

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

IN THE MATTER OF APPLICATION 56685)
FILED TO APPROPRIATE THE PUBLIC)
WATERS OF AN UNDERGROUND SOURCE IN)
LAS VEGAS ARTESIAN BASIN, CLARK)
COUNTY, NEVADA.)

RULING
4006

GENERAL

I.

Application 56685 was filed on August 19, 1991, by Mike Embler to appropriate 0.0031 c.f.s. of water from an underground source for quasi-municipal and domestic purposes within the E $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 18, T.19S., R.59E., M.D.B.&M. The point of diversion is described as being within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 18, T.19S., R.59E., M.D.B.&M. Application 56685 became ready for action by the State Engineer's office on January 23, 1992.

FINDINGS OF FACT

I.

The applicant and agent were notified by letter from the State Engineer's office dated November 18, 1992, that Application 56685 was ready to be approved and that, in accordance with NRS 533.435, it would be necessary that the sum of \$153.00 be remitted to the Division of Water Resources.¹ No fees were submitted as a result of that notice.²

II.

By certified letter dated January 21, 1993, the State Engineer's office notified the applicant again that the \$153.00 permit fee must be remitted within 30 days of the date of the letter or Application 56685 would be subject to denial. A copy of said notice was sent by regular mail to the agent, Surveyors, Inc. An endorsed receipt for the certified notice to applicant Mike

¹ Public record in the office of the State Engineer.

² A check of the record of the office of the State Engineer indicates that no fee has been received.

Embler is on file in the office of the State Engineer.³ This office was notified by phone on April 20, 1993, that no further notice need be sent to Surveyors, Inc. as applicant Mike Embler no longer wanted issuance of a permit for Application 56685.¹ To date, no permit fees have been received for Application 56685.²

CONCLUSIONS

I.

The State Engineer has jurisdiction in this matter under the provisions of NRS 533.325 and NRS 533.435.⁴

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.

RULINGS

Application 56685 is herewith denied on the grounds that the applicant has failed to submit the permit fees required under the provision of NRS 533.435.

Respectfully submitted,


R. MICHAEL TURNIPSEED, P.E.
State Engineer

Dated this 30th day of
June, 1993.

³ See certified mail, Return Receipt No. P 139 029 815.

⁴ NRS Chapters 533 and 534.