

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

IN THE MATTER OF APPLICATION 50720)
FILED TO APPROPRIATE THE PUBLIC)
WATERS OF AN UNDERGROUND SOURCE IN)
LOVELOCK VALLEY-OREANA SUBAREA)
(73A), PERSHING COUNTY, NEVADA.)

RULING
4200

GENERAL

I.

Application 50720 was filed on March 23 1987, by Strand Resource Development Co., Inc. to appropriate 2.0 cfs of water from an underground source for mining, milling and domestic purposes within the SW $\frac{1}{4}$, Lots 11, 12, 13, 14, 15; portions of SE $\frac{1}{4}$, Lots 5, 6, 7, 9, 10, 16, of Section 4; SE $\frac{1}{4}$, portions of E $\frac{1}{2}$ SW $\frac{1}{4}$, Lots 14, 15, 16 of Section 5; NE $\frac{1}{4}$, Portions of E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 8, T.28N., R.34E., M.D.B.&M. The point of diversion is described as being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8, T.28N., R.34E., M.D.B.&M. Application 50720 became ready for action by the State Engineer's office on September 16, 1987.

FINDINGS OF FACT

I.

The applicant and agent Ernest E. Muller were notified by letter from the State Engineer's office dated December 5, 1994, that Application 50720, 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. The letter to applicant Strand Resource Development Co., Inc. was returned by the United States Postal Service labelled "Not Deliverable as Addressed-Unable to Forward-Return to Writer-Vacant". It is the responsibility of the applicant or his successor in interest to keep this office informed of their current mailing address. The State Engineer finds that no fees were submitted as a result of that notice.¹

¹ Public record in the office of the State Engineer.

II.

By certified letter dated February 27, 1995, the State Engineer's office notified the applicant again in care of agent Ernest E. Muller, that the \$155.00 permit fee must be remitted within 30 days of the date of the letter or Application 50720 would be subject to denial. A properly endorsed receipt for the certified notice is on file in the office of the State Engineer. The State Engineer finds that to date, no permit fees have been received for the issuance of the permit.¹

CONCLUSIONS

I.

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

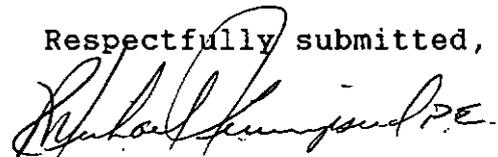
II.

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

RULINGS

Application 50720 is herewith 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 5th day of
July, 1995.