

IN THE MATTER OF APPLICATION 24297)
FILED ON DECEMBER 21, 1967, BY)
JIM BROWNE TO APPROPRIATE WATER FROM)
AN UNDERGROUND SOURCE IN WHITE PINE)
COUNTY, NEVADA.)

R U L I N G

GENERAL:

Application 24297 was filed on December 21, 1967, by Jim Browne to appropriate 2.0 c.f.s. of water for mining, milling, and domestic purposes. The proposed point of diversion is within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 12, T.16N., R.62E., M.D.B.&M. The place of use is portions of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 11; N $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 12; all in T.16N., R.62E., M.D.B.&M.

Application 24297 was protested by Kennecott Copper Corporation on February 6, 1968, on the grounds that granting of a permit under Application 24297 would impair and conflict with the value of existing rights; be against public policy; and would be contrary to statute.

The only valid water right of record located within one-half mile of the proposed point of diversion is Certificate 5060, subject of Permit 16871, which was issued for 0.10 c.f.s. of water from an underground source for mining and domestic purposes. The owner of record is Isbell Construction Company. The point of diversion is about 900 feet in a southeasterly direction from the proposed appropriation.

Two certificates have been issued for the waters of Watson Springs, located about 2,750 feet in a southeasterly direction from the proposed diversion. Certificate 2796, subject of Permit 9404, is for 0.002 c.f.s. of water for irrigation purposes. The point of diversion is in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 12, T.16N., R.62E., The owners of record are Nick and Louise Yrazabal.

Certificate 2920, subject of Permit 9492, is for 0.0129 c.f.s. of water from Watson Spring for irrigation and domestic purposes. The owner of record is William J. Walker.

A field investigation was held in the matter of Application 24297 on March 18, 1968.

OPINION

It is the opinion of the State Engineer that granting of a permit under Application 24297 will not adversely affect the value of or impair existing rights; that it would not be against public policy; and that it would not be against statute.

April 11, 1968

The protest to Application 24297 is herewith overruled, and a permit will be issued, subject to existing rights, upon payment of the statutory fees.

Respectfully submitted,


ROLAND D. WESTERGARD
State Engineer

RDW:JCP:jw

Dated this 12th day
of April, 1968.