

IN THE OFFICE OF THE STATE ENGINEER

IN THE MATTER OF APPLICATION 33059)
FILED TO APPROPRIATE THE PUBLIC)
WATERS OF AN UNDERGROUND SOURCE IN)
UPPER REESE RIVER VALLEY, LANDER)
COUNTY, NEVADA.)

RULING

GENERAL

Application 33059 was filed on August 8, 1977, by Roy E. Holland to appropriate 7.0 c.f.s. of water from an underground source for irrigation purposes within the SE1/4 Section 8, T.18N., R.42E., M.D.B.&M. The point of diversion is described as being within the NW1/4 SW1/4 Section 8, T.18N., R.42E., M.D.B.&M. Application 33059 became ready for action by the State Engineer's office on June 29, 1979.¹

FINDINGS OF FACT

I.

The applicant was notified by letter from the State Engineer's office dated August 28, 1985, that Application 33059 was ready to be approved and that, in accordance with NRS 533.435, it would be necessary that the sum of \$700.00 be remitted to the Division of Water Resources. No fees were submitted as a result of that notice.¹

II.

By certified letter dated June 4, 1986, the State Engineer's office notified the applicant again that the \$700.00 permit fee must be remitted within 30 days of the date of the letter or Application 33059 would be subject to denial. The certified notice was returned to the Division of Water Resources marked "unclaimed" and resent regular mail on June 30, 1986. To date, no permit fees have been received for Application 33059.¹

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 33059 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/MM/bl

Dated this 14th day of
August, 1986.