

IN THE OFFICE OF THE STATE ENGINEER

IN THE MATTER OF APPLICATIONS 36623, )  
36624, 36625, 36921 AND 36922 FILED TO )  
APPROPRIATE THE PUBLIC WATERS FROM )  
AN UNDERGROUND SOURCE WITHIN THE )  
ROCK VALLEY GROUND WATER BASIN IN )  
NYE COUNTY, NEVADA. )

RULING

GENERAL

Application 36623 was filed on February 5, 1979, by Vernon Lee Cowin to appropriate 0.1 c.f.s. of water from an underground source for domestic purposes within the W1/2 Section 17, T.15S., R.50E., M.D.B.&M. The point of diversion is described as being within the SW1/4 SW1/4 Section 17, T.15S., R.50E., M.D.B.&M.<sup>1</sup>

Application 36624 was filed on February 5, 1979, by Vernon Lee Cowin to appropriate 2.0 c.f.s. of water from an underground source to irrigate 160 acres of land within the W1/2 Section 17, T.15S., R.50E., M.D.B.&M. The point of diversion is described as being within the NW1/4 SW1/4 Section 17, T.15S., R.50E., M.D.B.&M.<sup>1</sup>

Application 36625 was filed on February 5, 1979, by Vernon Lee Cowin to appropriate 2.0 c.f.s. of water from an underground source to irrigate 160 acres of land within the W1/2 Section 17, T.15S., R.50E., M.D.B.&M. The point of diversion is described as being within the SE1/4 SW1/4 Section 17, T.15S., R.50E., M.D.B.&M.<sup>1</sup>

Application 36921 was filed on March 9, 1979, by Beverly Beth Cowin to appropriate 2.0 c.f.s. of water from an underground source to irrigate 160 acres of land within the E1/2 Section 17, T.15S., R.50E., M.D.B.&M. The point of diversion is described as being within the SE1/4 NE1/4 Section 17, T.15S., R.50E., M.D.B.&M.<sup>1</sup>

Application 36922 was filed on March 9, 1979, by Beverly Beth Cowin to appropriate 2.0 c.f.s. of water from an underground source to irrigate 160 acres of land within the E1/2 Section 17, T.15S., R.50E., M.D.B.&M. The point of diversion is described as being within the SE1/4 NE1/4 Section 17, T.15S., R.50E., M.D.B.&M.<sup>1</sup>

FINDINGS

I.

Records and information available to the State Engineer indicate that Applications 36623, 36624, 36625, 36921 and 36922 were filed in support of Desert Land Entry applications.<sup>2</sup>

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<sup>1</sup> Public record in the office of the State Engineer under applications to appropriate 36623, 36624, 36625, 36921 and 36922.

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

II.

By letter dated March 15, 1985, the United States Department of Interior, Bureau of Land Management, notified the State Engineer that no Desert Land Entry Applications had been filed on the land listed under Item I of Findings.<sup>3</sup>

III.

The applicants under Applications 36623, 36624, 36625, 36921 and 36922 do not own or control the land described under the place of use of the applications.

CONCLUSIONS

I.

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

II.

Applications 36623, 36624, 36625, 36921 and 36922 were filed in support of Desert Land Entries. No Desert Land Entry applications have been filed on the records of the Bureau of Land Management, therefore, the applicants do not own or control the land described under the place of use of the applications and cannot demonstrate the ability to place the water to beneficial use.

III.

To grant applications 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.

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<sup>3</sup> Public record in the office of the State Engineer under Application 36623, 36624, 36625, 36921 and 36922.

<sup>4</sup> NRS Chapters 533 and 534.

RULING

Applications 36623, 36624, 36625, 36921 and 36922 are herewith denied on the grounds that to grant the applications 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,

A handwritten signature in black ink, appearing to read "Peter G. Morros", written over a horizontal line.

Peter G. Morros  
State Engineer

PGM/SW/bl

Dated this 19th day of  
July, 1985.