

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

IN THE MATTER OF APPLICATION 54905)
FILED TO APPROPRIATE THE PUBLIC)
WATERS OF AN UNDERGROUND SOURCE IN)
LAS VEGAS ARTESIAN BASIN, CLARK)
COUNTY, NEVADA.)

RULING

3897

GENERAL

I.

Application 54905 was filed on June 4, 1990, by John Keller to appropriate 0.046 c.f.s. of water from an underground source for quasi-municipal purposes within the NE1/4 SW1/4 SW1/4 SW1/4 Section 14, T.22S., R.60E., M.D.B.&M. The point of diversion is described as being within the SW1/4 SW1/4 Section 14, T.22S., R.60E., M.D.B.&M. Application 54905 became ready for action by the State Engineer's Office on September 24, 1990.¹

FINDINGS OF FACT

I.

The applicant and agent were notified by letter from the State Engineer's office dated October 19, 1990, that Application 54905 was ready to be approved and that, in accordance with NRS 533.435, it would be necessary that the sum of \$155.00 be remitted to the Division of Water Resources. No fees were submitted as a result of that notice.²

¹ Public record in the office of the State Engineer.

² A check of the records of the office of the State Engineer indicates that no information has been received.

II.

By certified letter dated January 7, 1991, the State Engineer's Office notified the applicant and agent again that the \$155.00 permit fee must be remitted within 30 days of the letter or Application 54905 would be subject to denial. The return receipts were received from the addressees on January 11 and January 14, 1991.³ To date, no permit fees have been received for Application 54905.²

CONCLUSIONS

I.

The State Engineer has jurisdiction in this matter under the provisions of NRS 533.325 and 533.435.⁴

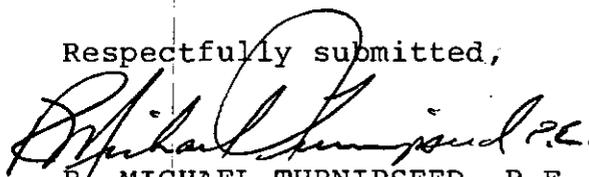
II.

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

Application 54905 is hereby denied on the grounds that the applicant has failed to submit the permit fees required under the provision of NRS 533.435.

Respectfully submitted,


R. MICHAEL TURNIPSEED, P.E.
State Engineer

RMT/DJL/pm

Dated this 31st day of
July, 1992

³ See certified mail, return receipt No's. P 058 567 692 and P 058 567 693.

⁴ See NRS chapters 533 and 534.