

IN THE MATTER OF APPLICATIONS )  
34825 AND 34826 TO APPROPRIATE )  
WATER FROM AN UNDERGROUND SOURCE)  
LOCATED IN STOREY COUNTY, NEVADA)

R U L I N G

GENERAL

Application 34825 was filed on January 3, 1978 in the name of Fred G. Manha, as to an undivided 60% interest and Jose A. Manha, Jr., as to an undivided 40% interest to appropriate 2.5 c.f.s. from an underground source for quasi-municipal and domestic purposes. The proposed point of diversion is located within the SW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 17, T.19N., R.21E., M.D.B.&M. The place of use is described as portions of the S $\frac{1}{2}$  Section 16 and S $\frac{1}{2}$  Section 17, T.19N., R.21E., M.D.B.&M.

Application 34826 was filed on January 3, 1978 in the name of Fred G. Manha, as to an undivided 60% interest and Jose A. Manha, Jr., as to an undivided 40% interest to appropriate 2.5 c.f.s. from an underground source for quasi-municipal and domestic purposes. The proposed point of diversion is located within the NW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 16, T.19N., R.21E., M.D.B.&M. The place of use is described as portions of the S $\frac{1}{2}$  of Section 16 and S $\frac{1}{2}$  of Section 17, T.19N., R.21E., M.D.B.&M., being the same place of use as Application 34825.

Applications 34825 and 34826 were returned by certified mail to the applicants on December 15, 1978, for correction with notice that an amended application and a supporting map were to be filed on or before February 13, 1979 in accordance with NRS 533.355.

Applications 34825 and 34826 were cancelled on February 21, 1979, because of failure to refile corrected applications within the statutory time limit.

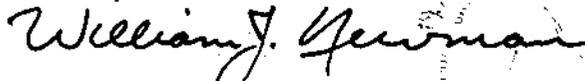
It was later found that both amended applications and a supporting map had been received by the office of the State Engineer on February 9, 1979. The amended forms had been mistakenly attached to the supporting map and placed within the map filing cabinet. Consequently, Applications 34825 and 34826 were cancelled since the office was unaware that the misplaced amended applications had actually been received.

RULING

The cancellation of Applications 34825 and 34826 is hereby rescinded on the grounds that the amended applications and supporting map were filed in proper form and within the time limit

specified. The applications will be published upon receipt of the \$50.00 portion of the application fee which was refunded to the applicants upon cancellation of the applications.

Respectfully submitted,



WILLIAM J. NEWMAN  
State Engineer

WJN/MDB/ha

Dated this 25th

day of May, 1979.

STATE OF CALIFORNIA  
DEPARTMENT OF WATER RESOURCES  
DIVISION OF WATER RIGHTS  
SAN FRANCISCO, CALIFORNIA