

IN THE OFFICE OF THE STATE ENGINEER

IN THE MATTER OF APPLICATION 32028)
FILED TO APPROPRIATE THE PUBLIC)
WATERS OF AN UNDERGROUND SOURCE IN)
RAILROAD VALLEY (NORTHERN PART), NYE)
COUNTY, NEVADA.)

RULING

3256

GENERAL

Application 32028 was filed on June 13, 1977, by Merlin Jackson to appropriate 2.7 c.f.s. of water from an underground source for irrigation and domestic purposes within the N1/2 S1/2 Section 14, T.10N., R.57E., M.D.B.&M. The point of diversion is described as being within the NW1/4 SE1/4 Section 14, T.10N., R.57E., M.D.B.&M. Application 32028 became ready for action by the State Engineer's office on October 16, 1977.¹

FINDINGS OF FACT

I.

The applicant was notified by letter from the State Engineer's office dated June 10, 1985, that Application 32028 was ready to be approved and that, in accordance with NRS 533.435, it would be necessary that the sum of \$300.00 be remitted to the Division of Water Resources. No fees were submitted as a result of that notice.¹

II.

By certified letter dated August 16, 1985, the State Engineer's office notified the applicant again that the \$300.00 permit fee must be remitted within 30 days of the date of the letter or Application 32028 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 Application 32028.¹

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.

¹ Public record in the office of the State Engineer.

RULING

Application 32028 is 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,

A handwritten signature in black ink, appearing to read "Peter G. Morros", written over a horizontal line.

PETER G. MORROS
State Engineer

PGM/MD/bl

Dated this 14th day of
November, 1985.