

File No. 27467

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YDEPARTMENT OF INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25 D.C.

Carson City 022488 "F"

DECISION

January 29, 1947

State of Nevada Department
of Highways

Material site application

Use of Material Site Permitted

The State of Nevada Department of Highways through the Public Roads Administration, has filed an application, Carson City 022488, under section 17 of the Federal Highway Act of November 9, 1921, (42 Stat. 216, 23 U.S.C. sec. 18), for the use of the SW1/4SE1/4 sec. 16 T. 22 N., R. 52 E., M.D.M., Nevada, as a source of materials in the construction and maintenance of Nevada F.A.S. 602 Highway Project S-7.

The application has been examined and found to conform to the regulations. The Geological Survey has reported favorably.

The applicant has filed a stipulation executed May 10, 1946, required by this bureau for the protection of the Government's interest in the leasable mineral in the land, and agreeing to the reservation to the United States of all fissionable source materials pursuant to the act of August 1, 1946, (60 Stat. 755).

By memorandum of March 18, 1940, approved by the Secretary of the Interior on April 1, 1940, it was held that no charge should be imposed for the use of rights-of-way for Federal Aid Highways or for material sites to be used in connection with such highways.

Pursuant to section 17 of the act of November 9, 1921, supra, the regulations thereunder (43 CFR secs. 244.42 and 244.44), and the regulations of October 3, 1946 (43 CFR sec. 4.275 (11), 11 F.R. 11816), permission is hereby given the State of Nevada Department of Highways to use as a source of road-building materials the lands above described and shown on the map filed in the District Land Office at Carson City, Nevada, on May 10, 1946, subject to all valid existing rights, but reserving rights-of-way for ditches and canals constructed under the authority of the United States and further subject (1) to the stipulation executed on May 10, 1945, as to the leasable minerals; (2) to the express condition that the materials taken from the lands shall be restricted in their use to the Federal Aid Highways; and (3) to the reservation to the United States of all fissionable source materials pursuant to the act of August 1, 1946, (60 Stat. 755).

One tracing map showing the location of the material site, and the original hereof, will be retained for the files of this bureau. The duplicate map and a copy hereof are being transmitted to the Manager of the District Land Office for appropriate notation and the files of that office. Four copies of the map are being forwarded to the Public Roads Administration, together with four copies hereof. The State of Nevada Department of Highways will be advised through the Public Roads Administration of the action taken.

Thos. C. Havel

Acting Assistant Director

Recorded at the request of W. T. Holcomb, Aug. 18, A.D., 1948, at 32 minutes past 10 A.M.

Peter Merialdo--Recorder