

IN THE MATTER OF APPLICATION 22367
FILED BY MARY E. CLYBURN FOR THE
WATERS OF AN UNDERGROUND SOURCE
LOCATED IN MIDDLE REESE RIVER VALLEY,
LANDER COUNTY, NEVADA.

R U L I N G

General:

Application 22367 was filed on December 21, 1964 by Mary E. Clyburn to appropriate 3.4 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 $\frac{1}{4}$ SW $\frac{1}{4}$ Section 11, T. 27 N., R. 43 E., M.D.B.&M. and the place of use is located within the N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ and the N $\frac{1}{2}$ SE $\frac{1}{4}$ Section 11, T. 27 N., R. 43 E., M.D.B.&M.

This application was filed in support of Desert Land Entry Nevada 046340. On September 24, 1965 this office was informed by the Bureau of Land Management that Desert Land Entry Nevada 046340 had been cancelled in its entirety for failure of the entrywoman to comply with the final proof requirements of the Desert Land Laws, 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 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 the orderly development of the area.

Ruling:

Application 22367 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

RDW:wij:PGM

Dated this 28th day of
February, 1966.