

IN THE MATTER OF APPLICATION 18893)
FILED BY CHARLES JOHN DAMELE TO APPRO-)
PRIATE WATER FROM AN UNDERGROUND) RULING
SOURCE IN EUREKA COUNTY, NEVADA.)

GENERAL:

3 Application 18893 was filed by Charles John Damele on June 1, 1960, for permission to appropriate 3.0 cfs of water from an underground source for irrigation (200 acres) and domestic purposes. The proposed point of diversion is described as within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 18, T27N., R51E., MDB&M. The place of use is described as the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ of said Section 18. This application was filed to support DLE Nev 055179.

The Bureau of Land Management was contacted by letter dated January 17, 1969, inquiring as to the status of the above numbered land entry. Their reply of February 4, 1969, states that this land entry was not allowed and the case closed September 20, 1962. The applicant was contacted on February 6, 1969, by certified mail notifying him that unless evidence was submitted that he owns or controls the place of use under this application within 30 days of that date the application would be denied. A return receipt signed by Charles B. Damele was received in this office February 13, 1969. No reply has been received to said letter.

RULING

Application 18893 is herewith denied on the grounds that the applicant does not own or control the place of use under this application and the granting of this application would be detrimental to the public welfare.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW:RRD:dc

Dated this 26th day
of March, 1969.