

IN THE MATTER OF APPLICATION NO. }
11097 FILED BY THEODORE PATTON }
TO APPROPRIATE THE WATERS OF :
PILLAR SPRING FOR STOCKWATERING }
PURPOSES IN NYE COUNTY, NEVADA. }

RULING

Description of Application:

Application No. 11097 was filed on April 6, 1944 by Theodore Patton to appropriate 1.0 c.f.s. of the waters of Pillar Spring for Stockwatering purposes. The point of diversion and place of use are described as being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 11, T. 8 S., R. 47 E., M.D.B.&M.

A protest to the granting of this application was filed on December 15, 1944 by A. M. Johnson on grounds that he owns the Kawich Range and water holes and improvements thereon, and that he has paid taxes on this source for fifteen years.

General:

The grazing area serviced by this source is within the boundaries of the Las Vegas Bombing and Gunnery Range, and the grazing rights within the service area of the source have been leased by the government to James M. Daniels as successor to A. M. Johnson. The applicant under Application No. 11097 could not place the waters of this source to beneficial use without impairing the value of the James M. Daniels' grazing lease and without trespassing on the Las Vegas Bombing and Gunnery Range.

RULING

Application No. 11097 is herewith denied on grounds that the granting thereof would impair the value of existing grazing rights and would be detrimental to the public welfare.

Respectfully submitted,

Hugh A. Shamberger
State Engineer

By

Edmund Muth

Edmund Muth
Assistant State Engineer

Dated this 10th
day of January, 1957