

IN THE MATTER OF THE REINSTATEMENT)
OF APPLICATION 41508 TO APPROPRIATE)
UNDERGROUND WATER WITHIN DIAMOND)
VALLEY, EUREKA COUNTY, NEVADA)

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FINDINGS OF FACT

I

Application 41508 was filed June 13, 1980, in the name of Hunt Oil Company of Nevada to appropriate the public waters of the State of Nevada. The proposed point of diversion is given as being within the NW1/4 NW1/4 of Section 24, T.24N., R.53E., M.D.B.&M. (unsurveyed), and the proposed place of use is given as being within the NW1/4 NW1/4 of Section 24, T.24N., R.53E. (unsurveyed), M.D.B.&M., where water is used for industrial purposes.

II

On October 27, 1980 the applicant was advised by the State Engineer's Office that a supporting map must be filed within 60 days of the date of the notice or on and before December 26, 1980 or the application would be canceled.

III

Application 41508 was canceled January 6, 1981, for failure to timely file a supporting map within the statutory time limitation.

IV

It was subsequently found that an acceptable supporting map was filed on December 22, 1980, which precedes the December 26, 1980 deadline established by the notice of October 27, 1980.

CONCLUSIONS

I

The State Engineer has jurisdiction under this matter in accordance with provisions of NRS 533.325 and NRS 533.355.

II

The filing of the map within the established deadline satisfies the requirements of timely filing.

RULING

The cancelation of Application 41508 is herewith rescinded and the application is reinstated to an active and valid status. The supporting map will be accepted, and the application will be processed toward publication in accordance with the provisions of NRS 533.360.

Respectfully submitted,

William J. Newman

William J. Newman
State Engineer

WJN/GMT/kc

Dated this 19th day

of February 1981