

FILED

SEP 22 1944

STATE ENGINEER'S OFFICE

One Dollar filing fee must accompany affidavit

IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF NEVADA

IN THE MATTER OF APPLICATION

NUMBER 11139, FILED BY

D.L. Stewart

on 12th July 1944, to APPROPRIATE

THE WATERS OF Pony Spring No. 2

PROTEST OF John Bayles, and

Jess Guymon

Comes now John Bayles and Jess Guymon

whose post-office address is Parowan, Iron County, Utah

whose occupation is Livestock and Farming, and protests

the granting of application number 11139, filed on the 12th

day of July, 1944 by D.L. Stewart

to appropriate the waters of Pony Spring no.2

situated in Lincoln County, State of Nevada, for the

following reasons and on the following grounds, to wit:

That the proposal of the applicant to water 200 head of cattle from
waters diverted at the point given in the notice of said application
would destroy the value of the surrounding range land, which is now
and for a great number of years past, has been, used by these protestants
and their predecessors in interest, for the purpose of grazing cattle
and sheep thereon; that said range land surrounding such point is
now fully stocked with livestock and additional animals cannot be
profitably and economically grazed upon such range lands without ruin
and impairment to the land and detriment to the livestock operations
of these protestants.

WHEREFORE protestant prays that the application no. 11139 of D.L. Stewart
be denied

(Denied, or issued subject to prior rights, as the case may be)

and that the use of water herein claimed by protestant be confirmed

and that an order be entered establishing said right and for such

other relief as the State Engineer deems just and proper.

John Bayles
Jess Guymon
Protestant.

OK. TMA

Utah
STATE OF ~~NEVADA~~ }
COUNTY OF Iron } ss.

John Bayles and Jess Guymon, being first duly sworn, deposes and says, that he has read the foregoing protest and knows the contents thereof and that the same is true of his own knowledge, except as to the matters which are therein stated on information and belief, and as to those matters he believes it to be true.

John Bayles
Jess Guymon

Subscribed and sworn to before me this 18 day of September 1944.

Q.M. Marsden
Notary Public.
Residing at Parowan, Utah.

My Commission expires
March 24, 1948.

