

IN THE OFFICE OF THE STATE ENGINEER

IN THE MATTER OF THE REINSTATEMENT)
OF CANCELLED PERMITS 45759 AND 45760)
IN PAHRANAGAT VALLEY, LINCOLN)
COUNTY, NEVADA.

RULING

FINDINGS OF FACT

I.

Application 45759 was filed on June 4, 1982, in the name of the Buckhorn Ranch Partnership to appropriate 0.4 c.f.s. of the water of an underground source for the irrigation of 60 acres. The point of diversion is located within the NW1/4 NE1/4 Section 21, T.7S., R.61E., M.D.B.&M.

Application 45760 was filed on June 4, 1982, in the name of the Buckhorn Ranch Partnership to appropriate 0.4 c.f.s. of the water of an underground source for the irrigation of 100 acres. The point of diversion is located within the NW1/4 NE1/4 Section 21, T.7S., R.61E., M.D.B.&M.

The above applications were approved and permits issued on March 12, 1985.

II.

By a certified mail notice dated April 13, 1988, the permittee was advised that the Proof of Completion of Work had not been filed within the time limits established in the permits, and the permits were in poor standing. Said notice stated that the required documents had to be submitted on or before thirty (30) days from the date of the notice or the permits would be cancelled.

III.

On June 15, 1988, Permits 45759 and 45760 were cancelled for failure to submit the Proof of Completion of Work.

IV.

Upon learning of the cancellation, the Permittee advised the State Engineer's office that his water right surveyor, Mr. Steve Deal, had not been notified of the poor standing of the Permits. A review of the files found that Mr. Deal had shown some interest in the Permits prior to the final notice of April 13, 1988, but had not been sent a copy of the final notice.

CONCLUSIONS

I.

The State Engineer has jurisdiction in this matter in accordance with NRS 533.380, 533.395 and 533.410.

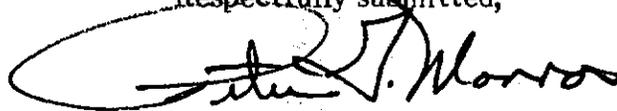
II.

Mr. Deal had expressed an interest in the Permits and should have been sent a copy of the final notice.

RULING

The cancellation of Permits 45759 and 45760 is hereby rescinded with no loss in priority and the processing of the Proofs of Completion of Work submitted June 24, 1988, will proceed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Peter G. Morros", is written over a large, loopy oval scribble.

PETER G. MORROS
State Engineer

PGM/CT/bk

Dated this 28th day of
June, 1988.