

IN THE OFFICE OF THE STATE ENGINEER
OF THE STATE OF NEVADA

IN THE MATTER OF CANCELLED PERMIT 55460)
FILED TO APPROPRIATE THE PUBLIC WATERS)
WITHIN THE LAS VEGAS ARTESIAN BASIN,)
CLARK COUNTY, NEVADA.)

RULING

4124

GENERAL

I.

Application 55460 was filed on November 14, 1990, by Kathy Sadovich to appropriate 0.046 cfs of underground water for quasi-municipal purposes within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 4, T.20S., R.60E., M.D.B.&M. The point of diversion is described as being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 4, T.20S., R.60E., M.D.B.&M.¹

II.

Application 55460 was approved on April 9, 1991. The time set for filing the Proof of Completion of Work was May 9, 1993. The time set for filing the Proof of Beneficial use was May 9, 1996. A one year extension was granted to the permittee, Kathy Sadovich, with the deadline for filing the Proof of Completion extended to May 9, 1994. The Proof of Completion of Work was timely filed on May 20, 1994, without the required statutory filing fee.¹

FINDINGS OF FACT

I.

On May 11, 1994, a Final Notice for filing the Proof of Completion of Work was sent to the permittee. The permittee was given thirty days to file the proof or an application for extension of time. The proof of completion of work that was timely filed by the permittee was misplaced in the office of the State Engineer. On July 1, 1994, Permit 55460 was cancelled for failure to submit the Proof of Completion of Work. The State Engineer finds that the required proof of Completion of Work was timely filed, except for the filing fee. The State Engineer further finds that Permit 55460 was cancelled in error.

¹ Public records in the office of the State Engineer.

CONCLUSIONS

I.

The State Engineer has jurisdiction in this matter under the provisions of NRS 533.325 and NRS 533.435.

II.

After reviewing the records in the State Engineer's Office, it was determined that the required Proof of Completion had been timely received at the State Engineers's Office and Permit 55460 was cancelled in error.

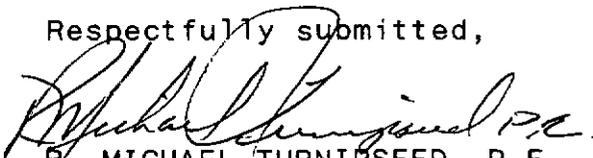
III.

The permittee is require to file the statutory fee of \$10.00.

RULING

The cancellation of Permit 55460 is hereby reversed with no loss of priority on the grounds that the required Proof of Completion had been timely filed and Permit 55460 had been cancelled in error. The permittee is given thirty days from the date of this ruling to file the statutory fee.

Respectfully submitted,


R. MICHAEL TURNIPSEED, P.E.
State Engineer

RMT/MB/pm

Dated this 14th day of
July, 1994.