

IN THE OFFICE OF THE STATE ENGINEER
OF THE STATE OF NEVADA

IN THE MATTER OF APPLICATION 50331 FILED)
TO APPROPRIATE THE PUBLIC WATERS OF AN)
UNDERGROUND SOURCE WITHIN THE LAS VEGAS)
VALLEY ARTESIAN BASIN, CLARK COUNTY,)
NEVADA.)

RULING
3939

GENERAL

I.

Application 50331 was filed November 6, 1986 by Nostromo Corp. to appropriate 0.5 c.f.s. (cubic feet per second) of water from an underground source for quasi-municipal purposes to serve 34 houses in the SE1/4 SW1/4 Section 12, T.19S., R.60E., M.D.B.&M. The point of diversion is described as being within the SE1/4 SW1/4 of said Section 12. Application 50331 became ready for the State Engineer's action March 20, 1987.¹

FINDINGS OF FACT

I.

The applicant was notified by certified mail December 31, 1992 to submit additional information to the State Engineer's office regarding his plans concerning Application 50331. The applicant was requested to send a copy of the Assessor's Parcel Map or a copy of a map approved by the Planning Commission showing the division of 34 home sites, and to send documents showing whether or not Nostromo Corporation is registered to do business in Nevada. Copies were sent certified mail to agents Val Di Santis and Fulstone Enterprises.²

II.

The certified letter to the applicant and the certified copy to Val Di Santis were returned to the State Engineer's office by the United States Postal Service as "Addressee Unknown."²

The return receipt from the certified copy to Fulstone

¹ Public record in the office of the State Engineer, Application 50331.

² Public record in the office of the State Engineer, Certified Mail Return Receipts P 019 021 699, P 019 021 700 and P 019 021 701, filed in Application 50331.

Enterprises was received in the State Engineer's office January 7, 1993.² To date there has been no response from the agent regarding Application 50331.¹

CONCLUSIONS

I.

The State Engineer has jurisdiction of the parties and the subject matter of this action and determination under the provisions of NRS 533.325, NRS 533.335, and NRS 533.340.

II.

Before either approving or rejecting an application, the State Engineer may require such additional information as will enable him to guard the public interest properly.³

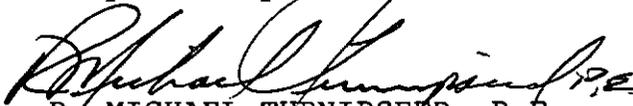
III.

The applicant has been properly notified of the requirement for additional information concerning this application and has failed to submit the required information to the State Engineer's office. Therefore, sufficient information is not available to the State Engineer to properly guard the public interest.

RULING

Application 50331 is hereby denied on the grounds that the applicant has not submitted the information requested by the State Engineer's office, and therefore, the granting of said application without the additional information would not be in the public interest.

Respectfully submitted,


R. MICHAEL TURNIPSEED, P.E.
State Engineer

RMT/CAB/pm

Dated this 23rd day of
February, 1993.

³ NRS 533.375.