

IN THE MATTER OF APPLICATION NO.)
10587, FILED BY J. N. BRYAN FOR)
PERMISSION TO APPROPRIATE WATER) R U L I N G
FROM LONG CANYON CREEK AND UNDER-)
GROUND, IN CHURCHILL COUNTY,)
NEVADA.)

GENERAL:

Application No. 10587 was filed by J. N. Bryan on November 8, 1940, for permission to appropriate 0.0234 c.f.s. of water for watering 750 head of cattle and horses from Long Canyon Creek and underground sources. The proposed point of diversion and place of use are described as within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 7, T.15N.,R.35E.,M.D.B.&M. This application was assigned down to Ellenwood Livestock Company on April 14, 1969.

A protest was filed by E. B. and K. S. Cornell under Application 10587 on September 18, 1941, on the grounds that "that protestants have been in possession of and have used this water continuously for the past 19 years ----- the granting of any rights to anyone other than protestants would render this range and protestants' filing 6869 useless -----."

Certificate 1135, subject of Permit 6869, was issued August 28, 1925, for 0.0045 c.f.s. of water for watering 150 head of livestock. This certificate was issued to E. B. Cornell. The source of water under this certificate is from Buffalo Springs, located within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 1 T. 15N.,R.37E.,M.D.B.&M. This certificate was assigned down to W. W. and Jessie B. Whittaker.

The Bureau of Land Management was contacted by letter dated July 28, 1969, requesting information regarding the range rights within the area covered by this application. Their reply dated August 12, 1969, states that this area is a common use area to the following range users:

Paris, Paris and Inchauspe,
Magnuson Ranch,
Ellenwood Livestock Company and
Harry Brown.

RULING

The protest filed under Application 10587 is herewith overruled on the grounds that the protestants no longer have an interest in Permit 6869 which was the basis of the protest. The applicant has range rights in the area covered under the application and approval would not adversely affect existing water rights. A permit will be issued upon receipt of the statutory permit fees.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW:RRD:jw

Dated this 9th day of
September, 1969.