

IN THE MATTER OF APPLICATION NO. 13192)
 IN NAME OF CARL V. HAAS, JR. TO APPROPRIATE :
 THE WATERS OF MIDWAY WELL FOR STOCKWATERING) RULING
 PURPOSES, NYE COUNTY, NEVADA. :

Application No. 13192 was filed December 15, 1949 by Emma G. Rogers to appropriate 0.25 c.f.s. of the waters of Midway Well for the watering of 500 cattle and 20 horses between January 1st and December 31st of each year. The proposed point of diversion was given as being within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 5, T. 5 N., R. 40 E. Within the statutory time for filing protests to the granting of a permit under said application, protests were filed by David Stevens and John Jay Casey. On June 29, 1951 a field investigation was made by J. A. Millar of the State Engineer's Office. Present during said field investigation were - Emma G. Rogers; John J. Casey; Carl V. Haas, Jr.; Charles D. Keough; S. H. Manor; Pete Bertiolino; David Stevens, and James Daniels.

Prior to the field investigation, Application No. 13192 was assigned to Carl V. Haas, Jr. As a result of the field investigation the interested parties agreed to stipulate the matters involved and on August 21, 1951 such stipulation was filed in this office. The stipulation provided as follows:

"It is HEREBY STIPULATED by and between Carl V. Haas, Jr., as successor in interest to the above-named applicant, Emma G. Rogers, to appropriate the waters of the above-named MIDWAY WELL, and John Jay Casey, protestant, and Charles Keough, Pete Bertiolino, and David Stevens, neighboring stockmen, that the above entitled application be granted to the said Carl V. Haas, Jr., subject to the right of common use thereof by said protestant John Jay Casey, and said neighboring stockmen, Charles Keough, Pete Bertiolino, and David Stevens.

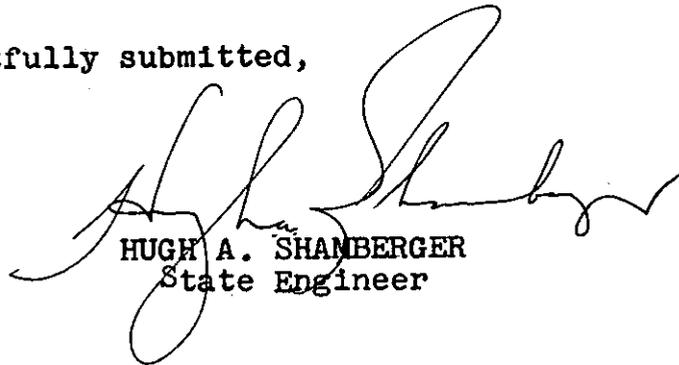
Dated this 19 day of July, 1951.



s/ Carl V. Haas, Jr.
s/ John Jay Casey
s/ Charles D. Keough
s/ Pete Bertiolino
s/ David Stevens."

The filing of said stipulation had the affect of withdrawing the protests. Therefore, Application No. 13192 can be approved subject to the provisions of said stipulation.

Respectfully submitted,



HUGH A. SHAMBERGER
State Engineer

Dated April 11, 1952.