

IN THE MATTER OF APPLICATION 23201)
FILED BY PETE CORDANO AND BILL LEAR)
TO APPROPRIATE THE WATERS OF BECKY)
SPRING FOR STOCKWATERING PURPOSES)
IN WHITE PINE COUNTY, NEVADA.)

R U L I N G

GENERAL:

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Application 23201 was filed on June 27, 1966, by Pete Cordano and Bill Lear to appropriate 0.0156 c.f.s. of the waters of Becky Springs for stockwatering purposes. The point of diversion is described as being in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 11, T. 25 N., R. 65 E., M.D.B. & M., and the place of use to be within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 2, T. 25 N., R. 65 E., M.D.B. & M.

On September 19, 1966, the Bureau of Land Management, Ely, Nevada, replied to an inquiry from this office regarding a spring in the same forty-acre subdivision as the spring under this application, stating:

"Recommendation: That the application be rejected for 1) Pete Cordano has no authorized use in the allotment in which the springs are located, and 2) it would complicate future livestock management and forage rehabilitation plans if the water were appropriated in one individual's name only. There is no assurance that if individual allotments were established, Lear would get the service area of Becky Springs. Water is poorly distributed over the entire allotment, and a pipeline system would extend the service area of these springs."

RULING

Application 23201 is denied on the grounds that one of the applicants has no control of the land or range rights required to place the water to beneficial use and the other applicant is in a common (group) allotment and that granting the application under these conditions would be detrimental to the public welfare.

Respectfully submitted,

GEORGE W. HENNEN
State Engineer

BY: *Roland D. Westergard*
Roland D. Westergard
Assistant State Engineer

RDW:SH:jw

Dated this 7th day
of April, 1967.