

IN THE OFFICE OF THE STATE ENGINEER

IN THE MATTER OF APPLICATION 43790)
FILED TO APPROPRIATE THE PUBLIC)
WATERS OF AN UNDERGROUND SOURCE IN)
DAYTON VALLEY, LYON COUNTY, NEVADA.)

RULING

GENERAL

Application 43790 was filed on May 27, 1981, by Stephen M. Ignatich and Earl Westland to appropriate 0.5 c.f.s. of water from an underground source for commercial and domestic purposes within the NE1/4 SW1/4 Section 29, T.16N., R.21E., M.D.B.&M. The point of diversion is described as being within the NE1/4 SW1/4 Section 29, T.16N., R.21E., M.D.B.&M. Application 43790 became ready for action by the State Engineer's office on December 6, 1981.¹

FINDINGS OF FACT

I.

The applicants were notified by letter from the State Engineer's office dated September 18, 1984, that Application 43790 was ready to be approved and that, in accordance with NRS 533.435, it would be necessary that the sum of \$100.00 be remitted to the Division of Water Resources. No fees were submitted as a result of that notice.¹

II.

By certified letter dated November 15, 1984, the State Engineer's office notified the applicants again that the \$100.00 permit fee must be remitted within 30 days of the date of the letter or Application 43790 would be subject to denial. Properly endorsed receipts for the certified notice are on file in the office of the State Engineer. To date, no permit fees have been received for Application 43790.¹

CONCLUSIONS

I.

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

II.

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

¹ Public record in the office of the State Engineer.

RULING

Application 43790 is herewith denied on the grounds that the applicants have failed to submit the permit fees required under the provisions of NRS 533.435.

Respectfully submitted,



PETER G. MORROS
State Engineer

PGM/MD/bl

Dated this 14th day of
August, 1985.