

IN THE MATTER OF THE REINSTATEMENT)
OF APPLICATION 40851 TO APPROPRIATE)
UNDERGROUND WATER WITHIN GRASS VALLEY,)
LANDER COUNTY, NEVADA)

R U L I N G

FINDINGS OF FACT

I

Application 40851 was filed March 7, 1980, by Leora S. Coffey to appropriate 5.4 c.f.s. of water from a well to be located in Section 29, T.22N., R.47E., M.D.B. & M. The proposed place of use was 320 acres in the N 1/2 Section 29, T.22N., R.47E., M.D.B. & M., where water was to be used for irrigation and domestic purposes.

II

As provided under NRS 533.355, a certified notice from the State Engineer's Office dated May 19, 1980, advised the applicant that an amended application detailing the description of the point of diversion and works of diversion along with a supporting map prepared by a water right surveyor must be filed within 60 days from the date of notice, July 18, 1980; or the applications would be subject to cancellation.

III

Application 40851 was canceled on July 25, 1980, for failure to refile a corrected application within the statutory time limitation set by the May 19, 1980, notice.

IV

In accordance with the provisions of NRS 533.435, a refund of \$25 was made to the applicant as a return of publication fee.

V

It was subsequently found that an acceptable supporting map and corrected or amended application were filed June 27, 1980, which precedes the July 18, 1980, deadline established by notice of May 19, 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 and amended application within the established deadline satisfies the requirements of timely filing.

III

It will be necessary that the publication fee under this application be resubmitted to the State Engineer's Office before publication.

RULING

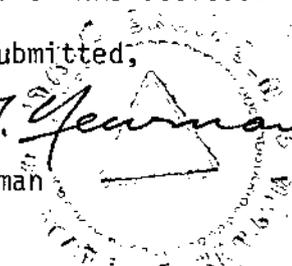
The cancellation of Application 40851 is herewith rescinded, and a period of 30 days from the date of this ruling is herewith allowed for resubmission of the statutory publication fee under this application. Upon resubmission of the \$25 publication fee, the application will be processed toward publication in accordance with the provisions of NRS 533.360.

Respectfully submitted,



William J. Newman

William J. Newman
State Engineer



WJN/TFH/ja

Dated this 21st day

of OCTOBER, 1980.