

FILED
OCT 16 1964
STATE ENGINEER'S OFFICE

1 IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF NEVADA.

2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

IN THE MATTER OF APPLICATION NUMBER 22038)
FILED BY UNITED STATES OF AMERICA - -)
BUREAU OF SPORTS FISHERIES, on June 11,)
1964, to APPROPRIATE THE WATERS OF UPPER)
PAHRANAGAT LAKES AND ITS TRIBUTARIES.)

PROTEST OF ERWIN BURNS

COMES NOW Roscoe H. Wilkes, Esq., Attorney at Law, of P. O. Box
175, Pioche, Nevada, as Attorney for the Protestant, Erwin Burns,
whose address is 8346 Salt Lake Avenue, Bell, California, and pro-
tests the granting of application number 22038, filed on June 11,
1964, by United States of America -- Bureau of Sports Fisheries,
to appropriate the waters of Upper Pahrnagat Lakes and Tributaries
situated in Lincoln County, State of Nevada, for the following
reasons and on the following grounds, to-wit:

1.

The water for which application is made is subject to presently-
existing rights and is, therefore, not open to appropriation.

2.

The water has previously been made appurtenant to land other than
that stated in the application.

3.

The application is for water from more than one source.

4.

The granting of the application would be detrimental to the public
welfare.

5.

The granting of the application would impair or tend to impair ex-
isting rights.

1 WHEREFORE PROTESTANT PRAYS:

2 1.

3 That the application No. 22038, filed by United States of America
4 -- Bureau of Sports Fisheries, be denied.

5 2.

6 That the use of the water herein claimed by protestant by con-
7 firmed and that an order be entered establishing said right.

8 3.

9 For such other relief as in the judgment of the State Engineer may
10 seem just and proper.

11 Dated: October 16, 1964.

Roscoe H. Wilkes

Roscoe H. Wilkes
P. O. Box 175
Pioche, Nevada

Attorney for Protestant

12 STATE OF NEVADA)
13 : ss
14 COUNTY OF LINCOLN)

15 Roscoe H. Wilkes, being first duly sworn, de-
16 poses and says, that he has read the foregoing protest and knows
17 the contents thereof and that the same is true of his own know-
18 ledge, except as to the matters which are therein stated on infor-
19 mation and belief, and as to those matters he believes it to be
20 true.

Roscoe H. Wilkes

Roscoe H. Wilkes

21 Subscribed and sworn to before me
22 this 16 day of October, A.D., 1964.

23 Mary A. Montgomery