

IN THE MATTER OF APPLICATION 20001,)
FILED JULY 24, 1961, BY MERLE CALVIN)
KELLY, TO APPROPRIATE WATER FROM AN)
UNDERGROUND SOURCE (WELL NO. 2) FOR)
IRRIGATION AND DOMESTIC PURPOSES IN)
EUREKA COUNTY, NEVADA.)

R U L I N G

General:

Application 20001 was filed by Merle Calvin Kelly on July 26, 1961, to appropriate water from an underground source (Well No. 2) for irrigation and domestic purposes in Eureka County, Nevada.

3 A protest to the granting of this application was filed on August 1, 1962, by the Ruby Hill Mining Company, a Nevada Corporation.

Desert Land Entry Nevada-055875 was allowed on December 14, 1960, subject to right of way granted to the Ruby Hill Mining Company on October 6, 1960, under Serial No. Nevada-056230.

RULING

The alternative in the protest of the Ruby Hill Mining Company is herewith sustained. On receipt of the statutory permit fee, a permit will be issued under this application subject to the right of way grant of the Ruby Hill Mining Company, Nevada-056230, and subject to all existing rights on the source.

Respectfully submitted,

ELMO J. DeRICCO
State Engineer

By


George W. Hennen
Assistant State Engineer

Dated this 13th day of
August, 196³