully submitted,



PETER G. MORROS
State Engineer

PGM/CT/bk

Dated this 6th day of
April, 1989.

² NRS 533.025, NRS 533.030 subsection 1, NRS 533.435.