

IN THE MATTER OF APPLICATION 20015)
FILED JULY 28, 1961 BY VANCE BOELTS)
TO APPROPRIATE WATER FROM AN UNDER-)
GROUND SOURCE (WELL NO. 2) FOR)
IRRIGATION AND DOMESTIC PURPOSES IN)
EUREKA COUNTY, NEVADA)

R U L I N G

General:

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Application 20015 was filed July 28, 1961, by Vance Boelts to appropriate 4.5 c.f.s. of the waters of an underground source at a point in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 34, T. 21 N., R. 53 E., M.D.B.& M., to irrigate 160 acres of land within Lots 1 and 2, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$ said Section 34. The application was filed in conjunction with Desert Land Application Nevada 056291.

A protest to the granting of Application 20015 was filed on August 1, 1962, by Ruby Hill Mining Company.

Desert Land Entry Nevada-056291, filed by Harry M. Nichols, was allowed on February 15, 1961, subject to the reservation of a right of way to the Ruby Hill Mining Company issued by the United States Department of the Interior, Bureau of Land Management, Land Office, Reno, Nevada, on October 6, 1960, under Serial No. Nevada-056230. Desert Land Entry Nevada-056291 was assigned on May 19, 1961, from Harry M. Nichols to Vance Boelts.

RULING

The alternative, as stipulated in the protest of the Ruby Hill Mining Company, is herewith sustained. On receipt of the statutory permit fee, a permit will be issued under Application 20015, subject to the reservation of a right of way grant to the Ruby Hill Mining Company, Nevada-056230, which is the alternative, and subject to all existing rights on the source.

Respectfully submitted,


Elmo J. DeRicco
State Engineer

Dated this 10th day of
March, 1963