

IN THE OFFICE OF THE STATE ENGINEER

IN THE MATTER OF APPLICATIONS 34417,) 34418 AND 34425 FILED TO APPROPRIATE) THE PUBLIC WATERS OF AN) UNDERGROUND SOURCE IN THE RAILROAD) VALLEY GROUND WATER BASIN, NYE) COUNTY, NEVADA. )

RULING 43413

GENERAL

Application 34417 was filed on October 26, 1977, by Cleveland Ranch, Inc., to appropriate 10.4 c.f.s. of water from an underground source for irrigation purposes on 640 acres of land within Section 31, T.11N., R.57E., M.D.B.&M. The point of diversion is described as being the N1/4 corner of Section 31, T.11N., R.57E., M.D.B.&M.<sup>1</sup>

Application 34418 was filed on October 26, 1977, by Cleveland Ranch, Inc., to appropriate 10.4 c.f.s. of water from an underground source for irrigation purposes on 640 acres of land within Section 30, T.11N., R.57E., M.D.B.&M. The point of diversion is described as being the N1/4 corner of Section 30, T.11N., R.57E., M.D.B.&M.<sup>1</sup>

Application 34425 was filed on October 26, 1977, by Cleveland Ranch, Inc., to appropriate 10.4 c.f.s. of water from an underground source for irrigation purposes on 640 acres of land within Section 29, T.11N., R.57E., M.D.B.&M. The point of diversion is described as being the N1/4 corner of Section 29, T.11N., R.57E., M.D.B.&M.<sup>1</sup>

FINDINGS OF FACT

I.

By certified letter dated March 17, 1986, the State Engineer's office notified the applicant that evidence indicating that Cleveland Ranch, Incorporated, license to conduct business as a corporation had been reinstated and must be submitted within 30 days of the date of the letter or Applications 34417, 34418 and 34425 would be subject to denial. A properly endorsed receipt for the certified notice is on file in the Office of the State Engineer. To date, no information has been received under Applications 34417, 34418 and 34425.<sup>1</sup>

II.

The license to conduct business as a corporation for Cleveland Ranch, Incorporated, was revoked on March 3, 1980, by the Secretary of State. To date the license has not been renewed or reinstated.<sup>2</sup>

-----  
<sup>1</sup> Public record in the office of the State Engineer.

<sup>2</sup> Public record in the office of the Nevada Secretary of State.

III.

By letter dated February 19, 1985, the United States Department of the Interior, Bureau of Land Management, notified the State Engineer that right-of-entry had been allowed under Carey Act No. N-32335.<sup>1</sup> Those lands are described as the E1/2 E1/2 Section 29; Lots 1-7, E1/2 W1/2 Section 30; Lots 1-7, E1/2 W1/2 Section 31; all located in T.11N., R.57E., M.D.B.&M.

V.

NRS 533.325 states that an application to appropriate water may be made by "any corporation authorized to do business in this state".

CONCLUSIONS

I.

The State Engineer has jurisdiction of the parties and the subject matter of this action and determination under the provisions of NRS 533.325 and NRS 533.375.

II.

The applicant has been properly notified of the requirements for the submission of additional information and has failed to comply with that requirement.

RULING

Applications 34417, 34418 and 34425 are herewith denied on the grounds that the applicant is not a licensed corporation in the State of Nevada as required under the provisions of NRS 533.325 and has failed to submit the additional information required under the provisions of NRS 533.375.

Respectfully submitted,



PETER G. MORROS  
State Engineer

PGM/SW/bl

Dated this 17th day of  
February, 1987.