

IN THE MATTER OF APPLICATION 21867
FILED BY RIO KING LAND AND INVESTMENT
COMPANY, KINGS RIVER VALLEY, HUMBOLDT
COUNTY, NEVADA.

R U L I N G

GENERAL:

Application 21867 was filed on March 9, 1964 by Rio King Land and Investment Company to change the point of diversion, manner and place of use of 3.5 c.f.s. of water heretofore appropriated under Permit 17039. The actual point of diversion is unchanged and was apparently included for the purpose of describing it by the recent resurvey of the area. The manner of use is to be changed to include domestic purposes. The proposed place of use under this application is the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 35, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 36, T. 46 N., R. 33 E. The existing place of use under Permit 17039 is the S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 35, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ Section 36, T. 46 N., R. 33 E. The only actual change in the place of use is to change the water right appurtenant to the S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ Section 35 to land under Homestead Application, Nev. 062274 which is 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.

On September 4, 1964 this office was informed by the Bureau of Land Management the Homestead Application, Nev. 062274 was rejected and closed. Therefore, the applicant does not exercise any control over the land.

OPINION:

It is the opinion of this office that the granting of an application to change 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 21867 is herewith denied on the grounds that its granting would be detrimental to the public welfare.

Respectfully submitted,

GEORGE W. HENNEN
State Engineer

BY: 
Roland D. Westergard
Assistant State Engineer

Dated this 4th day of
January, 1966.

RDW:TJS:wij