

IN THE MATTER OF APPLICATIONS)
32110 AND 32111 FILED TO)
APPROPRIATE WATER FROM AN)
UNDERGROUND SOURCE IN CARSON)
VALLEY, DOUGLAS COUNTY, NEVADA.)

R U L I N G

GENERAL:

Application 32110 was filed on June 17, 1977, (Ian M. MacSween) to appropriate 2.7 c.f.s. from an underground source for irrigation and domestic purposes. The point of diversion is described as being in Lot 4 (SW $\frac{1}{4}$ SW $\frac{1}{4}$) Section 30, T.14N., R.21E. The place of use is described as 160 acres in the NW $\frac{1}{4}$ Section 30, T.14N., R.21E.

Application 32111 was filed on June 17, 1977, (Joan C. MacSween) to appropriate 2.7 c.f.s. from an underground source for irrigation and domestic purposes. The point of diversion is described as being in Lot 4 (SW $\frac{1}{4}$ SW $\frac{1}{4}$) Section 30, T.14N., R.21E. The place of use is described as 160 acres in the N $\frac{1}{2}$ S $\frac{1}{2}$ Section 30, T.14N., R.21E.

Both applications indicated under "Remarks" (Question No. 12) that they were being filed in support of Carey Act.

On September 21, 1977, in conformance with procedure set out under NRS 533.355 the State Engineer returned Applications 32110 and 32111 for correction by certified mail with a description of the defects in the applications. A copy of the return for correction notice dated September 21, 1977, is made a part of this Ruling by reference.

Applications 32110 and 32111 were cancelled on November 29, 1977 for failure of the applicants to submit the required supporting maps within the statutory time limit described under NRS 533.355. Subsequent to the cancellations supporting maps to support both applications 32110 and 32111 were located in the State Engineer's office. Evidence on the maps, namely, the required date stamp, indicated that the maps were received prior to the statutory deadline of November 20, 1977.

RULING

The cancellation of Applications 32110 and 32111 is herewith rescinded on the grounds that the applicants properly complied with the certified return for correction notice dated September 21, 1977 and that the supporting maps as required under NRS 533.350 were timely received in this office.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW:PGM:jw

Dated this 19th day
of December, 1978.