

IN THE MATTER OF APPLICATIONS 21227 )  
AND 21312 FILED BY LOUIS TIPTON )  
FOR UNDERGROUND WATERS IN DIXIE )  
VALLEY, CHURCHILL COUNTY, NEVADA. )

R U L I N G

General:

128  
Application 21227 was filed by Louis A. Tipton on April 25, 1963 to divert 5.0 c.f.s. of the waters of an underground source located within the SW $\frac{1}{4}$  SE $\frac{1}{4}$  Section 13, T. 21 N., R. 34 E., M.D.B.&M., to be used for irrigation and domestic purposes within the E $\frac{1}{2}$  of said Section 13.

Application 21312 was filed by Louis Tipton on May 31, 1963 to divert 6.0 c.f.s. of the waters of an underground source located within the SW $\frac{1}{4}$  NE $\frac{1}{4}$  Section 13, T. 21 N., R. 34 E., M.D.B.&M. to be used for irrigation and domestic purposes within Lots 1, 2, 3, 4 of the W $\frac{1}{2}$  NE $\frac{1}{4}$  and W $\frac{1}{2}$  SE $\frac{1}{4}$  of Section 13, T. 21 N., R. 34 E.

These applications were filed in support of Desert Land Entry, Nevada 059377. At the request of the Bureau of Land Management this office made a determination of ground water available for government land development in three areas of Dixie Valley. One of these areas is within T. 21 N., R. 34 E., M.D.B.&M. It was determined that due to other ground water development in this particular area that if this office approved the applications to appropriate water for five allowed Desert Land Entries there would be no additional water available for appropriation for government lands within the area. These applications to appropriate water filed in support of the allowed Desert Land Entries were subsequently approved. By notice from the Bureau of Land Management received on June 12, 1964, this office was informed that Desert Land Application 059377 had been rejected.

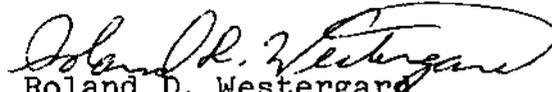
Opinion:

It is our opinion that the granting of these applications for land that is not owned or controlled by the applicant, in an area where there is a limited available ground water supply, would tend to impair the value of existing water rights and would be detrimental to the orderly development of the area.

Ruling:

Applications 21227 and 21312 are herewith denied on the grounds that their granting would tend to impair the value of existing rights and be otherwise detrimental to the public welfare.

Respectfully submitted,

  
Roland D. Westergard  
Assistant State Engineer

RDW:TJS:wij

Dated this 14th day of  
April, 1966.