

IN THE MATTER OF APPLICATION 25803)
FILED BY ROBERT N. QUADE TO CHANGE)
THE PLACE OF USE OF PERMIT 22781 IN)
WHITE PINE COUNTY, NEVADA.)

R U L I N G #1856

GENERAL:

Application 25803 was filed by Robert N. Quade on September 27, 1970, for permission to change the place of use of 5.4 c.f.s. of water from an underground source heretofore appropriated under Permit 22781. The point of diversion is described as within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 32, T.15N., R.57E., M.D.B.&M. The place of use is described as 320 acres of land within the S $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 32, T.15N., R.57E., M.D.B.&M. This application was ready for action December 31, 1970.

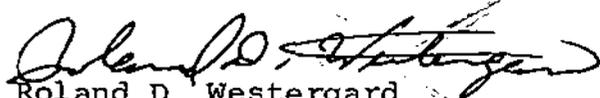
Application 22781 was filed by H. L. Martin on September 14, 1965, for permission to appropriate 5.4 c.f.s. of water from an underground source for irrigation and domestic purposes. The point of diversion is described as within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 32, T.15N., R.57E., M.D.B.&M. The proposed place of use was 320 acres of land within the S $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ said Section 32. This land was covered by Desert Land Entry 061526 and was allowed December 10, 1965, and cancelled March 10, 1971. The Desert Land Entry did not match with the land covered under this application, therefore, the necessity for filing to change the place of use. This permit was assigned to Robert N. Quade on February 5, 1968. This permit was cancelled June 28, 1971, for failure to file the Proof of Beneficial Use and cultural map which were due May 24, 1971.

A letter was forwarded to the applicant by certified mail on March 21, 1972, requesting that he submit evidence that he owned or controlled the proposed place of use covered under Application 25803, and given 30 days in which to submit said evidence. A return receipt signed by Mrs. Robert M. Quade was received in this office on March 24, 1972. No reply has been received to this letter.

RULING

Application 25803 is herewith denied on the grounds that the applicant failed to submit evidence that he owned or controlled the proposed place of use under this application and the granting of a permit under this application would be detrimental to the public welfare.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW:RRD:jw

Dated this 23rd day of
May, 1972.