

IN THE MATTER OF APPLICATION )  
22750 FILED ON SEPTEMBER 2, 1965, )  
BY THE SWALLOW RANCHES, INC. FOR )  
THE WATERS OF AN UNDERGROUND SOURCE )  
LOCATED IN WHITE PINE COUNTY, NEVADA. )

R U L I N G

GENERAL:

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Application 22750 was filed on September 2, 1965, by Swallow Ranches, Inc. to appropriate 0.030 c.f.s. of water from an underground source for stock watering purposes. The point of diversion is located in the NW $\frac{1}{4}$  NE $\frac{1}{4}$  Section 2, T. 12 N., R. 67 E., M.D.B. & M., and the place of use is within the same subdivision. The applicant proposes to water 500 cattle and 1,000 sheep.

This Application was protested on January 17, 1966, by Kirkeby Ranches on the following grounds:

- "1. Interference with the protestants stock watering rights.
2. Infringement on protestants range rights.
3. Place of use already allocated enough water.
4. Applicants have no right of way from wells to place of use."

An investigation into the matter of this Application was made on September 21, 1967. The field investigation disclosed that the source of subject Application 22750 is an existing flowing artesian well which was apparently drilled under the Federal Emergency Relief Act around 1934.

OPINION:

The source is an old artesian well which apparently was drilled around 1934. There are no existing water rights of record on file in the State Engineer's Office on the source, and there is, in the opinion of the State Engineer, unappropriated water at the source.

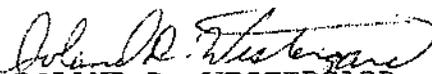
RULING:

The protest to Application 22750 is herewith overruled and a Permit will be granted upon receipt of the statutory Permit fee. The Permit will be issued subject to all existing rights on the source.

Nothing in this Ruling shall be taken to infer the granting of any rights of ingress and egress to the applicant.

Dated this 9th day  
of January, 19 68

Respectfully submitted,

  
ROLAND D. WESTERGARD  
State Engineer

RDW:PGM:jw