

IN THE OFFICE OF THE STATE ENGINEER

IN THE MATTER OF APPLICATION 32344 )  
FILED TO APPROPRIATE THE PUBLIC )  
WATERS OF AN UNDERGROUND SOURCE IN )  
EDWARDS CREEK VALLEY, CHURCHILL )  
COUNTY, NEVADA. )

RULING

FINDINGS OF FACT

I.

Application 32344 was filed on July 14, 1982, by David Carl Anderson to appropriate 5.4 c.f.s. of water from an underground source for irrigation purposes on 320 acres of land within the S1/2 SW1/4 Section 28 and the NW1/4 and N1/2 SW1/4 Section 33, all in T.19N., R.37E., M.D.B.&M. The point of diversion is described as being within the NW1/4 SW1/4 Section 28, T.19N., R.37E., M.D.B.&M. Application 32344 became ready for action by the State Engineer's office on April 14, 1978.

II.

The application was assigned on August 8, 1978, an undivided 1/2 interest to Marlene Louise Anderson. On March 6, 1980, David Carl and Marlene Louise Anderson assigned Application 32344 to David E. Williams, M.D., and Robert D. and Lynne M. Miller.

III.

David E. Williams, M.D., and Robert D. and Lynne M. Miller were notified by letter from the State Engineer's office dated March 5, 1984, that Application 32344 was ready to be approved and that in accordance with NRS 533.435, it would be necessary that the sum of \$1200.00 be remitted to the Division of Water Resources. No fees were submitted as a result of that notice. Mr. David E. Williams did request, in a letter dated March 30, 1984, a one year extension for payment of the permit fees.

By certified letter dated June 26, 1984, the State Engineer's office notified David E. Williams, M.D., and Robert A. and Lynne M. Miller that Dr. Williams request would not be granted and the sum of \$1200.00 must be remitted within 30 days of the date of the letter or Application 32344 would be denied. 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 under Application 32344.

CONCLUSIONS

I.

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

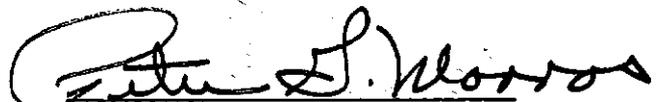
II.

The applicants have been properly notified of the requirement for the submission of the statutory permit fees and have failed to comply with that requirement.

RULING

Application 32344 is herewith denied on the grounds that the applicants have failed to submit the permit fees required under the provisions of NRS 533.435.

Respectfully submitted

  
Peter G. Morros  
State Engineer

PGM/CT/bl

Dated this 6th day of  
November, 1984.