

IN THE OFFICE OF THE STATE ENGINEER

IN THE MATTER OF APPLICATIONS 47200)
AND 47201 FILED TO APPROPRIATE THE)
PUBLIC WATERS IN BLACK ROCK DESERT)
GROUND WATER BASIN, PERSHING)
COUNTY, NEVADA.)

RULING

GENERAL

I.

Application 47200 was filed on August 26, 1983 by James Tilley to appropriate 1.0 c.f.s. of water from an unnamed spring for mining purposes within the N1/2 Section 9, T.32N., R.29E., M.D.B.&M. Application 47200 became ready for action by the State Engineer's Office on February 17, 1984 after withdrawal of BLM protest.

II.

Application 47201 was filed on August 26, 1983 by James Tilley to appropriate 1.0 c.f.s. of water from an underground source for mining purposes within the N1/2 Section 9, T.32N., R.29E., M.D.B.&M. Application 47201 became ready for action by the State Engineer's Office on March 2, 1984.

FINDINGS OF FACT

I.

The applicant was notified by letters from the State Engineer's Office dated February 14, 1985 and March 22, 1985 that application 47200 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

¹ Public record in the office of the State Engineer.

II.

The applicant was notified by letters from the State Engineer's Office dated December 31, 1984, February 14, 1985 and March 22, 1985 that application 47201 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

III.

By certified letter dated August 28, 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 47200 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 47200.¹

IV.

By certified letter dated August 28, 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 47201 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 47201.¹

CONCLUSIONS

I.

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

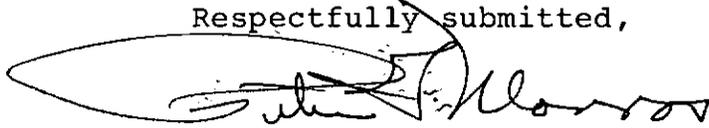
II.

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

RULING

Applications 47200 and 47201 are 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,

A handwritten signature in black ink, appearing to read "Peter G. Morros", is written over a large, hand-drawn oval scribble.

Peter G. Morros
State Engineer

PGM/DJL/pm

Dated this 6th day of
October, 1989