

IN THE MATTER OF APPLICATION 14532 )  
FILED SEPTEMBER 17, 1952, BY HARRY G.)  
CANNON TO APPROPRIATE 4 C.F.S. OF ) R U L I N G  
WATER FROM AN UNDERGROUND SOURCE IN )  
SUPPORT OF DLE 011023 IN BIG SMOKY )  
VALLEY, ESMERALDA COUNTY, NEVADA )

Application 14532 filed September 17, 1952, by Harry G. Cannon for 4 c.f.s. of water to be diverted from a point within the NW $\frac{1}{4}$  of the NW $\frac{1}{4}$  Section 21, T. 4 N., R. 41 E. is to be used in support of Desert Land Entry 011023 in the W $\frac{1}{2}$  of Section 21, T. 4 N., R. 41 E. for irrigation and domestic purposes.

The Bureau of Land Management rejected Desert Land Entry 011023 on February 10, 1955, on the grounds that the poor soil and climatic conditions are not conducive to successful farming operations. This decision was appealed by the applicant on March 16, 1955.

Bureau of Land Management correspondence of December 11, 1964, over the signature of Charles E. Hancock states that DLE 011023 has been closed on their records and that the land sought under this application is vacant public land. The original rejection stands.

RULING

Application 14532 is herewith denied on the grounds that the applicant does not have control of the land upon which the water is to be put to beneficial use. For this reason the granting of this permit would be detrimental to the public interest.

Respectfully submitted,

GEORGE W. HENNEN  
State Engineer

  
By: ROLAND D. WESTERGARD  
Assistant State Engineer

Dated this 1st day of

February, 1965

TH:lh