

IN THE MATTER OF APPLICATION 42224)
TO APPROPRIATE WATER FROM AN)
UNDERGROUND SOURCE WITHIN TRUCKEE)
MEADOWS, WASHOE COUNTY, NEVADA)

R U L I N G

87

FINDINGS OF FACT

I

Application 42224 was filed August 27, 1980, in the name of A-Property Condominium Management Co. to appropriate 0.5 c.f.s. of the public waters of the State of Nevada. The proposed point of diversion is given as being within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 25, T.19N., R.19E., M.D.B. & M., and the proposed place of use is given as being within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 25, T.19N., R.19E., M.D.B. & M., where water is proposed to be used for commercial (geothermal) purposes.

II

On April 28, 1981, the applicant was advised by the State Engineer's office, in accordance with NRS 533.435, to forward the sum of \$10.00 dollars within 30 days of the notice for the issuance of the permit under this application. No response to that letter was received.

III

A subsequent certified letter dated June 8, 1981, was sent to the applicant whereby notice was given that in the event the required permit fee was not submitted within thirty (30) days of that letter, the application would be subject to denial. A properly endorsed receipt for said letter was returned to the Division of Water Resources on June 9, 1981. As of the date of this ruling, the required permit fee has not been remitted.

CONCLUSIONS

I

The State Engineer has jurisdiction in this matter in accordance with the provisions of NRS 533.325 through 533.365 and 533.435.

II

Proper notice requesting remittance of the required permit fee has been served on the applicant by certified mail.

RULING

Application 42224 is herewith denied on the grounds that the applicant has failed to comply with the requirements of NRS 533.435 for submission of the fee necessary for the issuance of a permit.

Respectfully submitted,



Peter G. Morros
State Engineer

PGM/GMT/dh

Dated this 21st day of
September, 1981.