

IN THE MATTER OF APPLICATION)
22817 FILED TO APPROPRIATE)
THE WATERS OF AN UNNAMED SPRING)
IN DOUGLAS COUNTY, NEVADA)

R U L I N G

Application 22817 was filed on October 7, 1965, by Robert W. Hass and Nellie S. Hass having P.O.A. for Schindler, Mace and Reding to appropriate 0.1 c.f.s. from an unnamed spring. The application indicates that the water is to be used for domestic purposes. However, the "Remarks" include: "Use will be general domestic, irrigation for landscaping, fish ponds and general beautification." The application also indicates that an area of 7.6 acres is to be irrigated.

A protest to the application was filed by Rufus W. Adams, President of the Genoa Cemetery District on the grounds: "That all of the waters of said unnamed spring have been appropriated by Genoa Cemetery District and there is no water available from said unnamed spring for appropriation."

A protest was also filed by John T. de Runtz, President, The Genoa Co., Inc. a corporation, on the grounds: "The waters of said spring have for many years past and long prior to 1905 been beneficially used, and by such use appropriated by Protestant's predecessors in interest; that said waters have been used for stock watering, as well as irrigation."

There are no rights of record on the proposed source of supply. Each of the protestants claims that waters of the source have been appropriated through prior use. However, no Proofs of Appropriation or supporting evidence have been filed to support these claims. The limit and extent of any such rights would necessarily be established through adjudication proceedings. The protestants have not initiated such proceedings.

All permits to appropriate water are issued subject to existing rights; therefore, any rights that may exist would be required to be satisfied before a permit under Application 22817 would be served.

RULING

The protests to the granting of Application 22817 are overruled and a permit will be issued subject to existing rights upon receipt of statutory permit fees.

Use of water under the permit will be limited to uses described in the "Remarks" as explained above.

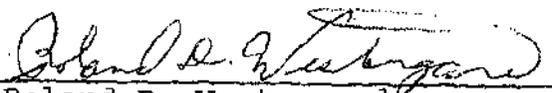
Respectfully submitted,

GEORGE W. HENNEN
State Engineer

Dated this 16th day

of March, 1967

BY:


Roland D. Westergard
Assistant State Engineer

RDW:jw