

File No. 28342

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

Nevada Land Survey Office  
P. O. Box 1950  
Reno, Nevada

In reply refer to

Nevada 01473

AD:ALS

May 18, 1950

## DECISION

State of Nevada

Department of Highways

Material Site Application

Nevada 01473

Use of Material Site Permitted

The State of Nevada, Department of Highways, has filed an application, Nevada 01473, under Section 17 of the Highway Act of November 9, 1921 (42 Stat. 216. 23 U.S.C. Sec. 18) for the use of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$  Sec. 26, T. 25 N., R 51 E., MDM., Nevada as a source of materials in the construction and maintenance of Federal Aid Secondary No. 602.

The application has been examined and found to conform to the regulations. The land is not within a grazing district.

The applicant has filed the following stipulations with the application dated March 29, 1950.

1. That the lands are subject to all valid existing rights and to rights-of-way for ditches and canals constructed by authority of the United States.

2. That said lands are subject to leasing under the act of February 25, 1950, as to all leasable minerals.

3. That the materials to be removed shall be restricted in their use to Federal Aid Highways.

4. That there is reserved to the United States all fissionable source materials pursuant to the act of August 1, 1946 (60 Stat. 755).

5. That when use of the material site is completed, it will not be left in such condition as to constitute a hazard for livestock.

By memorandum of March 8, 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 Sec. 17 of the act of November 9, 1921, Supra, the regulations thereunder (43 C.F.R. Secs. 244.42 and 244.44), the regulations of October 3, 1946 (43 C.F.R. 4.275 (11) et seq.), and Order No. 331, delegating the authority to Regional Administrators, and Directors order dated August 15, 1949, delegating authority to the manager, permission is hereby given the State of Nevada, Department of Highways, to use as a source of road building materials the lands above described, subject to the stipulations filed with the application.

A. L. Simpson  
A. L. Simpson, Manager

Nevada Land &amp; Survey Office

Recorded at the Request of W. T. Holcomb May 29, A.D. 1950 At 52 Min. past 2 P.M.

Peter Merialdo--Recorder.