

IN THE OFFICE OF THE STATE ENGINEER

IN THE MATTER OF APPLICATION 43832)  
FILED TO APPROPRIATE THE PUBLIC)  
WATERS OF ARNOLDSSEN SPRING)  
DISCHARGE DITCH IN WHITE RIVER)  
VALLEY, WHITE PINE COUNTY, NEVADA. )

RULING

GENERAL

Application 43832 was filed on June 3, 1981, by Clarence L. Bruce and Malinda Bowen to appropriate 3.0 c.f.s. of water from Arnoldsen Spring discharge ditch for instream thermo-energy purposes within the S1/2 SW1/4 SE1/4 Section 12, T.12N., R.61E., M.D.B.&M. The point of diversion is described as being within the SW1/4 SE1/4 Section 12, T.12N., R.61E., M.D.B.&M. Application 43832 became ready for action by the State Engineer's office on March 4, 1982.<sup>1</sup>

FINDINGS OF FACT

I.

The applicants were notified by letter from the State Engineer's office dated July 7, 1982, that Application 43832 was ready to be approved and that, in accordance with NRS 533.435, it would be necessary that the sum of \$300.00 be remitted to the Division of Water Resources. No fees were submitted as a result of that notice.<sup>1</sup>

II.

By certified letter dated August 11, 1982, the State Engineer's office notified the applicants again that the \$300.00 permit fee must be remitted within 30 days of the date of the letter or Application 43832 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 43832.<sup>1</sup>

CONCLUSIONS

I.

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

II.

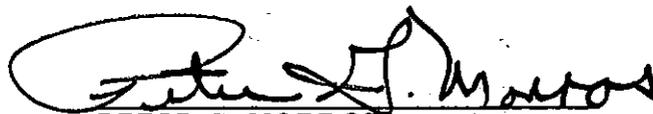
The applicants have been properly notified of the requirements for the submission of the permit fees and have failed to comply with that requirement.

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

RULING

Application 43832 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.