

IN THE MATTER OF APPLICATIONS NOS.)
12793, 12840 AND 12920, FILED BY)
BYRON A. ERCANBRACK TO APPROPRIATE)
WATER FOR STOCKWATERING PURPOSES IN)
LINCOLN COUNTY, NEVADA.)

RULING

DESCRIPTION OF APPLICATIONS

Application No. 12793 was filed on January 8, 1949 to change the point of diversion, manner and place of use of 0.015 c.f.s. of the waters of Mustang Spring heretofore appropriated under Certificate No. 1020 issued under Permit No. 6497. The proposed point of diversion and place of use are in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27, T. 2 S., R. 63 E., M.D.B.&M. This application was filed to correct the location of the point of diversion and place of use under Certificate No. 1020 and to change the manner of use from 2400 sheep to 300 cattle. The period of use is from October 1st to March 1st of each year.

Application No. 12840 was filed on March 7, 1949 to change the point of diversion and place of use of 0.00223 c.f.s. of the waters of Rock Spring heretofore appropriated under Certificate No. 3187 issued under Permit No. 11308. The proposed point of diversion and place of use are to be in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 27, T. 2 S., R. 63 E., M.D.B.&M. This application was filed to correct the location of the point of diversion and place of use under Certificate 3187. The water is to be used for the watering of 100 head of cattle from January 1st to December 31st of each year.

Application No. 12920 was filed on March 19, 1949 to appropriate 0.015 c.f.s. of the waters of Mustang Spring for the watering of 300 head of cattle from March 1st to October 1st of each year. The point of diversion and place of use are to be in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27, T. 2 S., R. 63 E., M.D.B.&M. This application was filed to extend the period of use under Application No. 12793 from a five-month period to year around use.

Protests to the granting of the above described applications were filed on July 22, 1949 by Leonard and Robert W. Bulloch, Jr., Morton C. and Thomas C. Wallace and Monroe Thorley.

GENERAL

On March 30, 1954 this office received a report from the Bureau of Land Management, Division of Grazing. Said report disclosed that all of the applications in question are located within the grazing allotment granted to the Ercanbracks, by the Department of Interior.

RULING

The protests to the granting of Applications Nos. 12793, 12840 and 12920 are herewith overruled on the grounds that the Applicant has an exclusive grazing right within the area to be serviced by said applications, and that the granting thereof will not impair the value of existing rights or be detrimental to the public welfare.

Permits will be issued under these applications on receipt of the statutory permit fee.

Respectfully submitted,

HUGH A. SHAMBERGER
State Engineer

By *Edmund Muth*

EDMUND MUTH
Assistant State Engineer

Dated this 14th
day of April, 1954.