

IN THE MATTER OF APPLICATION 26152)
FILED JUNE 2, 1971, BY E. A. SCHULTZ)
TO APPROPRIATE THE WATERS OF AN)
UNDERGROUND SOURCE IN NYE COUNTY,)
NEVADA.)

R U L I N G

GENERAL: ²³

Application 26152 was filed on June 2, 1971, by E. A. Schultz for permission to appropriate 2.0 c.f.s. of water from an underground source within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 8, T.16S., R.48E., M.D.B.&M., for irrigation and domestic purposes. The place of use is 120 acres in the W $\frac{1}{2}$ E $\frac{1}{2}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 8, T.16S., R.48E., M.D.B.&M.

A notice requesting permit fees of \$11.00 for Application 26152 was sent to the applicant's agent on September 17, 1971. A second notice was sent to the applicant by certified mail on October 20, 1971, and an unsigned return receipt card, dated October 22, 1971, was received in this office on October 26, 1971.

The permit fees under this application were received in this office November 2, 1971, and were misplaced, consequently, this application was denied on the grounds that the statutory permit fees were not paid.

RULING

The denial of Application 26152 is herewith rescinded on the grounds that the permit fees requested were received within the statutory time limit. A permit will be issued under this application.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW:RRD:jw

Dated this 19th day of
January, 1972.