

IN THE MATTER OF APPLICATION )  
23461, FILED OCTOBER 27, 1966, )  
BY GORDON MACMILLAN TO APPROPRIATE )  
WATER FROM AN UNDERGROUND SOURCE )  
IN EUREKA COUNTY, NEVADA )

R U L I N G

GENERAL:

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Application 23461 was filed on October 27, 1966 by Gordon Macmillan to appropriate 10.0 c.f.s. of water from an underground source for irrigation purposes. The proposed point of diversion is within the SE $\frac{1}{4}$ NW $\frac{1}{4}$  Sec. 17, T. 31 N., R. 48 E., M.D.B.&M. and the proposed place of use is 1000 acres within Sections 13, 24, 25, 26, 34, 35 and 36, T. 32 N., R. 48 E., M.D.B.&M.

A letter, requesting permit fees, was sent by certified mail on October 29, 1968 to Orville Wilson, attorney for the estate of Gordon Macmillan. A return receipt, signed by Orville Wilson, was received in this office November 4, 1968. No reply, to the request for fees, has been received.

RULING

Application 23461 is herewith denied on the grounds that the applicant, or his successors in interest, failed to submit the statutory permit fees as provided by N.R.S. 533.435, after proper notice dated October 29th, 1968.

Respectfully submitted,

  
Roland D. Westergard  
State Engineer

RDW:KAR:jls

Dated this 16th day of  
December, 1968