

IN THE MATTER OF APPLICATIONS)
31074 AND 31075 FILED BY)
SIMEON J. CHURCHFIELD, MARVIN)
D. CHURCHFIELD, GEORGE R. ATWOOD,)
AND CARL A. PACINI FOR PERMISSION)
TO APPROPRIATE THE UNDERGROUND)
WATER IN ELKO COUNTY, NEVADA.)

R U L I N G

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GENERAL:

Applications 31074 and 31075 were filed by Simeon J. Churchfield, Marvin D. Churchfield, George R. Atwood and Carl A. Pacini on February 7, 1977. The applications seek diversions of 6.0 c.f.s. each for quasi-municipal purposes.

Under Applications 31074 and 31075 the points of diversion are described as being located within NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1, T.34N., R.55E., M.D.B.&M. The place of use is described as being within a portion of the SW $\frac{1}{4}$ of Section 1, T.34N., R.55E., M.D.B.&M.

Notice for permit fees was mailed to the applicant on June 1, 1978. No response to that notice was received. On July 10, 1978, the applicant and agent for the applicant were notified by certified mail that the permit fees were due and that the applications would be subject to denial if the statutory fees were not submitted within 30 days of the notice. Carl A. Pacini signed the receipt for the certified letter on July 11, 1978. Alan S. Boycak signed a receipt on July 11, 1978, for the letter as agent for the applicant. To date, no reply or fees have been received in the State Engineer's office.

RULING

Applications 31074 and 31075 are herewith denied on the grounds that the applicant failed to submit the permit fees required in accordance with NRS 533.435.

Respectfully submitted,

William J. Newman

William J. Newman
State Engineer

WJN:HW:jw

Dated this 3rd day of
August, 1979.