

IN THE MATTER OF APPLICATION NO.)
24192 FILED BY THE CITY OF WELLS)
TO APPROPRIATE WATER FROM ANGEL)
CREEK IN ELKO COUNTY, NEVADA.)

R U L I N G

General:

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Application 24192 was filed on October 30, 1967 by the City of Wells for the storage of 1,300 acre feet of water from Angel Creek for recreational purposes. The proposed point of diversion is within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 13, T. 36N., R. 61E., M.D.B.&M. The proposed place of use is a reservoir located within portions of the S $\frac{1}{2}$ S $\frac{1}{2}$ Section 12 and N $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 13, all in T. 36N., R. 61E., M.D.B.&M.

The first notice for permit fees dated April 22, 1968 was sent to the City of Wells requesting \$25.00 in permit fees for the issuance of a permit under this application. A carbon copy of this notice was sent to Mr. David Millard of Elko. A second notice dated May 24, 1968, was sent to Mr. David Millard with a carbon copy to the City of Wells. A third and final notice dated June 24, 1968 was sent certified mail to the City of Wells with a carbon copy of the notice sent to Mr. David Millard also by certified Mail. A return receipt card was received in this office on June 28, 1968, signed by Myrtle Murphy for the City of Wells on June 27, 1968, establishing receipt of the certified mail. A return receipt card was received in this office on June 27, 1968 signed by Betty Carroll for Millard-Spink dated June 25, 1968, establishing receipt of the certified carbon copy. No permit fees have been received in answer to these notices.

RULING

Application No. 24192 is herewith denied on the grounds that the applicant failed to submit the statutory permit fees as provided by NRS 533.435 after proper notice dated June 24, 1968.

Respectfully Submitted,


Roland D. Westergard
State Engineer

RDW:RRD:jb

Dated This 2nd Day

of August, 1968