

R2-69

File No. 29869
UNITED STATESDEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

In reply refer to

AD:ALS

Nev-011294July 8, 1953

DECISION

State of Nevada
Department of Highways

:

Material Site Application

Use of Material Site Permitted

The State of Nevada, Department of Highways, has filed an application, Nevada 011294, under section 17 of the Highway Act of November 9, 1921 (42 Stat. 216. 23 U.S.C. sec. 18) for the use of E $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, sec. 12, T. 27 N. R. 51 E., MDM; Nevada SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, sec. 7, T. 27 N. R. 52 E., MDM; Nevada as a source of materials in the construction and maintenance of Federal Aid Project No. S-602.

The application has been examined and found to conform to the regulations. The land is in a Grazing District. The Range Manager reports that the approval of the application will not be detrimental to grazing district administration.

The applicant has filed the following stipulations with the application, dated Oct. 24, 1952.

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, 1920, 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 section 17 of the Act of November 9, 1921, supra, and the regulations thereunder, and the delegation of authority to Managers of Land Offices by Director's Order No. 331, 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, and special stipulation filed by letter dated June 23, 1953 relative to Halogeton control and consent to be bound by the terms and conditions of 43 C.F.R. 244.9 (b) (d) (e) (i) and (n).

A. L. Simpson

Manager

Recorded at the Request of Carl A. Springmeyer July 27 A.D. 1953 At 0 minutes past 1 P.M.

R. W. Gibson--Recorder.