

IN THE MATTER OF APPLICATION)
13570 FILED BY JOHN KIPPEN)
ET AL TO APPROPRIATE WATER FROM)
FERGUSON SPRING IN ELKO COUNTY,)
NEVADA.)

R U L I N G

GENERAL:

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Application 13570 was filed by John, Hattie S., Joseph, Harriett W. and Charles R. Kippen on December 13, 1950, to appropriate 0.05 c.f.s. of water from Ferguson Spring for stock watering purposes. The proposed point of diversion and place of use are described as within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 33, T.30N., R.69E., M.D.B.&M. The applicants propose to water 8,000 head of sheep from this source.

This application was processed for a permit on June 26, 1969, and a notice for statutory permit fees of \$10.00 was mailed to the applicants on June 27, 1969. A second request for permit fees was mailed to the applicants by certified mail on July 29, 1969. This certified letter was delivered to Hattie S. Kippen on July 31, 1969, as shown by signed return receipt. The required fees have not been received as of September 4, 1969.

RULING

Application 13570 is herewith denied on the grounds that the applicants have not submitted the statutory permit fees as required by NRS 533.435.

Respectfully submitted,


Roland D. Westergaard
State Engineer

RDW:RRD:jw

Dated this 9th day of
September, 1969.