

January 27, 1966

IN THE MATTER OF APPLICATION 19154)
FILED BY WILLIAM TUSSING, LINCOLN)
COUNTY, NEVADA)

R U L I N G 836

GENERAL:

Application 19154 was filed on August 26, 1960 by William Tussing to appropriate 2.0 c.f.s. of water from an underground source for irrigation and domestic use. The point of diversion is described as being within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 1, T. 12 S., Range 65 E., M.D.B. & M., and the place of use within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 1, T. 12 S., R. 65 E. for a total of 120 acres. This application was filed in support of Homestead Entry, Nevada 055274.

On June 14, 1965 this office was informed by the Bureau of Land Management that Homestead Application, Nevada 055274 was rejected on June 22, 1962 and closed on the records on June 28, 1962. 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 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.

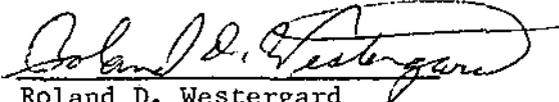
RULING:

Application 19154 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 27th day of
January, 1966

RDW:PGS:jw