

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

IN THE MATTER OF APPLICATION 64502)
FILED TO APPROPRIATE THE PUBLIC WATERS))
OF AN UNDERGROUND SOURCE WITHIN THE))
LAS VEGAS VALLEY ARTESIAN GROUNDWATER))
BASIN (212), CLARK COUNTY, NEVADA.))

RULING

4681

GENERAL

I.

Application 64502 was filed on October 2, 1998, by Tom Foster to appropriate 0.046 cubic feet per second of water for quasi-municipal purposes within the NE¼ NE¼ SW¼ NE¼ of Section 29, T.22S., R.61E., M.D.B.&M. The proposed point of diversion is described as being located within the SW¼ NE¼ of said Section 29. Information contained within the remarks section of the application indicates that Application 64502 was filed under the provisions of State Engineer's Amended Order No. 1054.¹

FINDINGS OF FACT

I.

Application 64502 was submitted to the State Engineer's office on October 2, 1998, accompanied by check no. 2712 in the amount of \$250.00. After deposit, the check was returned for insufficient funds. Pursuant to NRS § 533.435, a \$250.00 filing fee must accompany each application to appropriate the public waters of the State of Nevada. The State Engineer finds that the statutory filing fee was not received.

CONCLUSIONS

I.

The State Engineer has jurisdiction over the parties and the subject matter of this action and determination.²

¹ File No. 64502, official records in the office of the State Engineer.

² NRS § Chapter 533.

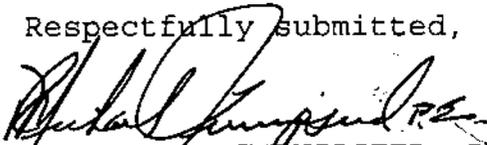
II.

The State Engineer concludes that since the check for the filing of Application 64502 was returned by the bank, Application 64502 was not accompanied by the statutory filing fee of \$250.00 and must be denied.

RULING

Application 64502 is herewith denied on the grounds that the applicant did not submit the application fee as required under the provisions of NRS § 533.435.

Respectfully submitted,



R. MICHAEL TURNIPSEED, P.E.
(State Engineer)

RMT/MDB/cl

Dated this 16th day of
November, 1998.