

IN THE MATTER OF APPLICATION 15322)
FILED OCTOBER 2, 1953, BY JAMES R.)
DUTTON AND JOHN M. DEL CURTO TO)
APPROPRIATE THE WATERS OF AN UNNAMED)
CREEK FOR MINING, MILLING AND DOM-)
ESTIC PURPOSES.)

R U L I N G

General:

30A A protest to the granting of this application was filed on January 19, 1954, by the Bengoa Ranching Company, Inc., on grounds that they have vested rights to all of the waters of this source and that there is no water available for appropriation.

A field investigation of this application was made on August 23, 1961.

It is the opinion of this office that there is no unappropriated water in this source.

RULING

The protest to the granting of this application is hereby sustained and the application 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 8th day of
November, 1961.