

IN THE OFFICE OF THE STATE ENGINEER

IN THE MATTER OF APPLICATIONS 46433,
46434 AND 46435 FILED TO APPROPRIATE)
THE PUBLIC WATERS OF AN)
UNDERGROUND SOURCE IN CHURCHILL)
VALLEY, LYON COUNTY, NEVADA.)

RULING

GENERAL

Application 46433 was filed on December 17, 1982, by Southern Miners, Inc., to appropriate 1.4 c.f.s. of water from an underground source for mining, milling and domestic purposes within Mining Claim 816 being a portion of T.17N., R.26E., T.16N., R.26E., T.17N., R.25E., and T.16N., R.25E., M.D.B.&M. The point of diversion is described as being within the NW1/4 NW1/4 Section 35, T.17N., R.26E., M.D.B.&M. Application 46433 became ready for action by the State Engineer's office on June 12, 1983.¹

Application 46434 was filed on December 17, 1982, by Southern Miners, Inc., to appropriate 1.4 c.f.s. of water from an underground source for mining, milling and domestic purposes within Mining Claim 816 being a portion of T.17N., R.26E., T.16N., R.26E., T.17N., R.25E., and T.16N., R.25E., M.D.B.&M. The point of diversion is described as being within the NE1/4 NE1/4 Section 8, T.16N., R.26E., M.D.B.&M. Application 46434 became ready for action by the State Engineer's office on June 12, 1983.¹

Application 46435 was filed on December 17, 1982, by Southern Miners, Inc., to appropriate 1.4 c.f.s. of water from an underground source for mining, milling and domestic purposes within Mining Claim 816 being a portion of T.17N., R.26E., T.16N., R.26E., T.17N., R.25E., and T.16N., R.25E., M.D.B.&M. The point of diversion is described as being within the NW1/4 SE1/4 Section 3, T.16N., R.25E., M.D.B.&M. Application 46435 became ready for action by the State Engineer's office on June 12, 1983.¹

FINDINGS OF FACT

I.

The applicant was notified by letter from the State Engineer's office dated February 8, 1985, that Applications 46433, 46434 and 46435, inclusive, were ready to be approved and that, in accordance with NRS 533.435, it would be necessary that the sum of \$600.00 be remitted to the Division of Water Resources. No fees were submitted as a result of that notice.¹

¹ Public record in the office of the State Engineer.

II.

By certified letter dated September 6, 1985, the State Engineer's office notified the applicant again that the \$600.00 permit fee must be remitted within 30 days of the date of the letter or Applications 46433, 46434 and 46435, inclusive, 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 Applications 46433, 46434 and 46435.¹

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.

RULING

Applications 46433, 46434 and 46435, inclusive, are 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,



PETER G. MORROS
State Engineer

PGM/MM/bl

Dated this 17th day of
December, 1985.