

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

IN THE MATTER OF APPLICATION 55929)
FILED TO APPROPRIATE THE PUBLIC)
WATERS OF AN UNDERGROUND SOURCE)
IN LAS VEGAS ARTESIAN BASIN, CLARK)
COUNTY, NEVADA.)

RULING
4002

GENERAL

I.

Application 55929 was filed on March 4, 1991, by Rita Guerrero to appropriate 0.046 c.f.s. of water from an underground source for quasi-municipal purposes within the SW1/4 SW1/4 SW1/4 SE1/4, Section 26, T.21S., R.60E., M.D.B.&M. The point of diversion is described as being within the SW1/4 SE1/4, Section 26, T.21S., R.60E., M.D.B.&M. Application 55929 became ready for action by the State Engineer's office on June 21, 1991.

FINDINGS OF FACT

I.

The applicant and agent were notified by letter from the State Engineer's office dated September 28, 1992, that Application 55929 was ready to be approved and that, in accordance with NRS 533.435, it would be necessary that the sum of \$155.00 be remitted to the Division of Water Resources.¹ No fees were submitted as a result of that notice.²

II.

By certified letter dated November 24, 1992, the State Engineer's office notified the applicant and agent again that the \$155.00 permit fee must be remitted within 30 days of the date of the letter or Application 55929 would be subject to denial. Properly endorsed receipts for the certified notice are on file in the office of the State Engineer.³ To date, no permit fees have

¹ Public record in the office of the State Engineer.

² A check of the record of the office of the State Engineer indicates that no fee has been received.

³ See Certified Mail Return Receipt No's. P 680 490 911 and P 680.490 912.

been received for Application 55929.²

CONCLUSIONS

I.

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

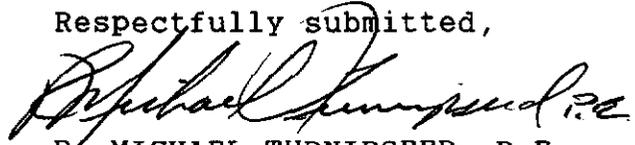
II.

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

RULINGS

Application 55929 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 14th day of
June, 1993.

⁴ NRS Chapters 533 and 534.