

IN THE MATTER OF APPLICATION 19617
FILED BY M. D. MILLER AND F. L. ROBERTS
FOR 10.0 C.F.S. OF THE WATERS OF MILLERS
SPRINGS IN ORMSBY COUNTY, NEVADA

RULING

General:

104
Application 19617 was filed on February 28, 1961 by M. D. Miller and F. L. Roberts for 10.0 c.f.s. of the waters of Millers Springs to be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14, T. 15 N., R. 19 E., M.D.B.&M., to be used for mining, milling, and domestic purposes within the N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 23, T. 15 N., R. 19 E., M.D.B.&M.

This application was protested on May 23, 1961 by the Carson Water Company on the grounds that "protestant is the owner and holder of a pre-existing vested right in and to all the waters of said spring". An investigation in the matter of this application was made on October 14, 1964.

Opinion:

Since the Carson Water Company has had undisturbed use of this water for many years, and in the absence of any documentary evidence against their claim of vested right, it is our opinion that the granting of Application 19617 would impair the value of existing rights.

RULING

The protest against the granting of Application 19617 is hereby sustained and Application 19617 is herewith denied on the grounds that its granting would impair the value of existing rights.

Respectfully submitted,

ELMO J. DeRICCO
State Engineer

BY: 
George W. Hennen
Assistant State Engineer

Dated this 6th day of
November, 1964.

GWH/TJS/wij