

IN THE MATTER OF APPLICATION NO. 7849 FILED BY NATIONAL CONSOLIDATED MINING COMPANY FOR PERMISSION TO APPROPRIATE WATERS FROM NORTH FORK OF TWELVE MILE CREEK. }

R U L I N G

GENERAL:

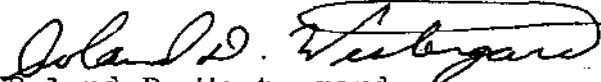
Application No. 7849 was filed by National Consolidated Mining Company, on August 18, 1926, for permission to appropriate 1.0 cfs of water from North Fork of Twelve Mile Creek for mining and domestic purposes. The proposed point of diversion and place of use was described as within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 33, T. 46 N., R. 39 E., M.D.B.&M. A permit was issued under this application on February 2, 1932 and the Proof of Beneficial Use filed on October 10, 1936.

A letter dated October 15, 1936 was sent to the permittee requesting certificate fees under this permit. A letter dated May 17, 1939 was sent to the permittee requesting certificate fees. A letter dated February 1, 1940 was sent to the permittee requesting certificate fees. A letter dated December 10, 1940 was sent to the permittee, by registered mail, requesting certificate fees. This letter was returned unclaimed.

RULING

Permit 7849 is herewith cancelled on the grounds that the permittee failed to submit the statutory fees for issuing and recording of the certificate under this permit, in accordance with Section 72, Chapter 140 Statutes of 1913 as amended to Section 1 Chapter 128 Statutes of 1931.

Respectfully Submitted,


Roland D. Westergard
State Engineer

RDW:RRD:jb

Dated This 18th Day

of July, 1969.