

**IN THE OFFICE OF THE STATE ENGINEER**

IN THE MATTER OF APPLICATION 36528 )  
FILED TO APPROPRIATE THE PUBLIC )  
WATERS FROM AN UNDERGROUND SOURCE )  
WITHIN THE ELDORADO VALLEY GROUND )  
WATER BASIN IN CLARK COUNTY, NEVADA. )

**RULING**

**GENERAL**

Application 36528 was filed on January 25, 1979, by Jean A. McConnell to appropriate 5.4 c.f.s. of water from an underground source to irrigate 320 acres of land within the N1/2 Section 27, T.25S., R.64E., M.D.B.&M. The point of diversion is described as being within the SE1/4 NW1/4 Section 27, T.25S., R.64E., M.D.B.&M.<sup>1</sup>

**FINDINGS**

**I.**

Records and information available to the State Engineer indicate that Application 36528 was filed in support of Desert Land Entry application.<sup>2</sup>

**II.**

By letter dated November 20, 1984, the United States Department of Interior, Bureau of Land Management, notified the State Engineer that the Desert Land Entry Application was rejected on September 27, 1979, and there are no other applications on file that include this acreage.<sup>3</sup>

**III.**

The applicant under Application 36528 does not own or control the land described under the place of use of the application.

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<sup>1</sup> Public record in the office of the State Engineer under application to appropriate 36528.

<sup>2</sup> Public records in the office of the State Engineer.

<sup>3</sup> Public record in the office of the State Engineer under application to appropriate 36528.

CONCLUSIONS

I.

The State Engineer has jurisdiction over the matter described herein.<sup>4</sup>

II.

Application 36528 was filed in support of Desert Land Entry. The Desert Land Entry application was rejected September 27, 1979, by the Bureau of Land Management, therefore, the applicant does not own or control the land described under the place of use of the application and cannot demonstrate the ability to place the water to beneficial use.

III.

To grant an application to appropriate the public waters for irrigation on lands the applicant does not own or control or where the applicant cannot demonstrate the ability to place the water to beneficial use, would not be in the public interest and welfare.

RULING

Application 36528 is herewith denied on the grounds that to grant the application for irrigation purposes on lands that the applicant does not own or control and cannot demonstrate the ability to place the water to beneficial use, would not be in the public interest and welfare.

Respectfully submitted,



Peter G. Morros  
State Engineer

PGM/SW/bl

Dated this 6th day of

December, 1984.

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4 NRS Chapters 533 and 534.