

IN THE MATTER OF APPLICATION 18744)
FILED APRIL 22, 1960, BY DONALD W.)
RADBRUCH TO APPROPRIATE WATER FROM)
AN UNNAMED STREAM IN PERSHING)
COUNTY, NEVADA)

R U L I N G

General:

1017
Application 18744 was filed April 22, 1960, by Donald W. Radbruch for permission to appropriate 0.25 c.f.s. from an Unnamed Stream for irrigation (20 acres) and domestic purposes. The point of diversion is described as within Lot 5 (SW $\frac{1}{4}$ SW $\frac{1}{4}$) Section 3, T. 27N., R. 34E., MDB&M. Application 18744 was assigned by deed, filed March 6, 1963, to Leslie K. Radbruch. The place of use is described as within the W $\frac{1}{2}$ Lot 5 (W $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$) Section 3, T. 27N., R.34E., MDB&M.

Application 18744 was protested on July 5, 1960, by Marvin Myers and on July 11, 1960, by Gerry W. Eden.

Application 18744 was filed in the office of the Nevada State Engineer to support Desert Land Entry Nevada 060038. The Desert Land Entry Nevada 060038 was filed with the Bureau of Land Management, Nevada Land Office, Reno, Nevada.

The Bureau of Land Management advised the office of the Nevada State Engineer by notice dated November 27, 1963, that Desert Land Entry Nevada 060038 application was rejected and decision final. A letter dated May 4, 1967, from the office of the State Engineer to the Bureau of Land Management regarding the status of the parcel of land under Desert Land Entry Nevada 060038 was confirmed as vacant public land in letter of response dated May 8, 1967, from the Bureau of Land Management.

R U L I N G

Application 18744 is herewith denied on the grounds that the applicant does not have control of the land on which the applicant plans to place the water to beneficial

use, and that the granting of the application would be detrimental to the public welfare.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Roland D. Westergard", is written over a horizontal line. The signature is fluid and somewhat stylized.

Roland D. Westergard
Assistant State Engineer

RDW:WJN:dp

Dated this 11th day

of May, 1967.