

IN THE OFFICE OF THE STATE ENGINEER

IN THE MATTER OF APPLICATION 32836 )  
FILED TO APPROPRIATE THE PUBLIC )  
WATERS FROM AN UNDERGROUND SOURCE )  
WITHIN THE CARSON DESERT GROUND )  
WATER BASIN IN CHURCHILL COUNTY, )  
NEVADA. )

RULING

GENERAL

Application 32836 was filed on July 19, 1977, by Robert L. Parker to appropriate 2.7 c.f.s. of water from an underground source to irrigate 160 acres of land within the NE1/4 Section 4, T.19N., R.31E., M.D.B.&M. The point of diversion is described as being within Lot 1 Section 4, T.19N., R.31E., M.D.B.&M.<sup>1</sup>

FINDINGS

I.

Records and information available to the State Engineer indicate that Application 32836 was filed in support of a Carey Act application.<sup>2</sup>

II.

By letter dated April 9, 1979, the Nevada Division of State Lands notified Robert L. Parker that the Carey Act application had been cancelled.<sup>3</sup>

III.

The applicant under Application 32836 does not own or control the land described under the place of use of the application.

CONCLUSIONS

I.

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

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<sup>1</sup> Public record in the office of the State Engineer under application to appropriate 32836.

<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 32836.

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

II.

Application 32836 was filed in support of Carey Act. The Carey Act application has been cancelled on the records of the Nevada 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 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 32836 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/HR/bl

Dated this 4th day of  
January, 1985.