

IN THE OFFICE OF THE STATE ENGINEER  
IN THE STATE OF NEVADA

IN THE MATTER OF THE APPLICATION 42879 )  
FILED TO APPROPRIATE THE PUBLIC WATERS )  
OF AN UNDERGROUND SOURCE IN SODA SPRING )  
VALLEY, MINERAL COUNTY, NEVADA. )

RULING  
# 3902

GENERAL

I.

Application 42879 was filed on November 24, 1980, by U.S.D.I., Bureau of Land Management to appropriate 0.02 c.f.s. of water from an underground source for stockwater purposes within the NW1/4 SW1/4 Section 13, T.8N., R.33E., M.D.B.&M. The point of diversion is described as being within the NW1/4 SW1/4 Section 13, T.8N., R.33E., M.D.B.&M. Application 42879 became ready for action by the State Engineer's office on April 24, 1981.<sup>1</sup>

FINDINGS OF FACT

I.

The applicant was notified by letter from the State Engineer's office dated March 23, 1990 that Application 42879 was ready to be approved and that, in accordance with NRS 533.435, it would be necessary that the sum of \$50.00 be remitted to the Division of Water Resources. No fees were submitted as a result of that notice.<sup>2</sup>

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

<sup>2</sup> A check of the records in the office of the State Engineer indicate that no information or fees have been received.

II.

By certified letter dated October 16, 1991, the State Engineer's office notified the applicant again that the \$50.00 permit fee must be remitted within 30 days of the date of the letter or Application 42879 would be subject to denial. A properly endorsed receipt for the certified notice is on file in the office of the State Engineer.<sup>3</sup> To date, no permit fees have been received for Application 42879.<sup>2</sup>

CONCLUSIONS

I.

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

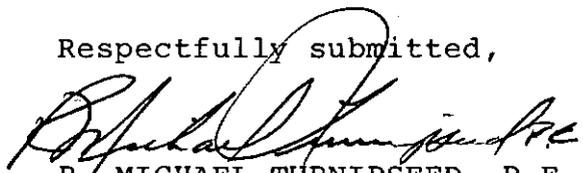
II.

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

RULING

Application 42879 is herewith denied on the grounds that the applicant has failed to submit the permit fees required under the provision of NRS 533.435.

Respectfully submitted,

  
R. MICHAEL TURNIPSEED, P.E.  
State Engineer

RMT/DJL/pm

Dated this 11th day of  
September, 1992.

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<sup>3</sup> See certified mail, return receipt No. P 680 490 740.