

IN THE MATTER OF APPLICATION 21325)
FILED TO CHANGE POINT OF DIVERSION,)
MANNER AND PLACE OF USE OF WATER)
HERETOFORE APPROPRIATED UNDER PERMIT)
16594.)

R U L I N G

Application 21325 was filed on June 7, 1963, by Helen McCauley to change the point of diversion, manner and place of use of 3.5 c.f.s. of an underground source to be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 36, T. 46 N., R. 33 E., M.D.B.&M. and to be used for the irrigation of 160 acres located within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 36, T. 46 N., R. 33 E., M.D.B.&M. and domestic purposes.

30A
This Application is to change the water heretofore appropriated under Permit 16594. Permit 16594 was issued under an Application filed July 5, 1955, by Helen McCauley. Permit 16594 was issued for 3.5 c.f.s. of the waters of an underground source to be diverted within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 7, T. 45 N., R. 34 E. and to be used for the irrigation of 320 acres of land within the S $\frac{1}{2}$ Section 7, T. 45 N., R. 34 E., M.D.B. & M.

Permit 16594 was assigned on April 13, 1963, by Helen McCauley to Rio King Land and Investment Company.

Application 21325 was assigned on April 20, 1964, by Helen McCauley to Rio King Land and Investment Company.

By letter dated December 21, 1965, the Bureau of Land Management informed this office that the land described as the place of use under Application 21325 was vacant public land.

OPINION:

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

RULING:

Application 21325 is herewith denied on the grounds that its granting would be detrimental to the public welfare.

Respectfully submitted,


ROLAND D. WESTERGARD
State Engineer

RDW:TJS:jw

Dated this 2nd day

of January, 19 68