

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

IN THE MATTER OF APPLICATION 63599)
FILED TO APPROPRIATE THE PUBLIC WATERS)
OF AN EFFLUENT SOURCE IN THE LAS VEGAS)
VALLEY GROUNDWATER BASIN (212), CLARK)
COUNTY, NEVADA.)

RULING

4654

GENERAL

I.

Application 63599 was filed on December 3, 1997, by the City of Las Vegas, Department of Public Works to appropriate 23.25 cubic feet per second (cfs) of waste water collected from the Gowan Street, Cheyenne Avenue and Lake Meade Boulevard sewers for the storage of 13,450 acre-feet. The manner and place of use were to be determined by a secondary application of water for permit to be filed by the Las Vegas Valley Water District. The proposed point of diversion is described as being located within the SE¼ SE¼ of Section 8, T.20S., R.60E., M.D.B. & M. Application 63599 became ready for action by the State Engineer's office on February 20, 1998.¹

FINDINGS OF FACT

I.

The applicant was notified by letter from the State Engineer's office dated March 18, 1998, that Application 63599 was ready to be approved, and that in accordance with NRS § 533.435 it would be necessary that the sum of \$27,050.00 dollars be remitted to the Division of Water Resources.¹ The State Engineer finds that no fees were submitted as a result of that notice.

II.

By certified letter dated May 22, 1998, the State Engineer's office again notified the applicant that the \$27,050 permit fee must be remitted within 30 days of the date of the letter or Application 63599 would be subject to denial. A properly endorsed

¹ File No. 63599, official records in the office of the State Engineer.

receipt for the certified letter is on file in the office of the State Engineer.¹ The State Engineer finds that to date no permit fee has been received for Application 63599.

CONCLUSIONS

I.

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

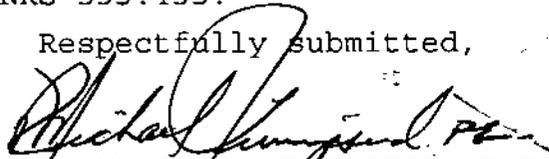
II.

The State Engineer is required by NRS § 533.435 to collect a fee for the issuance of a permit. The State Engineer concludes that as the statutory fees were not submitted to the Division of Water Resources the permit cannot be granted.

RULING

Application 63599 is hereby denied on the grounds that the applicant has failed to timely submit the permit fees required under the provision of NRS 533.435.

Respectfully submitted,


R. MICHAEL TURNIPSEED, P.E.
State Engineer

RMT/MDB/cl

Dated this 11th day of
August, 1998.

² NRS § Chapters 533 and 534.