

IN THE MATTER OF APPLICATION NO. 17309 )  
FILED BY E. M. EVANS FOR PERMISSION TO )  
APPROPRIATE WATER FROM AN UNNAMED SPRING )  
IN WASHOE COUNTY, NEVADA. )

R U L I N G

GENERAL:

Application No. 17309 was filed by E. M. Evans on June 20, 1957 for permission to appropriate 0.125 cfs of water from an Unnamed Spring for stockwatering purposes. The proposed point of diversion is described as within the SE $\frac{1}{4}$  SW $\frac{1}{4}$  Section 4, T. 21 N., R. 18 E., M.D.B.&M. The place of use is described as within the SE $\frac{1}{4}$  SE $\frac{1}{4}$  said Section 4.

A protest was filed under this application by L. J. Larson on December 20, 1957 on the grounds that the granting of a permit under this application would invade and impair existing and first rights of the protestant in the same area from the same source. The protestant further claims a vested right as successor in interest to the NCO Railroad. An informal protest was filed under this application by Lawrence A. and Judie E. Dickinson on March 5, 1958 on the grounds that this spring flows onto his property and that the original owner of said property was the NCO Railroad Company who used said water on this property and on other property in this area. No rights are of record in this office from this source except pending Application No. 17309.

A letter was sent to L. J. Larson, protestant, by certified mail on April 28, 1970 requesting notice of continued interest in his protest. A return receipt signed by Mr. Bowen for L. J. Larson was received in this office on April 30, 1970. No reply has been received to this letter.

A letter was sent to the applicant, by certified mail, on April 28, 1970 requesting notice of continuing interest in this application. The applicant came into this office on May 4, 1970 and stated that she was still interested in completing this application.

A letter was sent to the Bureau of Land Management on April 28, 1970 requesting information regarding range users in the area of this application. Their reply, dated May 7, 1970, stated that Edith Evans is the soul licensee in this area with an allotment for 275 cattle for a six-month period during Spring-Summer-Fall.

Ruling

(2)

17309

RULING

The protests filed under Application No. 17309 are herewith overruled on the grounds that there are no other water rights of record from the source described, with which the granting of a permit under this application could interfere.

A permit will be issued under this application subject to any existing water rights, upon receipt of the statutory permit fees.

Respectfully submitted,

  
Roland D. Westergard  
State Engineer

RDW:RRD:jb

Dated This 19th Day  
of May, 1970.