

IN THE MATTER OF APPLICATIONS )  
29540 and 29541 TO APPROPRIATE )  
THE WATERS OF AN UNDERGROUND SOURCE) )  
IN ESMERALDA COUNTY, NEVADA. )

R U L I N G

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GENERAL:

Application 29540 was filed on July 14, 1975, by the Estate of E. L. Cord, deceased, to appropriate 6.0 c.f.s. of water from a well located in the SE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 28, T.2S., R.35E., M.D.B.&M. The place of use is listed as being 195.4 acres within portions of Sections 27 and 28, T.2S., R.35E.

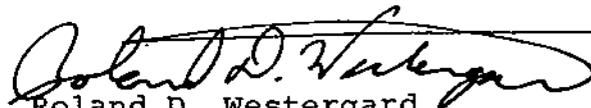
Application 29541 was filed on July 14, 1975, by the Estate of E. L. Cord, deceased, to appropriate 6.0 c.f.s. of water from an underground source within the SE $\frac{1}{4}$  NE $\frac{1}{4}$  Section 28, T.2S., R.35E., M.D.B.&M. The water to be used for irrigation purposes on 397.01 acres within portions of Sections 27 and 28.

Protests to the above numbered applications were filed on September 29, 1975, by the heirs of the Peter Fabbi Estate. A field investigation was held on November 19, 1975. The field investigation indicated that the Peter Fabbi property was approximately 2 to 2 $\frac{1}{2}$  miles east of the Cord property and that there are no existing rights of record on the Peter Fabbi property. U. S. G. S. Reconnaissance Series Report 58 indicates that present usage of ground water in Fish Lake Valley is approximately one-half of the perennial yield.

RULING:

The protests to the granting of Applications 29540 and 29541 are herewith overruled and permits will be issued subject to existing rights upon receipt of the permit fees.

Respectfully submitted,

  
Roland D. Westergard  
State Engineer

RDW:BLR:sk

Dated this 3rd  
day of December, 1975.