

IN THE MATTER OF APPLICATION NO. 13143
IN NAME OF VICTOR ALBERT SUPERTINO TO
APPROPRIATE UNDERGROUND WATER IN
ESMERALDA COUNTY, NEVADA.

)
:
:
:
)

RULING

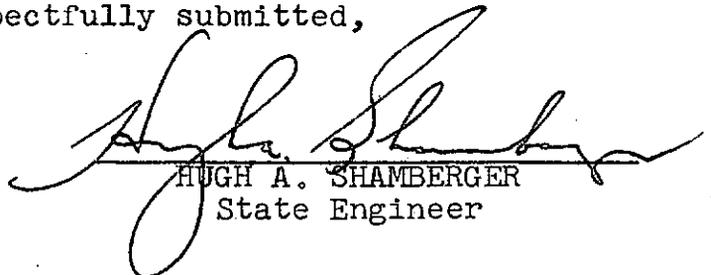
Application No. 13143 was filed November 7, 1949 by Victor Albert Supertino to appropriate 4.0 c.f.s. of underground water at a point within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 2, T. 2 S., R. 35 E. for the irrigation of 320 acres of land located within the S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 35, T. 1 S., R. 35 E; NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ Section 2, T. 2 S., R. 35 E.

On April 10, 1950 and April 12, 1950 protests to the granting of a permit under said application were filed by E. L. Cord and Rex B. Clark, respectively.

By letter dated June 18, 1951 from the Bureau of Land Management we were advised that Desert Land Application No. 0411 in name of Victor A. Supertino had been finally rejected and closed.

Since the land is definitely closed for entry for agricultural purposes by the Government, and since Application No. 13143 was to appropriate underground water beneath said lands for use thereon for irrigation purposes, the State Engineer has no other recourse but to deny said application on the grounds that applicant cannot gain entry to said land, and therefore could not make beneficial use of such water.

Respectfully submitted,


HUGH A. SHAMBERGER
State Engineer

Dated July 23, 1951.