

IN THE MATTER OF APPLICATION 23432  
FILED BY YOUNG BROTHERS LIVESTOCK,  
INC., TO APPROPRIATE WATER FROM AN  
UNDERGROUND SOURCE IN BIG SMOKY VALLEY,  
LANDER COUNTY, NEVADA

R U L I N G

General:

Application 23432 was filed October 7, 1966, by Young Brothers Livestock Inc., to appropriate 5.0 c.f.s. of water from an underground source for irrigation and domestic use, to be diverted within the NW $\frac{1}{4}$  NE $\frac{1}{4}$  Section 23, T. 16N., R. 44E., M.D.B.&M. The period of use to be from January 1 to December 31 of each year. The place of use is described as being the NE $\frac{1}{4}$  NE $\frac{1}{4}$  Section 23, and the W $\frac{1}{2}$  NW $\frac{1}{4}$ , SE $\frac{1}{4}$  NW $\frac{1}{4}$ , N $\frac{1}{2}$  SW $\frac{1}{4}$ , SE $\frac{1}{4}$  SW $\frac{1}{4}$ , and SE $\frac{1}{4}$  Section 24, T. 16N., R. 44E., M.D.B.&M.

Application 23432 was protested January 16, 1967 by Roy L. Thompson on the grounds that "Would effect adversely artesian wells on my property."

A field investigation made of the protested application on August 4, 1967, disclosed that the artesian wells were 5 miles south of the proposed point of diversion.

RULING

The protest to the granting of Application 23432 is herewith overruled and permits will be issued upon receipt of the statutory Permit fees for acreages controlled by the applicants, subject to existing rights.

On Application 23432, the NE $\frac{1}{4}$  NE $\frac{1}{4}$  Section 23, the NW $\frac{1}{4}$  NW $\frac{1}{4}$ , NW $\frac{1}{4}$  SW $\frac{1}{4}$  Section 24, T. 16N., R. 44E., M.D.B.&M. are included in the place of use. Since the applicant does not control these lands, the permit will not include these lands. The acreage in the permit for the SW $\frac{1}{4}$  NW $\frac{1}{4}$  Section 24, will be limited to 23.03 acres of harvest crop as specified in the decree.

Respectfully Submitted,

  
Roland D. Westergaard  
State Engineer

RDW:SH:jb

Dated This 31st Day  
of July, 1968.