

IN THE MATTER OF APPLICATION 21955)
FILED APRIL 14, 1964, BY COWLES)
BROTHERS, INC., TO APPROPRIATE WATER)
FROM AN UNDERGROUND SOURCE FOR IRRI-) R U L I N G
GATION AND DOMESTIC PURPOSES IN WASHOE)
COUNTY, NEVADA)

General:

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Application 21955 was filed to appropriate 2.0 c.f.s. of the waters from an underground source at a point within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19, T. 24 N., R. 24 E., M.D.B.&M., to irrigate 80 acres of land within the E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 24, T. 24 N., R. 23 E., M.D.B.&M., and for domestic purposes.

A letter from the U. S. Bureau of Land Management, dated July 13, 1964, advised that the E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 24, T. 24 N., R. 23 E., M.D.B.&M., could not be defined as it would fall in the unsurveyed bed of Winnemucca Dry Lake and that no patent has been issued to any of the lands in the unsurveyed lake bed.

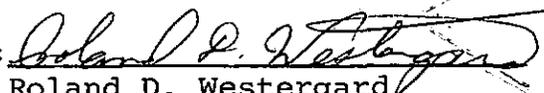
Nevada Revised Statutes 537.030 declares Winnemucca Lake, located in Townships 24, 25, 26, 27 and 28 North, Ranges 23 and 24 East, M.D.B.&M., a navigable body of water and title to the bed thereof is held by the State of Nevada.

RULING

Application 21955 is hereby denied on the grounds that the applicant does not have control of the land on which he plans to place the water to beneficial use, and that the granting of said application would be detrimental to the public welfare.

Respectfully submitted,

GEORGE W. HENNEN
State Engineer

By: 
Roland D. Westergard
Assistant State Engineer

Dated this 28th day of
April, 1965

SEE SUPREME COURT DECISION OF THE STATE OF NEVADA NO. 6186 affirming the reversal of the State Engineer's denial, dated April 28, 1965.