

IN THE OFFICE OF THE STATE ENGINEER

IN THE MATTER OF APPLICATION 49729)  
FILED TO APPROPRIATE THE PUBLIC)  
WATERS OF AN UNDERGROUND SOURCE IN)  
DIXIE CREEK - TEN MILE CREEK AREA,)  
ELKO COUNTY, NEVADA. )

RULING

GENERAL

Application 49729 was filed on February 25, 1986, by Louis J. Complita and Gerald G. Complita to appropriate 1.0 c.f.s. of water from an underground source for industrial and domestic purposes within the NE1/4 Section 14, T.33N., R.56E., M.D.B.&M. The point of diversion is described as being within the NE1/4 Section 14, T.33N., R.56E., M.D.B.&M.<sup>1</sup>

FINDINGS OF FACT

I.

Application 49729 was accompanied by Check No. 2371 in the amount of \$100.00. The check was returned by First Interstate Bank stamped "Refer to Maker".<sup>1</sup> Pursuant to NRS 533.435, a \$100.00 filing fee must accompany an application to appropriate water.

CONCLUSIONS

I.

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

II.

Application 49729 was not accompanied by the filing fee of \$100.00 required by NRS 533.435 since the check was returned by the First Interstate Bank.

RULING

Application 49729 is herewith cancelled on the grounds that the applicant did not submit the application fee of \$100.00 required under the provisions of NRS 533.435.

Respectfully submitted,



PETER G. MORROS  
State Engineer

PGM/CT/bl

Dated this 11th day of  
April, 1986.

-----  
<sup>1</sup> Public record in the office of the State Engineer.