

IN THE MATTER OF APPLICATION 19363 FILED)
ON NOVEMBER 28, 1960, BY VICTOR LAMBERTUCCI)
AND DOMENICO LAMBERTUCCI, TO APPROPRIATE) R U L I N G
WATER FROM LIBERTY SPRING FOR IRRIGATION)
AND DOMESTIC PURPOSES IN NYE COUNTY, NEVADA)

Description of Application:

137A

Application 19363 was filed by Victor Lambertucci and Domenico Lambertucci on November 28, 1960, to appropriate 1.0 c.f.s. of the waters of Liberty Spring at a point within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 16, T. 5 N., R. 42 E., M.D.B.&M., or at a point from which the W $\frac{1}{4}$ corner of Section 7, T. 5 N., R. 42 E., M.D.B.&M., bears N. 69° 11' W., 15,145.0 feet. Water is to be used to irrigate 200 acres of land and for domestic purposes during the period of January 1 to December 31 of each year.

The land to be irrigated is within all or portions of S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 27; S $\frac{1}{2}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 28; NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ Section 33 and NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 34, T. 3 N., R. 42 E., M.D.B.&M. Water under this appropriation is to be piped approximately 14 to 15 miles in a southerly direction to the place of use situated immediately northerly of Tonopah, Nevada.

Protest:

On February 15, 1961, protest was filed by E. M. Booth, Box 826, Tonopah, Nevada, on the grounds that he owns the patented millsite to be used in conjunction with producing mining claims.

Opinion:

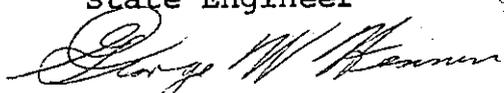
It is the opinion of this office that there is unappropriated water at this source and that the granting of Application 19363 would not impair the value of existing rights or be otherwise a detriment to the public welfare.

RULING

The protest to the granting of Application 19363 is herewith overruled and a permit will be issued upon receipt of the statutory permit fee.

Respectfully submitted,

ELMO J. DeRICCO
State Engineer


BY: GEORGE W. HENNER
Assistant State Engineer

Dated this 3rd day of
February 1964