



1 MS. THIEL: FOR THE RECORD, I'M ACTING IN  
2 BEHALF OF THE STATE ENGINEER AND HE HAS GRANTED ME THE  
3 AUTHORITY TO ACT AT THIS HEARING EITHER TO UPHOLD THE  
4 CANCELLATION OR TO RESCIND IT.

5 IT'S MY RULING THAT THE CANCELLATION OF  
6 PERMIT 44473 IS HEREBY RESCINDED AND YOU WILL BE REQUIRED  
7 TO FILE WITHIN 30 DAYS OF TODAY'S DATE EITHER AN APPLICATION  
8 FOR EXTENSION OF TIME WITH THE PROOF OF COMPLETION AND  
9 WORK IN ORDER TO KEEP THIS PERMIT IN GOOD STANDING.

10 I'D ALSO LIKE TO DRAW YOUR ATTENTION TO  
11 PROVISION 533.395, SECTION 3. I'LL QUOTE:

12 "IF THE DECISION OF THE  
13 STATE ENGINEER MODIFIES OR RESCINDS  
14 THE CANCELLATION OF A PERMIT, THE  
15 EFFECTIVE DATE OF THE APPROPRIATION  
16 UNDER THE PERMIT IS VACATED AND  
17 REPLACED BY THE DATE OF THE FILING  
18 OF THE WRITTEN PETITION WITH THE  
19 STATE ENGINEER."

20 FOR THE RECORD, THE PETITION WAS RECEIVED  
21 BY THE STATE ENGINEER ON FEBRUARY 23, 1984, AND THAT  
22 BECOMES YOUR NEW DATE IN PRIORITY.

23 DO YOU HAVE ANYTHING FURTHER FOR THE  
24 RECORD?

25 MR. LEWIS: WILL THAT ALSO LENGTHEN OUT MY

1 TIME TO HAVE PROOF OF COMPLETION OF WORK DONE?

2 MS. THIEL: NO. THE TIMES REMAIN AS THEY ARE  
3 PRESENTLY WHICH IS OCTOBER 17, 1983 WHICH, OF COURSE, YOU  
4 HAVE 30 DAYS FROM TODAY'S DATE TO FILE EITHER THE COMPLETION  
5 OR THE EXTENSION OF TIME, AND YOUR PROOF OF BENEFICIAL USE  
6 IS DUE OCTOBER 17, 1986, ALONG WITH THE AGRICULTURAL MAP.  
7 THAT REMAINS THE SAME.

8 MR. LEWIS: AS YOU'RE AWARE, WE'RE ONLY THREE  
9 WEEKS AWAY FROM THE TIME IN OCTOBER WHEN I HAVE TO HAVE MY  
10 WELL DRILLED, AND AS I'VE MENTIONED TO YOU PREVIOUSLY --

11 MS. THIEL: WELL, YOU'LL BE FILING FOR AN  
12 EXTENSION OR A PROOF OF COMPLETION WITHIN 30 DAYS OF TODAY'S  
13 DATE, RIGHT?

14 MR. LEWIS: I NEED TO FILE FOR AN EXTENSION FOR  
15 A YEAR PERIOD. IS THAT THE WAY YOU CAN DO IT?

16 MS. THIEL: YOU CAN FILE UP TO A YEAR. STATE  
17 ENGINEER CAN GRANT YOU UP TO A YEAR'S TIME.

18 MR. LEWIS: SO IF I FILE NOW THIS APPLICATION  
19 FOR EXTENSION, THEN POSSIBLY I COULD BE GIVEN AN EXTENSION  
20 OF TIME FOR, UNTIL THIS TIME NEXT YEAR TO HAVE MY COMPLETION  
21 OF MY WORK DONE? IS THAT THE WAY IT WILL WORK?

22 MR. SMALES: YES.

23 MR. LEWIS: THAT'S IMPORTANT TO US BECAUSE, LIKE  
24 I SAY, OUR WELL SITE EVEN HAS PROBLEMS OF ACCESS. WE DON'T  
25 HAVE WAYS OF CROSSING THE MUDDY RIVER ON THINGS LIKE THAT.

**BROWER AND ASSOCIATES**

STENOTYPE REPORTERS

LAS VEGAS, NEVADA 89102

1 MS. THIEL: OKAY.

2 MR. LEWIS: WHEN I FILE THIS, THEN THAT WILL  
3 GIVE ME AN EXTENSION FROM A YEAR'S TIME. IS THAT RIGHT,  
4 TOM, OR I CAN ASK FOR THAT MUCH TIME?

5 MR. SMALES: IT'S DUE OCTOBER --

6 MS. THIEL: 17TH, 1983.

7 MR. SMALES: IT COULD BE GRANTED UNTIL THAT  
8 TIME NEXT YEAR. THAT WILL GIVE YOU A FULL YEAR.

9 MR. LEWIS: SO OCTOBER 17TH OF '85. THEN THAT  
10 WILL BE BETTER.

11 MR. SMALES: RIGHT.

12 MS. THIEL: I DON'T THINK I HAVE ANYTHING ELSE.  
13 I'LL DECLARE THE HEARING CLOSED.

14 MR. LEWIS: THANK YOU.

15 (WHEREUPON, THE HEARING CONCLUDED.)  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25