

**IN THE OFFICE OF THE STATE ENGINEER**

IN THE MATTER OF APPLICATION 50476)  
FILED TO APPROPRIATE THE PUBLIC)  
WATERS OF AN UNDERGROUND SOURCE IN)  
WINNEMUCCA SEGMENT, HUMBOLDT)  
COUNTY, NEVADA. )

**RULING**

**GENERAL**

Application 50476 was filed on January 8, 1987, by Silver Hills Mining Corporation to appropriate 0.25 c.f.s. of water from an underground source for mining and milling purposes within the NE1/4 SW1/4, NW1/4 SE1/4, SW1/4 NE1/4 and SE1/4 NW1/4 Section 26, T.35 N., R.40 E., M.D.B.&M. Application 50476 became ready for action by the State Engineer's office on May 10, 1987.

**FINDINGS OF FACT**

I.

The applicant was notified by letter from the State Engineer's office dated October 8, 1987, that Application 50476 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.<sup>1</sup>

II.

By certified letter dated December 10, 1987, 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 50476 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 50476.<sup>1</sup>

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

CONCLUSIONS

I.

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

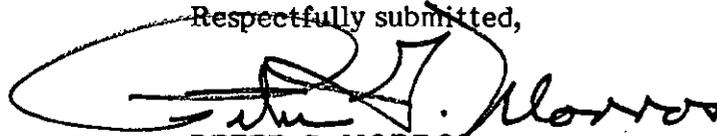
II.

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

RULING

Application 50476 is herewith denied on the grounds that the applicant has failed to submit the permit fees required under the provision of NRS 533.435.

Respectfully submitted,



PETER G. MORROS  
State Engineer

PGM/DL/bk

Dated this 14th day of

February, 1989.