

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

IN THE MATTER OF APPLICATION 59764,)
FILED TO APPROPRIATE THE PUBLIC)
WATERS OF AN UNDERGROUND SOURCE IN)
ALKALI SPRING VALLEY, ESMERALDA)
COUNTY, NEVADA.)

RULING
4094

GENERAL

I.

Application 59764 was submitted on February 11, 1994, by International Bullion, L.L.C., to appropriate 1.0 c.f.s. of water from an underground source for mining, milling and domestic purposes within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 24, T.1N., R.42E., M.D.B.&M. The point of diversion is described as being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 35, T.1N., R.42E., M.D.B.&M.¹

FINDINGS OF FACT

I.

Application 59764 was submitted to the State Engineer's office on February 11, 1994, accompanied by Check No. 1094 in the amount of \$250.00. After deposit the check was returned stamped "Not Paid-794 B Refer to Maker". Pursuant to NRS 533.435, a \$250.00 filing fee must accompany each application to appropriate the public waters of the State of Nevada.

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 and NRS 533.435.²

II.

Since the check for the filing fee of Application 59764 was returned by the bank, Application 59764 was not accompanied by the statutory filing fee of \$250.00 as required under the provisions of NRS 533.435.

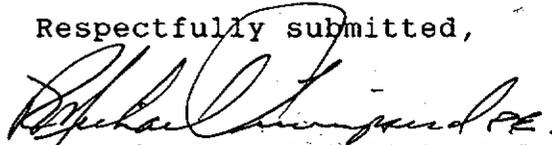
¹ Public record in the office of the State Engineer.

² NRS Chapters 533 and 534.

RULING

Application 59764 is herewith cancelled on the grounds that the applicant did not submit the application fee as required under the provisions of NRS 533.435.

Respectfully submitted,



E. MICHAEL TURNIPSEED, P.E.
State Engineer

RMT/DJL/pm

Dated this 7th day of
March, 1994.