

IN THE MATTER OF APPLICATIONS NOS.)	
11769-11774 INCLUSIVE: APPLICATION NO.)	
11776; AND APPLICATION NO. 11817 IN	:	
NAME OF FALLON ICE AND COLD STORAGE COMPANY	:	RULING
AND NATE MERRITT, JR. FOR STOCKWATERING)	
PURPOSES, CHURCHILL COUNTY, NEVADA.)	

The following applications were filed by the Fallon Ice and Cold Storage Company, and Nate Merritt, Jr. on February 10, 1947:

Application No. 11769 to appropriate the waters of Willow Springs within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 5, T. 20 N., R. 34 E. On July 15, 1947 said application was protested by W. R. Johnson; on June 16, 1947 by Kent Land & Livestock Company; and on June 25, 1947 by Berney & Bernedo.

Application 11770 filed to appropriate the waters of Silver Hill Canyon Creek within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 7, T. 21 N., R. 34 E. Said application protested July 15, 1947 by W. R. Johnson; June 17, 1947 by Clifford Johnson and on June 25, 1947 by Berney & Bernedo.

Application 11771 filed to appropriate the waters of I.X.L. Canyon Creek within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 29, T. 21 N., R. 34 E. Said application protested June 5, 1947 by Howard Turley; June 19, 1947 by Adolph Giannini and on June 25, 1947 by Berney & Bernedo.

Application 11772 filed to appropriate the waters of Alameda Canyon Spring within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 6, T. 21 N., R. 34 E. Said application protested June 13, 1947 by Afton L. Derrick & Leonard O. Mackedon; June 25, 1947 by Berney & Bernedo and on July 15, 1947 by W. R. Johnson.

Application 11773 filed to appropriate the waters of The Rocks Spring within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31, T. 22 N., R. 34 E. Said application was protested June 25, 1947 by Berney & Bernedo and on July 15, 1947 by W. R. Johnson.

Application 11774 filed to appropriate the waters of Wood Canyon Spring within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 29; T. 22 N., R. 34 E. This application was protested on June 25, 1947 by Berney & Bernedo and on July 15, 1947 by W. R. Johnson.

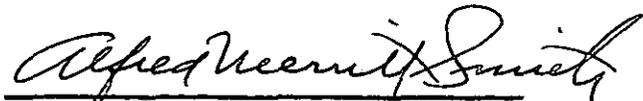
Application 11776 filed to appropriate the waters of Hare Canyon within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 12, T. 22 N., R. 34 E. This application was protested on June 25, 1947 by Berney & Bernedo.

Application 11817 filed April 4, 1947 to appropriate the waters of Jobes Canyon within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 29, T. 21 N., R. 34 E. Said application was protested June 5, 1947 by Howard Turley; June 25, 1947 by Berney & Bernedo and on July 15, 1947 by W. R. Johnson.

Action on these applications was held in abeyance due to the pendency of range adjudication in this area. By letter dated February 23, 1950 from the Bureau of Land Management we were advised that the adjudication of the range in this area is about completed and that the recommendation of the Bureau of Land Management is that the above numbered applications be denied because the Applicants, Fallon Ice & Cold Storage Company and Nate Merritt, Jr. have sold their ranch interests to others and that the range area around these filings is used on a common use basis by the William Johnson ranch, now owned by Frank J. Vinson; the Curtis ranch now owned by J. B. Reynolds; the Nate Merritt ranch, now owned by Howard Turley; and the Leon Ellis Ranch. The Bureau of Land Management advises that since this area is used in common by the above mentioned parties, that the waters in such area should also be used in common; otherwise the administration of the range area would be greatly complicated.

In view of the conditions as set forth by the Bureau of Land Management, it appears to this office that the interests of the stockmen who have been given range allotments in this area will be best served by not granting permits to appropriate water to any one individual. Therefore, the protests filed to the granting of permits under these applications are sustained and said applications will be denied on the ground that the granting thereof would be detrimental to public interests.

Respectfully submitted,


ALFRED MERRITT SMITH
State Engineer...

Dated March 10, 1950.