

IN THE OFFICE OF THE STATE ENGINEER
OF THE STATE OF NEVADA

IN THE MATTER OF CANCELLED PERMIT 55206)
FILED TO APPROPRIATE THE PUBLIC WATERS)
WITHIN THE LAS VEGAS ARTESIAN BASIN,)
CLARK COUNTY, NEVADA.)

RULING
4125

GENERAL

I.

Application 55206 was filed on August 20, 1990, by Edward and Maureen Tedesco to appropriate 0.01 cfs of underground water for quasi-municipal and domestic purposes within the N $\frac{1}{2}$ E $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 25, T.19S., R.59E., M.D.B.&M. The point of diversion is described as being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 25, T.19S., R.59E., M.D.B.&M.¹

II.

Application 55206 was approved on April 19, 1991. The time set for filing the Proof of Completion of Work was May 19, 1993. The time set for filing the Proof of Beneficial use was May 19, 1996. A one year extension for filing the Proof of Completion of Work was granted to May 19, 1994. The Proof of Completion of Work was timely filed on March 15, 1994, without the required statutory filing fee.¹

FINDINGS OF FACT

I.

On May 20, 1994, a Final Notice for filing the Proof of Completion of Work was sent to the permittees. The permittees were given thirty days to file the proof of completion or an application for extension of time. The proof of completion of work that was timely filed by the permittee, was misplaced in the office of the State Engineer. On July 1, 1994, Permit 55206 was cancelled for failure to submit the Proof of Completion of Work. The State Engineer finds that the required Proof of Completion of Work was timely filed, except for the filing fee. The State Engineer further finds that Permit 55206 was cancelled in error.

¹ Public records in the office of the State Engineer.

CONCLUSIONS

I.

The State Engineer has jurisdiction in this matter under the provisions of NRS 533.325 and NRS 533.435.

II.

After reviewing the records in the State Engineer's Office, it was determined that the required Proof of Completion had been timely received at the State Engineers's Office and Permit 55206 was cancelled in error.

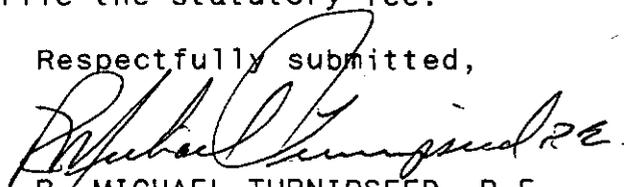
III.

The permittee is required to file the statutory fee of \$10.00.

RULING

The cancellation of Permit 55206 is hereby reversed with no loss of priority on the grounds that the required Proof of Completion had been timely filed and Permit 55206 had been cancelled in error. The permittees are given thirty days from the date of this ruling to file the statutory fee.

Respectfully submitted,


R. MICHAEL TURNIPSEED, P.E.
State Engineer

RMT/MB/pm

Dated this 14th day of
July, 1994.