

IN THE MATTER OF APPLICATION NO. }
15064 FILED BY DEWEY DAN FOR }
PERMISSION TO APPROPRIATE WATER }
FROM COWBOY REST SPRING NO. 2 }
IN LANDER COUNTY, NEVADA. }

R U L I N G

GENERAL:

Application No. 15064 was filed by Dewey Dan on May 19, 1953 for permission to appropriate 0.025 cfs of water from Cowboy Rest Spring No. 2 for watering 200 head of cattle. The proposed point of diversion and place of use are described as within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 21, T. 23 N., R. 46 E., M.D.B.&M.

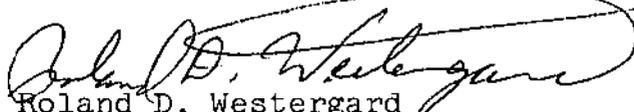
This application was protested by Richard Magee Inc., on August 3, 1953 on the grounds that the protestant has a vested right to this spring, and protested by St. John Laborde, on August 12, 1953, on the grounds that the protestant has used the water from this spring for stockwatering purposes from 1915.

A field investigation was held on September 13, 1965 for these protests. The Bureau of Land Management was contacted by letter dated February 21, 1969 regarding information as to the range users within the area of this application. Their reply, dated February 27, 1969, states that Dewey Dan is not a range user in this area.

RULING

Application 15064 is herewith denied on the grounds that the applicant has no range right in this area and the granting of this application would be detrimental to the public welfare.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW:RRD:jb

Dated This 21st Day
of March, 1969.