

IN THE MATTER OF APPLICATION)
26792 FILED BY JOHN R. AND)
JOANE GOZZI TO APPROPRIATE WATER) R U L I N G
FROM AN UNKNOWN SPRING IN)
WHITE PINE COUNTY, NEVADA)

GENERAL: 136

Application 26792 was filed on June 23, 1972. by John R. and Joane Gozzi to appropriate 1.0 c.f.s. from an unknown spring in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 11 T.13N., R.69E., M.D.B. & M. The water is to be used for irrigation and domestic purposes on 3.1 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 11, T.13N. R.69E. M.D.B. & M. The period of use is January 1st to December 31st of each year.

Protests to the granting of Application 26792 were filed on Aug. 28, 1972 by Calvin A. Long, on Sept. 13, 1972 by Wayne D. Gonder and on Sept. 21, 1972 by Fred Baker. All three protestants are water users under the Baker and Lehman Creek Decree, and the grounds of their protests were that the spring is tributary to Lehman Creek, that there is no unappropriated water in Baker and Lehman Creeks, and that the granting of the application would impair the existing water rights on the stream system.

A field investigation in the matter of this application was made on November 16, 1972.

OPINION:

It is our opinion that the granting of this application would adversely affect the existing rights as established under the Baker and Lehman Creek Decree.

RULING:

Application 26792 is herewith denied on the grounds that the granting of this application would adversely affect prior existing rights.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW:BAR/bs

Dated this 13th day of
December, 1972.