

IN THE OFFICE OF THE STATE ENGINEER

IN THE MATTER OF APPLICATION 41424)  
FILED TO APPROPRIATE THE PUBLIC)  
WATERS OF AN UNDERGROUND SOURCE IN)  
PUMPERNICKEL VALLEY, HUMBOLDT)  
COUNTY, NEVADA. )

RULING

GENERAL

Application 41424 was filed on May 23, 1980, by Hugh Anthony and Ruth Ann Tipton to appropriate 6.0 c.f.s. of water from an underground source for irrigation purposes within the S1/2 Section 4 and all of Section 20, T.33N., R.40E., M.D.B.&M. The point of diversion is described as being within the SW1/4 SW1/4 Section 4, T.33N., R.40E., M.D.B.&M. Application 41424 became ready for action by the State Engineer's office on December 4, 1980. Application 41424 was assigned to Hugh Anthony Tipton on August 10, 1984.<sup>1</sup>

FINDINGS OF FACT

I.

The applicant was notified by letter from the State Engineer's office dated February 12, 1985, that Application 41424 was 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.<sup>1</sup>

II.

By certified letter dated April 15, 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 Application 41424 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 41424.<sup>1</sup>

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.

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<sup>1</sup> Public record in the office of the State Engineer.

RULING

Application 41424 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,



PETER G. MORROS  
State Engineer

PGM/MM/bl

Dated this 7th day of  
April, 1986.