

IN THE MATTER OF THE REINSTATEMENT )  
OF APPLICATION 39899 TO APPROPRIATE )  
UNDERGROUND WATER WITHIN HONEY LAKE )  
VALLEY, WASHOE COUNTY, NEVADA )

R U L I N G

91

FINDINGS OF FACT

I

Application 39899 was filed December 6, 1979, in the name of Clemens M. or Patricia A. Hodges to change the point of diversion and place of use of 1.7 c.f.s. of Permit 30856. The proposed point of diversion is described in the NW 1/4 SW 1/4 Section 10, T.26N., R.19E., M.D.B. & M., and the proposed place of use is 80 acres within the SW 1/4 Section 10, T.26N., R.19E., M.D.B. & M., where water is to be used for irrigation and domestic purposes.

II

By certified notice from the State Engineer's Office dated May 13, 1980, the applicant was advised that a map previously filed in the State Engineer's Office under Application 36039 would not support Application 39899. Therefore, an appropriate supporting map must be filed within 60 days of the date of the notice, on or before July 12, 1980, or the application would be subject to cancellation.

III

Application 39899 was canceled on July 17, 1980, for failure to timely file a supporting map within the statutory time limitations.

IV

It was subsequently found that an acceptable supporting map was filed on July 9, 1980, which precedes the July 12, 1980, deadline established by notice of May 13, 1980.

CONCLUSIONS

I

The State Engineer has jurisdiction under this matter in accordance with provisions of NRS 533.325 and NRS 533.355.

II

The filing of the map within the established deadline satisfies the requirements of timely filing.

RULING

The cancellation of Application 39899 is herewith rescinded and the application is reinstated to an active and valid status. The supporting map will be accepted, and the application 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/TFH/ja

Dated this 4th day

of AUGUST, 1980.