

IN THE OFFICE OF THE STATE ENGINEER

IN THE MATTER OF APPLICATION 36160)
FILED TO APPROPRIATE THE PUBLIC)
WATERS FROM AN UNDERGROUND SOURCE)
WITHIN THE NEWARK VALLEY)
GROUNDWATER BASIN IN WHITE PINE)
COUNTY, NEVADA.)

RULING

GENERAL

Application 36160¹ was filed on November 13, 1978, by Marvene Pitrone to appropriate 2.7 c.f.s. of water from an underground source to irrigate 160 acres of land within the SW1/4 Section 27, T.19N., R.55 E., M.D.B.&M. The point of diversion is described as being within the NW1/4 SW1/4 Section 27, T.19N., R.55 E., M.D.B.&M.

FINDINGS

I.

Records and information available to the State Engineer indicate that Application 36160 was filed in support of a Carey Act application.¹

II.

By memorandum dated November 23, 1988, the State of Nevada, Department of Conservation and Natural Resources, Division of State Lands, notified the State Engineer that the following Carey Act Application had been closed and the case file is dead.¹

<u>CAREY ACT NO.</u>	<u>NAME</u>	<u>LAND DESCRIPTION</u>
N-1416	Marvene Pitrone	T.19N., R.55 E., Sec. 27

III.

The applicant under Application 36160 does not own or control the land described under the place of use of the application.

¹ Public record in the office of the State Engineer.

CONCLUSIONS

I.

The State Engineer has jurisdiction over the matter described herein.²

II.

Application 36160 was filed in support of a Carey Act. The Carey Act Application described under II of Findings has been closed on the records of the Division of State Lands, 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.

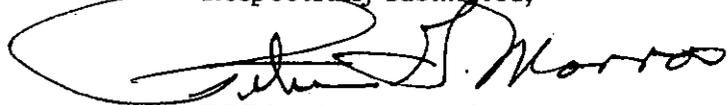
III.

To grant an application to appropriate the public water 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 36160 is herewith denied on the grounds that to grant an 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/bk

Dated this 31st day of
January, 1989.

² NRS Chapters 5 33 and 5 34.