

IN THE MATTER OF APPLICATION 24150)
FILED BY DONLY GRAY TO APPROPRIATE)
THE WATERS OF SIX MILE CANYON CREEK)
IN LYON AND STOREY COUNTIES, NEVADA)

RULING

Application 24150 was filed on September 27, 1967, by Donly Gray to appropriate 11.0 cfs of the waters of Six Mile Canyon Creek for mining and milling purposes, to be diverted within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 30, T17N., R22E., MDB&M. The place of use is described as being the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 30 and N $\frac{1}{2}$ N $\frac{1}{2}$ Section 31, T17N., R22E., MDB&M. The period of use is from January 1 to December 31 of each year.

A protest to Application 24150 was filed November 14, 1967, by Raymond P. Borda as Manager for Borda Land and Sheep Company, claiming a vested right to the waters of Six Mile Canyon Creek. No proofs claiming vested rights to the waters of the creek have been filed by Borda Land and Sheep Company.

There are no filings of record in this office for waters of Six Mile Canyon Creek downstream from the point of diversion of Application 24150.

A letter to this office from the attorney for Mrs. Hazel Landers, the assessed owner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 30, T17N., R22E., MDB&M., stated that trespassers would be prosecuted.

A field investigation was made of protested Application 24150 on June 11, 1968.

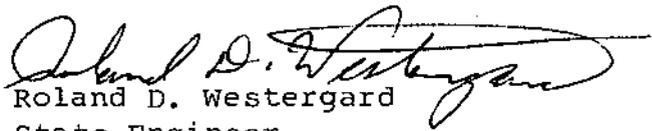
RULING

The protest to the granting of Application 24150 is herewith overruled and a permit will be issued upon receipt of the statutory permit fee, subject to existing rights on the source.

The SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 30, T17N., R22E., MDB&M., will be excluded from the place of use in the permit.

This ruling does not grant the right of ingress or egress to the applicant.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW:SH:dc

Dated this 9th day
of August, 1968.