

IN THE MATTER OF APPLICATION 24754)
FILED BY DARROUGH BROTHERS TO)
APPROPRIATE WATER FROM AN UNDERGROUND)
SOURCE IN NYE COUNTY, NEVADA)

R U L I N G

GENERAL:

Application No. 24754 was filed on November 12, 1968 by Darrough Brothers to appropriate 0.03 cfs of water from an underground source for stockwatering purposes. The proposed point of diversion and place of use are within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22, T. 11 N., R. 43 E., M.D.B.&M.

Application 24754 was protested on March 10, 1969 by Ordreich Gold Reserves Company, Inc., on the grounds "that the proposed source is located on patented ground belonging to the protestant; that applicant does not have the right to enter ground belonging to protestant; that applicant will not be able to place water to beneficial use; that it would be contrary to statute and that it would be detrimental to the public welfare."

A field investigation on May 12, 1969, showed that approximately 5 gallons per minute; or .111 c.f.s. were flowing from the proposed source. The State Engineer does in no way grant the right to ingress or egress to the applicant.

RULING

The protest to the granting of Application 24754 is hereby overruled and a permit will be issued subject to existing rights upon receipt of statutory filing fees. The granting of a permit under this application does not in any way constitute the granting of rights of ingress or egress to the applicant.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW:RdL:jls

Dated this 9th day

of June, 1969.