

**IN THE OFFICE OF THE STATE ENGINEER**

IN THE MATTER OF APPLICATIONS 48373)  
AND 48374 FILED TO APPROPRIATE THE)  
PUBLIC WATERS OF AN UNDERGROUND)  
SOURCE IN THOUSAND SPRINGS VALLEY)  
(TOANO, ROCK SPRING AREA) ELKO)  
COUNTY, NEVADA. )

**RULING**

**GENERAL**

Application 48373 was filed on September 7, 1984, by Buhler Investment Co., Inc., to appropriate 6.0 c.f.s. of water from an underground source for irrigation purposes within all of Section 11, T.39N., R.65E., M.D.B.&M. The point of diversion is described as being within the SW1/4 NE1/4 Section 11, T.39N., R.65E., M.D.B.&M. Application 48373 became ready for action by the State Engineer's office on January 14, 1985.<sup>1</sup>

Application 48374 was filed on September 7, 1984, by Buhler Investment Co., Inc., to appropriate 5.0 c.f.s. of water from an underground source for irrigation purposes within the SE1/4 and W1/2 Section 1, T.39N., R.65E., M.D.B.&M. The point of diversion is described as being within the NE1/4 SW1/4 Section 1, T.39N., R.65E., M.D.B.&M. Application 48374 became ready for action by the State Engineer's office on January 14, 1985.<sup>1</sup>

**FINDINGS OF FACT**

I.

The applicant was notified by letter from the State Engineer's office dated March 19, 1985, that Applications 48373 and 48374 were ready to be approved and that, in accordance with NRS 533.435, it would be necessary that the sum of \$1100.00 be remitted to the Division of Water Resources. No fees were submitted as a result of that notice.<sup>1</sup>

II.

By certified letter dated October 24, 1985, the State Engineer's office notified the applicant again that the \$1100.00 permit fee must be remitted within 30 days of the date of the letter or Applications 48373 and 48374 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 Applications 48373 and 48374.<sup>1</sup>

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

CONCLUSIONS

I.

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

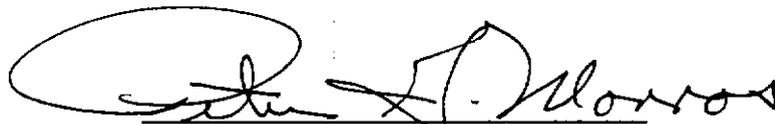
II.

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

RULING

Applications 48373 and 48374 are 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 17th day of  
July, 1986.