

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

IN THE MATTER OF APPLICATION 60148-T)
FILED TO CHANGE THE POINT OF DIVERSION)
AND PLACE OF USE OF THE PUBLIC WATERS OF)
AN UNDERGROUND SOURCE IN DAYTON VALLEY)
GROUNDWATER BASIN (103), LYON COUNTY,)
NEVADA, HERETOFORE APPROPRIATED UNDER)
PERMIT 46624.)

RULING
4161

GENERAL

I.

Application 60148-T was filed on June 23, 1994, by Lyon County through agent Brian A. Randall to change the point of diversion and place of use of 1.38 cfs of water, heretofore appropriated from an underground source, for quasi-municipal and domestic purposes. The proposed point of diversion is described as being within SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 24, T.16N., R.21E., M.D.B.&M.¹

FINDINGS OF FACT

I.

The applicant was notified by letter from the State Engineer's office dated June 28, 1994, that Application 60148-T, was ready to be approved and that, in accordance with NRS 533.435, it would be necessary that the sum of \$2,099.00 be remitted to the Division of Water Resources. The State Engineer finds that no fees were submitted as a result of that notice.¹

II.

By certified letter dated August 1, 1994, the State Engineer's Office notified the applicant again that the \$2,099.00 permit fee must be remitted within 30 days of the date of the letter or Application 60148-T would be subject to denial. A properly endorsed receipt for the certified notice is on file in the office of the State Engineer. The State Engineer finds that, to date, no

¹ File No. 60148-T, official records in the Office of the State Engineer.

permit fees have been received for Application 60148-T.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

Application 60148-T 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

RMT/DJL/pm

Dated this 24th day of
January, 1994.