

IN THE MATTER OF APPLICATION 20416)
FILED APRIL 16, 1962, BY LILLIAN L.)
UNDERWOOD TO APPROPRIATE WATER FROM)
AN UNDERGROUND SOURCE FOR IRRIGATION)
AND DOMESTIC PURPOSES IN LANDER)
COUNTY, NEVADA)

R U L I N G

General:

54
Application 20416 is identical as Application 15182. This Application 15182 was filed July 6, 1953, by Sheron V. Roberts and approved September 9, 1955 for 5.0 c.f.s. of the waters of an underground source to be diverted at a point within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 25, T. 28 N., R. 47 E., M.D.B.&M., or at a point from which the SW corner of said Section 25 bears S. 3° 08' 40" W., 2299.74 feet. Land proposed to be irrigated is within the S $\frac{1}{2}$ Sec. 25, T. 28 N., R. 47 E., M.D.B.&M. The period of use is the year round.

U. S. Desert Land Entry, Nev-014662 filed in connection with Application 15182 was allowed on January 31, 1955 to Mr. Sheron V. Roberts and assignment to Miss Lillian L. Underwood was approved by U. S. Bureau of Land Management on March 8, 1961.

Records in Nevada State Engineer's office show that Application 15182 was assigned on February 22, 1961 by Sheron V. Roberts to Lillian Underwood the applicant under Application 20416. Application 15182 was canceled July 11, 1962, because of failure of assignee, Lillian Underwood, to comply with the provisions of the permit.

By letter dated April 3, 1963, from U. S. Bureau of Land Management, Reno, Nevada, we were informed that Desert Land Entry, Nev-014662 is currently on appeal to the Secretary of the Interior, appealing from a Bureau of Land Management decision dated November 22, 1962.

By memorandum from U. S. Bureau of Land Management dated April 23, 1964, we were informed that this Desert Land Entry was canceled for failure of compliance with the final proof requirements. As of the date of this ruling, the applicant does not have control of the land on which she plans to place the water to beneficial use.

RULING

Application 20416 is hereby denied on the grounds that the applicant does not have control of the land on which she plans to place the water to beneficial use, and that its granting would be detrimental to the public welfare.

Respectfully submitted,

ELMO J. DeRICCO
State Engineer



By: George W. Hennen
Assistant State Engineer

Dated this 8th day of
May, 1964