FILED
MAR 12 1965
STATE ENGINEER'S OFFICE

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

IN THE MATTER OF APPLICATION NUMBER 22311, FILED BY C. KENNETH LEE, on Nov. 2 1964, to APPROPRIATE THE WATERS OF PANACA BIG SPRING

PROTEST OF PANACA IRRIGATION COMPANY
By - A. D. DEMETRAS, Its Attorney at Law

Comes now PANACA IRRIGATION COMPANY whose post-office address is Panaca, Nevada whose occupation is distribution of water, and protests the granting of application number 22311, filed on the 2nd day of November, 1964 by C. KENNETH LEE, of Panaca, County of Lincoln, State of Nevada to appropriate the waters of PANACA BIG SPRING situated in Lincoln County, State of Nevada, for the following reasons and on the following grounds, to wit:

1. Records in the office of the State Engineer of Nevada show that in 1941 the normal flow from the Panaca Big Spring is apparently 14 second feet of water; that in 1915 the White Wash Reclamation Company by A. V. Lee, its secretary, filed application for 5 second feet of the waters of Panaca Big Springs for irrigation purposes from October 1 of each year to April 1 of the following year, and on March 26, 1947, Certificate No. 1278 was issued to the applicant granting 3.8812 c.f.s of the waters of said Panaca Big Springs for the irrigation of 388.12 acres of land in portions of Sections 16, 17 and 20, T. 2 S., R. 68 E., M.D.B.&M.; and that in 1946 it would appear that the Panaca Irrigation & Water Company claims something over 13 c.f.s. of this water under their vested right. Since the flow of water from live springs in this vicinity has materially decreased during the past years, there is now no water from said Panaca Big Springs subject to application by any person

2. That Protestant is informed and believes that the flow from said Panaca Big Spring is considered to be less than previously reported to the Nevada State Engineer and that a new determination should be made thereof.

3. The granting of said Application No. 22311 would be economically unfeasible and would impair the value of existing rights and would be otherwise detrimental to the public welfare and inhabitants of the area.

WHEREFORE protestant prays that the application 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.

PANACA IRRIGATION COMPANY

By A. D. Demetras
Attorney for Protestant.
429 Aultman Street - Ely, Nevada

$10 FILING FEE MUST ACCOMPANY PROTEST.
PROTEST MUST BE FILED IN DUPLICATE.

OK

STATE OF NEVADA
COUNTY OF WHITE PINE } ss.

A. D. DEMETRAS, 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.

A. D. Demetras

Subscribed and sworn to before me this 10th day of March 1965.

Kathryn E. Sundeen
Notary Public.
My Commission Expires: 12/16/67

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