

IN THE OFFICE OF THE STATE ENGINEER

IN THE MATTER OF APPLICATION 46637)
FILED TO APPROPRIATE THE PUBLIC)
WATERS OF AN UNDERGROUND SOURCE IN)
NORTH FORK AREA, ELKO COUNTY,))
NEVADA.)

RULING

GENERAL

Application 46637 was filed on February 14, 1983, by Allen P. Nichol森 to appropriate 0.5 c.f.s. of water from an underground source for irrigation and domestic purposes within the E1/2 SE1/4 SW1/4 Section 3, T.37N., R.57E., M.D.B.&M. The point of diversion is described as being within the SE1/4 SW1/4 Section 3, T.37N., R.57E., M.D.B.&M. Application 46637 became ready for action by the State Engineer's office on May 27, 1983.¹

FINDINGS OF FACT

I.

The applicant was notified by letter from the State Engineer's office dated February 13, 1985, that Application 46637 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 May 16, 1985, the State Engineer's office notified the applicant again that the \$100.00 permit fee must be remitted within 30 days of the date of the letter or Application 46637 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 46637.¹

CONCLUSIONS

I.

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

¹ Public record in the office of the State Engineer.

RULING

Application 46637 is herewith denied on the grounds that the applicant has 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.