

IN THE MATTER OF APPLICATION 24526)
FILED BY LUTHER J. MARTIN AND HUGH L.)
MARTIN TO APPROPRIATE A PORTION OF) R U L I N G
THE WATERS OF AN UNNAMED CREEK IN)
DOUGLAS COUNTY, NEVADA)

GENERAL:

Application 24526 was filed June 7, 1968, by Luther J. Martin and Hugh L. Martin to appropriate 0.15 c.f.s. of the waters of an unnamed creek for irrigation and domestic purposes, to be diverted within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 26, T. 12 N., R. 19 E., M.D.B.&M. The place of use is described as being 88.85 ac. in portions of N $\frac{1}{2}$ N $\frac{1}{2}$ Section 26, S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 23, NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 25 and S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 24, T. 12 N., R. 19 E., M.D.B.&M. The period of use is from January 1 to December 31 of each year.

Application 24526 was protested October 4, 1968, by Heritage Ranch on the grounds "that protestant is beneficially entitled to the uses of said waters; that the applicants have no prior or superior right to that of protestants; that the purported use to which said waters will be put is not in the best public interest."

There are no prior filings of record in this office for waters of this unnamed creek.

A field investigation was made of the protested application on December 6, 1968.

RULING

The protest to the granting of Application 24526 is herewith overruled and a permit will be issued upon receipt of the statutory permit fee, subject to existing rights on the source.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW:SH:jls

Dated this 24th day
of September, 1969.