

IN THE MATTER OF APPLICATION 20691)
FILED SEPTEMBER 5, 1962, BY JACK T.)
BELCHER TO APPROPRIATE WATER FROM)
EFFLUENT STREAM FROM CLARK COUNTY)
SANITATION DISTRICT DISPOSAL PLANT)
AND EFFLUENT STREAM FROM CITY.)
OF LAS VEGAS DISPOSAL PLANT FOR)
IRRIGATION AND DOMESTIC PURPOSES IN)
CLARK COUNTY, NEVADA)

R U L I N G

GENERAL

Application 20691 was filed September 5, 1962, in support of desert land Application, Nevada-058725 in the name of Jack T. Belcher.

Protests to the granting of this application were filed as follows:

January 2, 1963, by Clark County Sanitation District #1, P. O. Box 1836, Las Vegas, Nevada;

February 8, 1963, by City of Las Vegas, a Municipal Corporation, City Hall, 400 Stewart Street, Las Vegas, Nevada;

February 8, 1963, by Basic Management, Inc., American Potash & Chemical Corporation, Stauffer Chemical Company, The Flintkote Company, and Titanium Metals Corporation of America, P. O. Box 2065, Henderson, Nevada.

On September 19, 1963, we were informed by the Bureau of Land Management, Nevada State Office Division of Lands and Mineral Management, that this desert land application was canceled and closed on September 18, 1963, for the reason that the applied for lands are not suitable for agricultural development.

OPINION

Natural waters flowing in Las Vegas wash are not constant and not dependable waters. Sewage effluent waters are not an obligation of the Clark County Nevada Sanitation Disposal Plant and the City of Las Vegas Sewage Plant to continue its non-use of these waters, and so long as these waters remain in their possession they would have the right to their use by proper legal procedure to appropriate it.

RULING

The protests to the granting of Application 20691 are herewith sustained and the application is herewith denied on the grounds that applicant does not have control of the land on which he plans to place the water to beneficial use and that the source of water supply is not reliable and would be detrimental to the public welfare.

Respectfully submitted,

ELMO J. DeRICCO
State Engineer



By: GEORGE W. HENNEN
Assistant State Engineer

Dated this 20th day of
November, 1963