

IN THE OFFICE OF THE STATE ENGINEER
IN THE STATE OF NEVADA

IN THE MATTER OF THE APPLICATION)
52931 FILED TO APPROPRIATE THE)
PUBLIC WATERS OF AN UNDERGROUND)
SOURCE IN UPPER REESE RIVER)
VALLEY, LANDER COUNTY, NEVADA.)

RULING

3815

GENERAL

I.

Application 52931 was filed on February 16, 1989, by Roy E. Holland to appropriate 2.7 c.f.s. of water from an underground source for irrigation purposes on 160 acres 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 SE1/4 Section 8, T.18N., R.42E., M.D.B.&M. Application 52931 became ready for action by the State Engineer's office on May 11, 1989.¹

FINDINGS OF FACT

I.

The applicant was notified by letter from the State Engineer's office dated February 12, 1990, that Application 52931 was ready to be approved and that, in accordance with NRS 533.435, it would be necessary that the sum of \$790.00 be remitted to the Division of Water Resources. No fees were submitted as a result of that notice.²

II.

By certified letter dated December 6, 1990, the State Engineer's office notified the applicant again that the \$790.00 permit fee must be remitted within 30 days of the letter or Application 52931 would be subject to denial. A properly

¹ Public record in the office of the State Engineer.

² A check of the records of the office of the State Engineer indicates that no information has been received.

endorsed receipt for the certified notice is on file in the office of the State Engineer.³ To date, no permit fees have been received for Application 52931.²

CONCLUSIONS

I.

The State Engineer has jurisdiction in this matter under the provisions of NRS 533.325 and 533.435.⁴

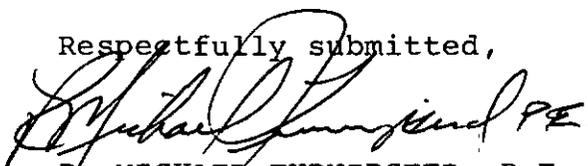
II.

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 52931 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,



R. MICHAEL TURNIPSEED, P.E.
State Engineer

RMT/DJL/pm

Dated this 18th day of
July, 1991.

³ See certified mail, return receipt No. P 397 018 192.

⁴ See NRS chapters 533 and 534.