

IN THE MATTER OF APPLICATION 16703)
FILED BY H. C. CROFOOT FOR PERMISSION)
TO APPROPRIATE WATER FROM MANDALAY SPRINGS)
SEEP IN HUMBOLDT COUNTY, NEVADA)

R U L I N G

GENERAL:

Application 16703 was filed by H. C. Crofoot on August 11, 1955 for permission to appropriate 2 c.f.s. of water from Mandalay Springs Seep for milling and domestic purposes. The proposed point of diversion and place of use was described as within the SW¹/₄NW¹/₄ Section 16, T. 35 N., R. 30 E., M.D.B.&M.

A protest was filed under this application on November 2, 1955 by Bill DeLong on the grounds that the spring was essential to the livestock interests in this area and that his predecessors had established a vested right to this spring. Correspondence in the file indicates that the applicant and protestant were to meet and discuss an agreement regarding the use of water from this spring and submit said agreement to this office.

A letter was sent to Mr. DeLong on January 21, 1970 inquiring about continuing interest in pursuing the protest. A letter dated January 21, 1970 was sent to the applicant requesting information concerning the continued interest in pursuing this application. A reply dated February 4, 1970 was received from the protestant indicating said continuing interest in the protest. A letter dated February 5, 1970 was received from Sullivan, Roche and Johnson, attorneys at law representing Pacific Sulphur Co. and further stating that said Company is the successor in interest to Mr. Crofoot and were interested in pursuing this application. There are no rights of record on the source.

RULING

The protest filed under Application 16703 is herewith overruled on the grounds that there are no conflicting water rights of record in this office and a permit can be issued subject to any existing rights; upon completion of assignment of this right into the present owner's name and receipt of the statutory permit fees.

Respectively submitted,


Roland D. Westergard
State Engineer

RDW:RRD:jls

Dated this 19th day

of March, 1970.