

IN THE MATTER OF APPLICATION 23111)
FILED BY PETE CORDANO AND BILL LEAR)
TO APPROPRIATE THE WATERS OF BECKY)
SPRING #2 FOR STOCKWATERING PURPOSES))
LOCATED IN WHITE PINE COUNTY, NEVADA)

R U L I N G

General:

Application 23111 was filed on April 28, 1966 to appropriate 0.0156 c.f.s. of water from Becky Spring #2 for stockwatering purposes by Pete Cordano and Bill Lear. The point of diversion is described as being within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 11, T25N, R65E, MDB&M. The applicant proposes to water 500 head of cattle. This application was ready for action on August 1, 1966.

This application was protested on June 27, 1966 by J. E. Doutre and Sons on the following grounds:

"J. E. Doutre and Sons Bill Lear and Ray Staley have fall and winter grazing rights in common in an area fed by Becky Spring No. 2. J.E.Doutre and Sons have 2,399 AUM's (of which 270 are restricted) which are dependent on this water; Bill Lear has 930 AUM's dependent on this water; and Ray Staley has 513 AUM's dependent on this water. We and our predecessors have used this water for our common grazing rights in excess of 50 years. It seems unfair that two men should want to usurp it all."

A field investigation in the above matter was held on August 30, 1966.

On August 18, 1966 the Bureau of Land Management was contacted and requested to make a recommendation in regards to application 23111. On September 19, 1966 the following recommendation was received from the Bureau of Land Management under the signature of Roy W. Bean:

"That the applications be rejected for (1) Pete Cordano has no authorized use in the allotment in which the springs are located and (2) it would complicate future livestock management and forage rehabilitation plans if the water were appropriated in one individual's name only. There is no assurance that if individual allotments are established, Lear would get the service area of Becky Springs. Water is poorly distributed over the entire allotment, and a pipeline system would extend the service area of these springs."

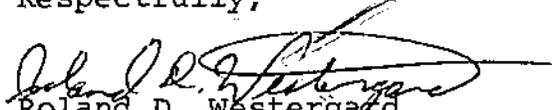
It is the opinion of this office, that the granting of this application would tend to impair the Livestock Management of the area

and would therefore be detrimental to the public welfare.

Ruling

Application 23111 is herewith denied on the grounds that its granting would be detrimental to the public welfare.

Respectfully,


Roland D. Westergard
Assistant State Engineer

RDW:PGM/ja

Dated this 24th day
of October 1966.