

IN THE MATTER OF APPLICATION)
24745 FILED BY DELL MCINTOSH)
TO APPROPRIATE WATER FROM AN)
UNDERGROUND SOURCE LOCATED IN)
WHITE PINE COUNTY, NEVADA)

R U L I N G

GENERAL:

Application 24745 was filed on November 4, 1968 by Dell McIntosh to appropriate 0.5 c.f.s. of water from an underground source for irrigation and domestic purposes. The point of diversion is described as being within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 11, T. 16 N., R. 63 E., M.D.B.&M. and the place of use within the S $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 17; S $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 11, T. 16 N., R. 63 E., M.D.B.&M. (6 acres).

This application was protested on January 10, 1969 by C. E. Horton; on January 15, 1969 by White Pine County and on January 15, 1969 by Agricultural District No. 6.

The general grounds of the protests are "impair and conflict with the value of existing rights and against public policy to grant such rights." The grounds of the protests are further outlined in the protests.

A field investigation was held in the above matter on February 27, 1969.

C. E. Horton's wells under certificates 4351 and 4352 are located approximately 3/4 of a mile to the south of the proposed point of diversion under Application No. 24745. The nearest existing water rights to the proposed point of diversion under 24745 is Cert. 4527 for 0.10 c.f.s. of water from an underground source. This well is located approximately 1/4 mile to the north of the point of diversion under Application No. 24745.

At the time of the field investigation, there was no record of any water rights in the name of White Pine County for the well at the White Pine County Fair Grounds.

There does not appear to be any conflict with existing rights in the area.

RULING

The protests to the granting of a permit under Application 24745 are herewith overruled and a permit will be granted upon receipt of the statutory permit fees, subject to existing rights.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW:PGM:jls

Dated this 13th day
of May, 1969.