

IN THE MATTER OF APPLICATION 14704)
FILED DECEMBER 22, 1952, BY DANIEL)
DOUGLAS RICE TO APPROPRIATE 4 C.F.S.)
OF WATER FROM AN UNDERGROUND SOURCE IN) R U L I N G
SUPPORT OF DLE 011802 IN BIG SMOKY)
VALLEY, ESMERALDA COUNTY, NEVADA)

Application 14704 filed December 22, 1952, by Daniel Douglas Rice for 4 c.f.s. of water to be diverted from a point within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 25, T. 4 N., R. 40 E., is to be used in support of Desert Land Entry 011802 in the S $\frac{1}{2}$ of Section 25 T. 4 N., R. 40 E. for irrigation and domestic purposes.

The Bureau of Land Management rejected Desert Land Entry 011802 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 12, 1955.

Bureau of Land Management correspondence of December 11, 1964, over the signature of Charles E. Hancock states that DLE 011802 has been closed on their records and that the land sought under this application is vacant public land. The original rejection stands.

RULING

Application 14704 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. For this reason the granting of this permit would be detrimental to the public interest.

Respectfully submitted,

GEORGE W. HENNEN
State Engineer


By: ROLAND D. WESTERGARD
Assistant State Engineer

Dated this 1st day of
February, 1965

TH:lh