

IN THE MATTER OF APPLICATION 18649)
FILED MARCH 14, 1960, BY WILLIAM)
J. JOHNSTONE TO APPROPRIATE WATER)
FROM AN UNDERGROUND SOURCE IN)
ORMSBY COUNTY, NEVADA)

RULING

GENERAL:

Application 18649 was filed March 14, 1960, by William J. Johnstone for permission to appropriate 1.0 cfs of water from an underground source for irrigation (40 acres) and domestic purposes. The point of diversion and place of use are described within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 12, T. 15N., R. 19E., MDB&M.

Application 18649 was filed in the office of the State Engineer to support Homestead Entry Nevada 049159. The Homestead Entry was filed with the U. S. Bureau of Land Management, Nevada Land Office, Reno, Nevada.

In response to a letter of inquiry dated August 18, 1967, from the office of the State Engineer, the U. S. Bureau of Land Management informed this office by letter dated August 31, 1967, that Homestead Entry Nevada 049159 was rejected and case closed on August 15, 1960. Also that on January 17, 1963, patent was issued for the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 12, T. 15N., R. 19E., MDB&M., Patent No. 1230500, under State Exchange Grant.

RULING:

Application 18649 is herewith denied on the grounds that the applicant does not own or control the land on which the applicant plans to place the water to beneficial use, and that the granting of this application would be detrimental to the public welfare.

Respectfully submitted,


Roland D. Westergaard
State Engineer

RDW:WJN:dc

Dated this 13th day of
September, 1967.