

IN THE MATTER OF THE REINSTATEMENT)
OF APPLICATIONS 38964 AND 38965 TO)
APPROPRIATE WATER WITHIN THE)
RHODES SALT MARSH VALLEY, MINERAL)
COUNTY, NEVADA)

R U L I N G .

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FINDINGS OF FACT

I

Applications 38964 and 38965 were filed on September 5, 1979, in the name of Armada Corporation, each to appropriate 2.0 c.f.s. of water from separate underground sources located within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 29, T.6N., R.36E., and the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 29, T.6N., R.36E., respectively.

II

By certified notice from the State Engineer's office dated November 15, 1979, the applicant was advised that an acceptable amended application and supporting map must be filed in the State Engineer's office within 60 days of the date of that notice, on or before January 15, 1980, or the applications would be subject to cancellation.

III

Applications 38964 and 38965 were canceled on January 16, 1980, for failure to timely file a corrected application and supporting map within the statutory time limitations.

IV

It was subsequently found that an amended application and supporting map under both Application 38964 and 38965 were in fact filed in the Las Vegas Branch Office of the Division of Water Resources on January 14, 1980, which date precedes the deadline established by the January 16, 1980 deadline.

CONCLUSIONS

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 amended application and supporting map in the branch office of the Division of Water Resources within the established deadline is considered to meet the requirements for timely filing.

RULING

The cancellation of Applications 38964 and 38965 is herewith rescinded and the applications are reinstated to an active and valid status. The amended applications and supporting map will be accepted and 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/BAR/gk

Dated this 26th day
of JUNE, 1980.