

IN THE MATTER OF APPLICATION 9632)
FILED BY HARRY WILSON FOR PERMISSION) R U L I N G
TO APPROPRIATE WATER FROM POT HOLES)
SPRINGS IN HUMBOLDT COUNTY, NEVADA.)

GENERAL:

Application 9632 was filed by Harry Wilson on October 8, 1932, for permission to appropriate 0.25 c.f.s. of water from Pot Holes Springs for stock watering and domestic purposes. The proposed point of diversion and place of use is described as within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 13, T.43N., R.24 $\frac{1}{2}$ E., M.D.B.&M.

A protest was filed under this application by Thousand Creek Livestock Company on February 21, 1933, on the grounds that the protestant and its predecessors in interest have used all the water of Pot Holes Springs for more than 40 years.

A letter was sent to the applicant on July 30, 1970, by certified mail requesting notice of continued interest in pursuing this application. His reply was received in this office August 10, 1970, in which he stated continued interest in this application.

A letter dated August 28, 1970, was sent to the Bureau of Land Management requesting information regarding range users in the area of this application. Their reply dated September 8, 1970, states: "At the present time this water is a common allotment used by William and Mark Heryford, Hussa Ranch, P. B. Harris, Eastlick Estate and Wilson Ranch, Incorporated."

A letter was sent to the protestants by certified mail on September 15, 1970, requesting continued interest in protesting this application. This letter was returned by the Post Office stamped: "Deficiency in Address."

RULING

The protest filed under Application 9632 is herewith overruled on the grounds that the protestant is not a

range user in the area covered by this application and will not be adversely affected by the granting of this application. A permit will be issued upon receipt of the statutory permit fees at a later date.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW:RRD:jw

Dated this 9th day of

October, 1970.