

IN THE MATTER OF APPLICATION 20484)
FILED BY HOWARD T. SHERWOOD FOR)
10.0 CFS OF THE WATERS OF PEDROLI)
CREEK IN EUREKA COUNTY, NEVADA)

R U L I N G

General:

Application 20484 was filed on May 24, 1962, by Howard T. Sherwood for 10.0 c.f.s. for the waters of Pedroli Creek to be diverted within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 16, T. 21 N., R. 54 E., M.D.B.&M. and used for the irrigation of 200 acres located within the W $\frac{1}{2}$ Sec. 16, T. 21 N., R. 54 E.

This application was protested on May 13, 1963, by Labarry and Labarry Company on the grounds that it would impair the value of their existing rights. Labarry and Labarry Company are the owners of record of Certificates 2079 and 2080 which are stock watering rights from Pedroli Creek. They are also the owners of record of Certificate 1640 for stock watering from Black Point Springs which is at or near the headwaters of Pedroli Creek. An investigation in the matter of this application was made on October 15, 1963.

OPINION

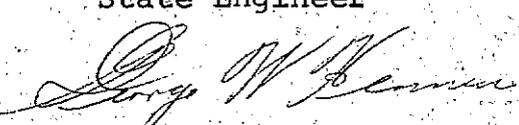
The point of diversion under Application 20484 is approximately 1 - 3/4 miles downstream from the points of diversion of Labarry and Labarry Company, and the granting of Application 20484 would not impair the value of existing rights, or be otherwise detrimental to the public welfare.

RULING

The protest to the granting of Application 20484 is herewith overruled on the grounds that its granting would not impair the value of existing rights or be otherwise detrimental to the public welfare. A permit for 3.0 c.f.s. will be granted, subject to existing rights, upon receipt of the statutory permit fee.

Respectfully submitted,

ELMO J. DeRICCO
State Engineer


By: George W. Hennen
Assistant State Engineer

Dated this 3rd day of

February 19 64