

IN THE MATTER OF APPLICATIONS 16923,)
17072 AND 17073 FILED BY LES CARLSON)
TO APPROPRIATE WATER FROM INDIAN)
CREEK WITHIN ESMERALDA COUNTY, NEVADA)

R U L I N G

GENERAL:

Application 16923 was filed April 27, 1956 by Les Carlson to appropriate 2 c.f.s. of water from Indian Creek at a point in the SW $\frac{1}{2}$ SE $\frac{1}{2}$ Section 4, T. 2 S., R. 35 E. The proposed place of use is described as 520 acres within the W $\frac{1}{2}$, NW $\frac{1}{2}$ SE $\frac{1}{2}$ Section 3, E $\frac{1}{2}$ NE $\frac{1}{2}$ and E $\frac{1}{2}$ SE $\frac{1}{2}$ Section 4, T. 2 S., R. 35 E.

This application was protested July 6, 1956 by Emma J. Clark.

Application 17072 was filed October 22, 1956 by Les Carlson. The amount applied for is 10.4 c.f.s. from Indian Creek (winter irrigation waters) at a point in the SW $\frac{1}{2}$ SE $\frac{1}{2}$ Section 4, T. 2 S., R. 35 E., M.D.B.&M. The proposed place of use is described as 520 acres within the W $\frac{1}{2}$, NW $\frac{1}{2}$ SE $\frac{1}{2}$ Section 3, E $\frac{1}{2}$ NE $\frac{1}{2}$ and E $\frac{1}{2}$ SE $\frac{1}{2}$ Section 4, T. 2 S., R. 35 E.

This application was protested April 4, 1957 by Emma J. Clark.

Application 1703 was filed October 22, 1956 by Les Carlson to appropriate 10.4 c.f.s. from Indian Creek (flood and surplus waters) at a point in the SW $\frac{1}{2}$ SE $\frac{1}{2}$ Section 4, T. 2 S., R. 35 E., M.D.B &M. The proposed place of use is described as being 520 acres within the W $\frac{1}{2}$, NW $\frac{1}{2}$ SE $\frac{1}{2}$ Section 3, E $\frac{1}{2}$ NE $\frac{1}{2}$ and E $\frac{1}{2}$ SE $\frac{1}{2}$ Section 4, T. 2 S., R. 35 E.

This application was protested April 4, 1957 by Emma J. Clark.

This office was informed July 14, 1969 by the Bureau of Land Management that the following ownership conditions existed on the lands proposed to be irrigated under these applications.

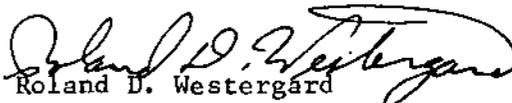
T. 2 S., R. 35 E.,
Sec. 3, S $\frac{1}{2}$ SW $\frac{1}{2}$ - Patented;
N $\frac{1}{2}$ SW $\frac{1}{2}$, NW $\frac{1}{2}$, NW $\frac{1}{2}$ SE $\frac{1}{2}$ - Federal;
Sec. 4, E $\frac{1}{2}$ NE $\frac{1}{2}$, E $\frac{1}{2}$ SE $\frac{1}{2}$ - Federal.

A letter received July 16th from the Esmeralda County Assessor stated that the SW $\frac{1}{2}$ SW $\frac{1}{2}$ Section 3, T. 2 S., R. 35 E., M.D.B.&M. is assessed to William E. and Effie M. Hartman a 1/2 interest and William E. Hartman and Frances Joyce Hartman a 1/2 interest.

RULING

Applications 16923, 17072 and 17023 are hereby denied on the grounds that the applicant does not own or control the lands on which he proposes to put the water to beneficial use and the granting of a permit under these conditions would be detrimental to the public welfare.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW:RdL:jls

Dated this 6th day