

**IN THE OFFICE OF THE STATE ENGINEER**

IN THE MATTER OF THE REINSTATEMENT)  
OF CANCELLED PERMIT 41826 ISSUED TO)  
APPROPRIATE THE PUBLIC WATERS OF AN)  
UNDERGROUND SOURCE IN TRUCKEE)  
MEADOWS, WASHOE COUNTY, NEVADA. )

**RULING**

**GENERAL**

Application 41826 was filed on July 17, 1980, by Peter G. Guisti, Bernice C. Guisti, Judith Harvey and Karen Mardian to appropriate 10.0 c.f.s. of water from an underground source for industrial and domestic purposes within the W1/2 NE1/4, SE1/4 SE1/4 Section 29, T.18N., R.20E., M.D.B.&M. The point of diversion is described as being within the SE1/4 SE1/4 Section 29, T.18N., R.20E., M.D.B.&M. Application 48126 was approved and a permit was issued on July 24, 1981.<sup>1</sup>

**FINDINGS OF FACT**

I.

On October 7, 1985, the permittees submitted an extension of time request for filing the Proof of Completion of Work along with similar requests for Permits 41821 through 41825, inclusive.

II.

On February 25, 1986, the State Engineer's office cancelled Permit 41826 along with Permits 41821 through 41825, inclusive, and returned the extension of time request on each permit. The basis of the cancellation was that the extension of time request was not timely received in conformance with the final notice of August 26, 1985.<sup>2</sup>

III.

Upon further review of the August 26, 1985, final notice, the State Engineer's office discovered that the notice addressed Permits 41821 through 41825 and did not reference Permit 41826. There is no evidence that a final notice for filing the Proof of Completion of Work under Permit 41826 was ever mailed to the permittees.

**CONCLUSIONS**

I.

The State Engineer has jurisdiction in this matter in accordance with NRS 533.380, 533.390 and 533.395.

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<sup>1</sup> Public record in the office of the State Engineer.

<sup>2</sup> NRS 533.380.

II.

The permittees were not properly noticed that the Proof of Completion of Work was due on Permit 41826.

RULING

The cancellation of Permit 41826 is hereby rescinded and a final notice will be sent to the permittees advising them that the Proof of Completion of Work was due on August 24, 1985.

Respectfully submitted,



PETER G. MORROS  
State Engineer

PGM/CT/bl

Dated this 11th day of  
April, 1986.