

IN THE OFFICE OF THE STATE ENGINEER
IN THE STATE OF NEVADA

IN THE MATTER OF APPLICATION 54455)
TO APPROPRIATE THE PUBLIC WATERS)
OF THE STATE OF NEVADA FROM AN)
UNDERGROUND SOURCE IN PAHRUMP)
VALLEY, NYE COUNTY, NEVADA.)

RULING

GENERAL

I.

Application 54455 was filed on February 21, 1990 by John E. Thein, Jr. to appropriate 0.212 c.f.s. of water from an underground source for irrigation and domestic purposes within the NE1/4 SW1/4 Section 12, T.21S., R.53E., M.D.M.

FINDINGS OF FACT

I.

The State Engineer is required pursuant to NRS 533.435 to collect a fee of \$200.00 for filing an application to appropriate the public waters of the State of Nevada.

II.

The statutory filing fee was paid by Check No. 3079 from the account of and signed by John E. Thein, Jr.

III.

On March 6, 1990, First Interstate Bank of Nevada returned Check No. 3079 to the State Engineer with a returned item advice of debit and further marked "endorsement cancelled."

CONCLUSIONS

I.

The State Engineer has jurisdiction of the parties and the subject matter of this action pursuant to NRS 533.025, NRS 533.030 subsection 1 and NRS 533.435.

II.

The filing fee of \$200.00 did not accompany Application 54455 since Check No. 3079 was returned unpaid by the bank.

RULING

Application 54455 is hereby cancelled because the applicant failed to submit the required statutory application fee.

Respectfully submitted,



R. MICHAEL TURNIPSEED, P.E.
State Engineer

Dated This 11th day of
July, 1990