

IN THE MATTER OF THE REIN-)
STATEMENT OF CANCELLED APPLI-)
CATION 39319, IN LAS VEGAS)
VALLEY, CLARK COUNTY, NEVADA.)

R U L I N G

FINDINGS OF FACT 212

I

Application 39319 was filed on October 12, 1979 in the name of Carl Amante to appropriate 0.2 c.f.s. of water from an underground source to be located within the SE1/4 SE1/4, Sec. 32, T.19S., R.60E., M.D.B.&M., for quasi-municipal purposes. The proposed place of use is within the SE1/4 SE1/4 Sec. 32, T.19S., R.60E., M.D.B.&M.

The above application to appropriate water was filed under the signature of Jerry E. Barnson, R.L.S., as agent for Carl Amante.

II

In accordance with the provisions of NRS 533.355, NRS 533.350 and NRS 533.415, a certified notice dated February 25, 1980 was mailed along with the map to Jerry E. Barnson with an individual certified copy sent to Carl Amante, thereby notifying the applicant the map was being returned so corrections could be made. The corrected map was due to be filed in the State Engineer's office within sixty days of said notice, on or before April 25, 1980, or the application would be subject to cancellation.

III

Application 39319 was cancelled May 1, 1980 for failure to file a corrected map within the statutory time limitations established by the February 25, 1980 notice.

IV

In accordance with the provisions of NRS 533.435, a refund of \$25.00 was made to Carl E. Amante, as a return of the publication fee.

V

It was subsequently found that the corrected map was filed on March 3, 1980, which precedes the April 25, 1980 deadline established by the notice of February 25, 1980.

CONCLUSIONS

I

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

II

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

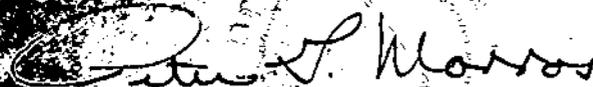
III

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

RULING

The cancellation of Application 39319 is herewith rescinded. 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 submission of the \$25.00 publication fee, the application shall be processed towards publication in accordance with the provisions of NRS 533.360.

Respectfully submitted,



Peter G. Morris
State Engineer

Dated this 24 day of
August 1981

PGM/bl