

IN THE OFFICE OF THE STATE ENGINEER

IN THE MATTER OF APPLICATION 43427)
FILED TO APPROPRIATE THE PUBLIC)
WATERS OF AN UNDERGROUND SOURCE IN)
MAGGIE CREEK AREA, EUREKA COUNTY,)
NEVADA.)

RULING

GENERAL

Application 43427 was filed on March 30, 1981, by Minerals Unlimited, Inc., to appropriate 1.5 c.f.s. of water from an underground source for mining, milling and domestic purposes within the SW1/4 Section 2, T.34N., R.51E., M.D.B.&M. The point of diversion is described as being within the SW1/4 SW1/4 Section 2, T.34N., R.51E., M.D.B.&M. Application 43427 became ready for action by the State Engineer's office on October 3, 1981. Application 43427 was assigned to E.A. Hollingsworth, John Torok, Sharon Torok, Chemical Petroleum Corporation of America, and Torok Exploration Mining and Constructions Corporation on January 13, 1982.¹

FINDINGS OF FACT

I.

The applicants were notified by letter from the State Engineer's office dated July 29, 1983, that Application 43427 was ready to be approved and that, in accordance with NRS 533.435, it would be necessary that the sum of \$200.00 be remitted to the Division of Water Resources. No fees were submitted as a result of that notice.¹

II.

By certified letter dated August 31, 1983, the State Engineer's office notified the applicants again that the \$200.00 permit fee must be remitted within 30 days of the date of the letter or Application 43427 would be subject to denial. Properly endorsed receipts for the certified notice are on file in the office of the State Engineer. To date, no permit fees have been received for Application 43427.¹

CONCLUSIONS

I.

The State Engineer has jurisdiction in this matter under the provisions of NRS 533.325 and NRS 533.435.

II.

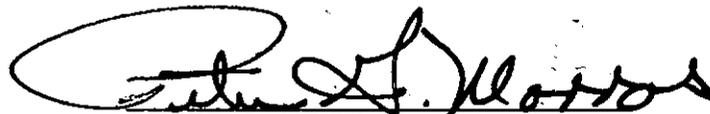
The applicants have been properly notified of the requirements for the submission of the permit fees and has failed to comply with that requirement.

¹ Public record in the office of the State Engineer.

RULING

Application 43427 is herewith denied on the grounds that the applicants have failed to submit the permit fees required under the provisions of NRS 533.435.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Peter G. Morros", is written over a horizontal line. The signature is cursive and somewhat stylized.

PETER G. MORROS
State Engineer

PGM/MD/bl

Dated this 14th day of
August, 1985.