

IN THE MATTER OF APPLICATION NO.)
15065 FILED BY DEWEY DAN FOR)
PERMISSION TO APPROPRIATE WATER)
FROM COWBOY REST SPRING NO. 1)
IN LANDER COUNTY, NEVADA.)

R U L I N G

GENERAL:

Application No. 15065 was filed by Dewey Dan on May 19, 1953 for permission to appropriate 0.025 cfs of water from Cowboy Rest Spring No. 1 for the watering of 200 head of cattle and domestic purposes. The proposed point of diversion is described as within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 19, T. 23 N., R. 46 E., M.D.B.&M. The proposed place of use is described as within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 19, and NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 20, T. 23 N., R. 46 E., M.D.B.&M. This application was assigned down to Grass Valley Ranch, Inc. on November 14, 1967.

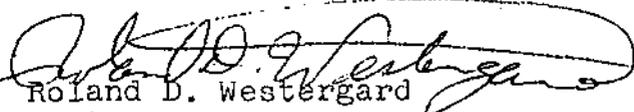
A protest was filed by Richard Magee, Inc., on August 3, 1953 on the grounds that the protestant has a vested right to this spring. A protest was filed by St. John Laborde on August 12, 1953 on the grounds that the protestant has used the water of said spring since 1915. A field investigation for these protests was held September 15, 1965.

A letter dated February 21, 1969 to the Bureau of Land Management requested information as to the range users in the area of this application. Their reply, dated February 27, 1969, states that Grass Valley Ranch, Inc., has a range right for 9739 AUMS in this area. Their letter listed the range users in this area and the two protestsnts have no listing of range rights in this area.

RULING

The protests against the granting of application No. 15065 are herewith overruled on the grounds that the protestants do not have range right in this area and the present owner of record of this application has range rights in this area. Therefore Application 15065 will be approved and a permit issued upon receipt of the statutory permit fees.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW:RRD:jb

Dated This 21st Day
of March, 1969.