

IN THE OFFICE OF THE STATE ENGINEER

IN THE MATTER OF APPLICATION 37496)
FILED TO APPROPRIATE THE PUBLIC)
WATERS OF AN UNDERGROUND SOURCE IN)
RAILROAD VALLEY, NYE COUNTY,))
NEVADA.)

RULING

GENERAL

Application 37496 was filed on April 2, 1979, by Redge E. Peterson to appropriate 6.68 c.f.s. of water from an underground source for irrigation purposes on 500 acres of land within Section 28, T.5N., R.55E., M.D.B.&M. The point of diversion is described as being within the NW1/4 SE1/4 Section 28, T.5N., R.55E., M.D.B.&M.¹

FINDINGS OF FACT

I.

The applicant stated on Application 37496 that the map filed under Permit 21810 shall be used to support Application 37496.¹

II.

On October 25, 1979, a certified letter was sent to the applicant requesting documentation to complete the chain of title of Permit 21810 from the current owner of record to the applicant. No response to that letter was received by the State Engineer's office.¹

III.

On December 3, 1985, a certified letter was sent to the applicant stating that, according to records in the Nye County Recorder's office and the State Engineer's office, the owners of record of Permits 39893 and 39894 are the owners of the land in Section 28, T.5N., R.55E., M.D.B.&M.¹ This letter also requested that the applicant provide the State Engineer, within 60 days, with documentation demonstrating the ability to place the water to beneficial use. No response to that letter was received by the State Engineer's office.¹

CONCLUSIONS

I.

The State Engineer has jurisdiction of the parties and the subject matter of this action and determination.²

¹ Public record in the office of the State Engineer.

² NRS 533.325.

II.

The State Engineer may require additional information before approval or rejection of an application.

III.

There has been no response to the requests for additional information from the applicant under Application 37496.

RULING

Application 37496 is hereby denied on the grounds that the additional information requested from the applicant was not received by the State Engineer and to approve said application without the additional information requested would not be in the public interest.

Respectfully submitted,



PETER G. MORROS
State Engineer

PGM/JO/bl

Dated this 5th day of
March, 1986.