

IN THE MATTER OF APPLICATION NO. 18324, FILED ON SEPTEMBER 15, 1959, BY THE APEX CINNEBAR MINING CORPORATION, TO APPROPRIATE 0.10 C.F.S. OF THE WATERS OF MIDDLE CREEK (NORTH CHIATOVICH CREEK) FOR MINING, MILLING AND DOMESTIC PURPOSES IN ESMERALDA COUNTY, NEVADA.

R U L I N G

General:

A protest to the granting of this application was filed on June 13, 1960, by Frank Seminario, on grounds that the granting of this application would impair the value of his existing water rights for irrigation, stock watering and domestic purposes, and that the proposed point of diversion and place of use under this application are located on his land.

Opinion:

It is the opinion of this office that the waters of Chiatovich Creek and its tributaries, including Middle Creek, are fully appropriated.

RULING

The protest to the granting of Application No. 18324 is hereby sustained and Application No. 18324 is denied on grounds that its granting would impair the value of existing rights and would be detrimental to the public welfare.

Respectfully submitted,

*Edmund A. Muth*

EDMUND A. MUTH  
State Engineer

Dated this 21st day of October, 1960.