

IN THE MATTER OF APPLICATION 15359 )  
FILED OCTOBER 28, 1953, BY LILLIAN )  
M. TAVARES TO APPROPRIATE 4 C.F.S. ) RULING  
OF WATER FROM AN UNDERGROUND SOURCE )  
IN SUPPORT OF DLE 016177 IN BIG SMOKY )  
VALLEY, NYE COUNTY, NEVADA )

Application 15359 filed October 28, 1953, by Lillian M. Tavares for 4 c.f.s. of water to be diverted from a point within the NW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 9, T. 4 N., R. 41 E., is to be used in support of Desert Land Entry 016177 in the S $\frac{1}{2}$  of Section 9, T. 4 N., R. 41 E. for irrigation and domestic purposes.

The Bureau of Land Management rejected Desert Land Entry 016177 on February 10, 1955, on the grounds that the poor soil and climatic conditions are not conducive to successful farming operations. This decision was appealed by the applicant on March 14, 1955.

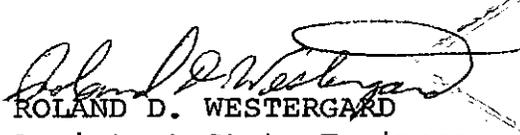
Bureau of Land Management correspondence of December 11, 1964, over the signature of Charles E. Hancock states that DLE 016177 has been closed on their records and that the land sought under this application is vacant public land. The original rejection stands.

RULING

Application 15359 is herewith denied on the grounds that the applicant does not have control of the land upon which the water is to be put to beneficial use.

Respectfully submitted,

GEORGE W. HENNEN  
State Engineer

By:   
ROLAND D. WESTERGARD  
Assistant State Engineer

Dated this 29th day of  
January, 1965

TH:lh