

IN THE OFFICE OF THE STATE ENGINEER

IN THE MATTER OF APPLICATION (34901)
FILED TO APPROPRIATE THE PUBLIC)
WATERS OF AN UNDERGROUND SOURCE IN)
CLOVER VALLEY, ELKO COUNTY, NEVADA.)

RULING

GENERAL

Application 34901 was filed on January 20, 1978, by Bernard Larios to appropriate 4.0 c.f.s. of water from an underground source for irrigation and domestic purposes within the SE1/4 Section 34, T.35N., R.62E., M.D.B.&M. The point of diversion is described as being within the SE1/4 SE1/4 Section 34, T.35N., R.62E., M.D.B.&M. Application 34901 became ready for action by the State Engineer's office on April 19, 1979.¹

FINDINGS OF FACT

I.

The applicant was notified by letter from the State Engineer's office dated August 2, 1985, that Application 34901 was ready to be approved and that, in accordance with NRS 533.435, it would be necessary that the sum of \$400.00 be remitted to the Division of Water Resources. No fees were submitted as a result of that notice.¹

II.

By certified letter dated October 24, 1985, the State Engineer's office notified the applicant again that the \$400.00 permit fee must be remitted within 30 days of the date of the letter or Application 34901 would be subject to denial. A properly endorsed receipt for the certified notice is on file in the office of the State Engineer. To date, no permit fees have been received for Application 34901.¹

CONCLUSIONS

I.

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

II.

The applicant has 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 34901 is herewith denied on the grounds that the applicant has failed to submit the permit fees required under the provisions of NRS 533.435.

Respectfully submitted,



PETER G. MORROS
State Engineer

PGM/MM/bl

Dated this 23rd day of
April, 1986.