

IN THE MATTER OF APPLICATION 25407)
FILED BY JUANELLE TUBBS FOR)
PERMISSION TO APPROPRIATE WATER)
FROM AN UNDERGROUND SOURCE IN)
WHITE PINE, COUNTY, NEVADA)

R U L I N G

#1760

GENERAL:

1738 Application 25407 was filed by Juanelle Tubbs on December 31, 1969, for permission to appropriate 5.4 c.f.s. of water from an underground source for irrigation purposes. The point of diversion is described as within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 1, T. 14 N., R. 56 E., M.D.B.&M. The proposed place of use is 320 acres within the E $\frac{1}{2}$ of said Section 1. This application was ready for action on March 18, 1970. The place of use under this application is DLE061527.

The desert land entry covering the place of use under this application was cancelled September 12, 1969, by the Bureau of Land Management. A letter dated August 31, 1970, was sent to the applicant by certified mail requesting evidence that the applicant owned or controlled the proposed place of use under this application. A return receipt, signed by Tony Angerer, was received in this office on September 8, 1970. No reply has been received to this letter.

RULING

Application 25407 is herewith denied on the grounds that the applicant does not own or control the place of use under this application and that said place of use is public land.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW:RRD:sdb

Dated this 1st day of
October, 1970.