

IN THE MATTER OF APPLICATION 21119 )  
FILED BY GEORGE W. CONN FOR THE WATERS )  
OF AN UNDERGROUND SOURCE LOCATED IN )  
LYON COUNTY, NEVADA. )

R U L I N G

GENERAL:

196

Application 21119 was filed March 12, 1963, to appropriate 5.4 c.f.s. of water from an underground source for irrigation and domestic purposes. The point of diversion is described as being within the SW $\frac{1}{4}$  NE $\frac{1}{4}$  Section 7, T.12N., R.26E., M.D.B.&M., and the place of use is located within the S $\frac{1}{2}$  SE $\frac{1}{4}$ , NE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 6, NE $\frac{1}{4}$  and NE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 7, T.12N., R.26E., M.D.B.&M.

This Application was filed in support of D.L.E. 045122. This office was informed by the Bureau of Land Management that D.L.E. 045122 was relinquished by the entrymen and the land entry was cancelled April 21, 1964. This cancellation was verified by a letter from the Bureau of Land Management dated May 28, 1968, stating that this entry was cancelled April 15, 1964, and that the case file was closed.

OPINION:

It is the opinion of this office that the granting of an Application where the applicant does not own or control the land on which he plans to place the water to beneficial use would be detrimental to the public welfare and not in the public interest.

RULING

Application 21119 is herewith denied on the grounds that the granting of this Application would be detrimental to the public welfare and not in the public interest.

Respectfully submitted,

  
ROLAND D. WESTERGARD  
State Engineer

RDW:RRD:jw

Dated this 7th day  
of June, 1968