

IN THE MATTER OF APPLICATION )  
29163 FILED BY JAMES E. AND )  
CAROL A. NUTTER TO APPROPRIATE )  
WATER FROM AN UNNAMED SPRING )  
IN DOUGLAS COUNTY, NEVADA. )

R U L I N G

105

GENERAL:

Application 29163 was filed on January 24, 1975, by James E. Nutter and Carol A. Nutter (as joint tenants) to appropriate 0.20 c.f.s. of water from an unnamed spring for stock watering and domestic purposes. Water is to be diverted at its source within the SW $\frac{1}{4}$  NE $\frac{1}{4}$  Section 9, T.13N., R.19E., M.D.M. The place of use is described as 1.26 acres in a portion of the SW $\frac{1}{4}$  NE $\frac{1}{4}$  and the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 9, T.13N., R.19E., M.D.M. The period of use to be from January 1 to December 31 of each year. The applicant states that the water is to be used for one (1) single family dwelling, lawn, 3 horses, and swimming pool and fire protection.

A protest to the granting of Application 29163 was filed on July 8, 1975, by Margaret Hollister de Runtz on the following grounds:

"Mr. John de Runtz and I wish to reserve this spring and any other unfiled springs and/or water rights for our own future use and development, because we own the property upon which they are located." An addendum was filed by Margaret Hollister de Runtz on July 11, 1975, stating:

"Mr. John de Runtz and I forbid access to property upon which spring is located. Any action taken regarding spring and or pipeline on our property will be regarded as trespassing."

A field investigation was held in the matter of protested Application 29163 on March 30, 1976 and the Report of Field Investigation is a matter of record in the office of the State Engineer. No prior water filings on this source are a matter of record in the office of the State Engineer.

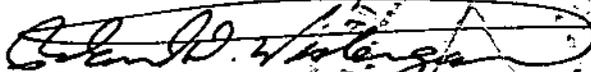
RULING:

The protest to the granting of a permit under Application 29163 is herewith overruled and a permit will be

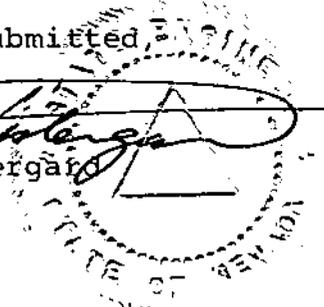
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granted upon payment of the statutory permit fees with  
the understanding that the granting of this permit does  
not grant ingress or egress over private or public land.

Respectfully submitted,



Roland D. Westergaard  
State Engineer



RDW/WJN/bs

Dated this 12th

day of May, 1976.