

IN THE MATTER OF APPLICATION 21101)
FILED ON MARCH 6, 1963 BY G. S.)
WIGGAINS TO APPROPRIATE WATER FROM)
AN UNDERGROUND SOURCE FOR IRRIGATION))
AND DOMESTIC PURPOSES IN DIAMOND)
VALLEY, EUREKA COUNTY, NEVADA)

R U L I N G

General:

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Application 21101 was filed on March 6, 1963, by G. S. Wiggains to appropriate water from an underground source for irrigation and domestic purposes in support of a Desert Land Entry in Diamond Valley, Eureka County, Nevada. The Desert Land Entry, Nev-048487 was allowed on October 13, 1960 subject to the right of way granted to the Ruby Hill Mining Company on October 6, 1960 under Serial No. Nev-056230.

Application 21101 was protested on May 23, 1963 by the Ruby Hill Mining Company on grounds that the Desert Land Entry encompassed a right of way belonging to the Mining Company.

RULING

The alternative 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 this application subject to the right of way grant of the Ruby Hill Mining Company, Nev-056230 and subject to all existing rights on the source.

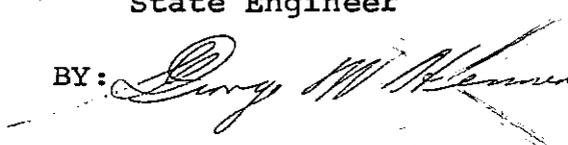
Respectfully submitted,

ELMO J. DeRICCO
State Engineer

Dated this 23rd,

Day of October 1964.

BY:


George W. Hennen,
Assistant State Engineer

TMH:ns