

IN THE MATTER OF APPLICATION 26184)
TO APPROPRIATE THE WATERS OF AN)
UNNAMED SPRING BY JULIUS BUNKOWSKI)
IN STOREY COUNTY, NEVADA.)

R U L I N G

GENERAL:

Application 26184 was filed on June 29, 1971, by Julius Bunkowski to appropriate 0.25 c.f.s. of water from an unnamed spring in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 12, T.16N., R.20E., M.D.B.&M., for quasi-municipal (subdivision) and domestic purposes. The place of use is within Sections 19, 20, 29, 30, T.16N., R.21E., M.D.B.&M., and Sections 24 and 25, T.16N., R.20E., M.D.B.&M.

This application was protested by the State of Nevada Department of Fish and Game on December 1, 1971, on the grounds that the waters have been used for the watering of wildlife in the area.

A field investigation in the matter of this application was held on March 8, 1972.

A meeting in the matter of this application was held in the office of the State Engineer on March 20, 1972.

The spring is located on the western side of the American Flat basin in Storey County, Nevada. Just to the west of the spring and upslope is a mine shaft with water standing at a few feet below the ground surface. The waters of the spring flow out into a large marshy area. Although the spring was not flowing all the way down into the basin, it appears to be one of the main tributaries to American Flat Creek which originates in the basin and flows into Gold Canyon at the lower end of Silver City. There are certificated rights on American Flat Creek and a tributary mine tunnel for 3.2 c.f.s.

OPINION:

It is our opinion that the granting of a permit under Application 26184 would adversely affect the flow of American Flat Creek and would tend to impair the value of existing rights.

RULING

Application 26184 is herewith denied on the grounds that its granting would tend to impair the value of existing rights and would be otherwise detrimental to the public welfare.

Respectfully submitted,

Dated this 17th day
of April, 1972.


Roland D. Westergard
State Engineer