

IN THE MATTER OF APPLICATION 14798)
FILED JANUARY 29, 1953, BY MARY EMMA)
CANNON TO APPROPRIATE 4 C.F.S. OF)
WATER FROM AN UNDERGROUND SOURCE IN)
SUPPORT OF DLE 012118 IN BIG SMOKY)
VALLEY, NYE COUNTY, NEVADA)

R U L I N G

Application 14798 filed January 29, 1953, by Mary Emma Cannon to appropriate 4 c.f.s. of water to be diverted from a point within the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 21, T. 4 N., R. 41 E. is to be used in support of Desert Land Entry 012118 in the NE $\frac{1}{4}$, W $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 21 and the W $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 22 T. 4 N., R. 41 E. for irrigation and domestic purposes.

137A

The Bureau of Land Management rejected Desert Land Entry 012118 on February 10, 1955, on the grounds that the poor soil and climatic conditions are not conducive to successful farming operations. This decision was appealed by the applicant on March 16, 1955.

Bureau of Land Management correspondence of December 11, 1964, over the signature of Charles E. Hancock states that DLE 012118 has been closed on their records and that the land sought under this application is vacant public land. The original rejection stands.

RULING

Application 14798 is herewith denied on the grounds that the applicant does not have control of the land upon which the water is to be put to beneficial use. For this reason the granting of this permit would be detrimental to the public interest.

Respectfully submitted,

GEORGE W. HENNEN
State Engineer


By: ROLAND D. WESTERGARD
Assistant State Engineer

Dated this 1st day of
February, 1965

TH:lh