

IN THE MATTER OF APPLICATION NO. 23360 )  
FILED BY ANTHONY R. JESKO FOR THE WATERS )  
OF AN UNDERGROUND SOURCE LOCATED IN NEWARK )  
VALLEY, WHITE PINE COUNTY, NEVADA. )

R U L I N G

GENERAL:

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Application 23360 was filed on August 29, 1966 by Anthony R. Jesko to appropriate 5.4 c.f.s. of water from an underground source for irrigation and domestic purposes. The point of diversion is described as being within the NW $\frac{1}{4}$  NE $\frac{1}{4}$  Section 34, T. 19N., R. 55E., M.D.B.&M. and the place of use within the E $\frac{1}{2}$  Section 34, T. 19N., R. 55E., M.D.B.&M.

This application was filed in support of Desert Land Entry Nevada 059127. On January 9, 1967, this office was informed by the Bureau of Land Management that DLE NEV 059127 had been cancelled in its entirety for failure to submit annual proof in compliance with the requirements of the desert land laws. The applicant therefore does not exercise any control over the land.

OPINION:

It is the opinion of this office that the granting of an application where the applicant does not own or control the land on which he plans to place the water to beneficial use, would be detrimental to the public welfare and the orderly development of the area.

RULING

Application 23360 is herewith denied on the grounds that its granting would be detrimental to the public welfare.

Respectfully Submitted,

  
Roland D. Westergaard  
State Engineer

RDW:PGM:jb

Dated This 31st Day

OF August, 1967.