

January 31, 1966

IN THE MATTER OF APPLICATION 20404)
FILED BY LELAND MCARTHUR, ASH)
MEADOW VALLEY, NYE COUNTY, NEVADA)

R U L I N G

GENERAL:

Application 20404 was filed on April 9, 1962 by Leland McArthur 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 $\frac{1}{4}$ Sec. 5, T. 17 S., R. 49 E., M.D.B. & M. and the place of use within the E $\frac{1}{2}$ Sec. 5, T. 17 S., R. 49 E., M.D.B. & M. for a total of 320.55 acres. This application was filed in support of Desert Land Entry, Nevada 056787.

On March 2, 1964 this office was informed by the Bureau of Land Management that Desert Land Entry, Nevada 056787 had been rejected and closed on February 25, 1964. Therefore, the applicant does not exercise any control over the land.

OPINION:

It is the opinion of this office that the granting of an application to appropriate where the applicant does not own or control the land and in an area where present valid appropriations exceed the estimated recharge would be detrimental to the public welfare and the orderly development of the area.

RULING:

Application 20404 is herewith denied on the grounds that its granting would be detrimental to the public welfare.

Respectfully submitted,

GEORGE W. HENNEN
State Engineer

BY:


Roland D. Westergard
Assistant State Engineer

Dated this 31st day of
January 1966.

RDW:PGM:jw