

IN THE MATTER OF APPLICATION 15059)
FILED BY N. L. SWENSON FOR THE)
WATERS OF AN UNDERGROUND SOURCE)
LOCATED IN CLOVERS AREA, ELKO)
COUNTY, NEVADA)

R U L I N G

GENERAL:

Application 15059 was filed on May 15, 1953 to appropriate 5.0 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 $\frac{1}{4}$ SE $\frac{1}{4}$ Section 26, T. 38 N., R. 44 E., M.D.B.&M., and the place of use is located within the SE $\frac{1}{4}$ Section 26, N $\frac{1}{2}$ NE $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 35, and the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 36, T. 38 N., R. 44 E., M.D.B.&M.

This application was filed in support of Desert Land Entry Nevada 013837 on 320 acres. This office was informed by the Bureau of Land Management that Desert Land Entry Nevada 013837 was rejected September 3, 1958, and that the case was closed on the records on September 21, 1959.

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 15059 is herewith denied on the grounds that its granting would be detrimental to the public welfare.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW:JRF:jls

Dated this 3rd day
of October, 1968