

IN THE MATTER OF APPLICATION NO. 11699  
FILED BY BERTRAND ARAMBEL TO APPROPRIATE  
WATER FROM AN UNDERGROUND SOURCE FOR  
STOCKWATERING PURPOSES IN NYE COUNTY,  
NEVADA.

RULING

Application No. 11699 was filed on October 4, 1946 by Bertrand Arambel to appropriate 0.10 c.f.s. of water from an underground source (Arambel Well No. 2) for the watering of 2000 sheep from January 1st to December 31st of each year. The point of diversion is given as being within the SE $\frac{1}{4}$  SW $\frac{1}{4}$  Section 6, T. 11 N., R. 53 E., N.D.B.&M., unsurveyed, and the place of use is within the same subdivision as the point of diversion.

A protest to the granting of Application No. 11699 was filed on January 13, 1947 by A. G. McBride on the grounds that the granting of said application would invade and impair prior vested rights of the protestant; that it would be against public policy and contrary to statutes; that the protestant and his predecessors in interest have for more than forty years last past, in common with others, appropriated and used all of the waters of said source, and used and grazed the area surrounding said source; that this source is used by the protestant and others in their trailing operations, and that the granting of said application would interfere with the use of the protestant and others using said range in common.

The range serviced by the well under Application No. 11699 is used by Mr. Arambel during the spring and winter seasons in common with six other livestock men. The range right of all of the licensed stockmen within the service area of this well is recognized by this office.

RULING

The protest to the granting of Application No. 11699 is herewith overruled on the grounds that the granting thereof will not impair the value of existing rights or be otherwise detrimental to the public welfare.

A permit will be issued under Application No. 11699 upon receipt of the statutory permit fee, subject to the following limitation and provisions:

- (1) The period of use is limited to the period from February 15th to April 30th and from October 15th to December 15th of each year.
- (2) Existing grazing rights within the service area of this source are recognized and the extent of the permittee's grazing rights in this area will not be effected by virtue of this permit.

Respectfully submitted,

Hugh A. Shamberger  
State Engineer

By *Edmund Muth*

Edmund Muth  
Assistant State Engineer

Dated this 22nd day of  
February, 1957.