

IN THE MATTER OF APPLICATION NO. }
13570 FILED BY JOHN KIPPEN, ET. }
AL., TO APPROPRIATE THE WATERS OF }
FERGUSON SPRING LOCATED IN ELKO }
COUNTY, NEVADA. }

R U L I N G

GENERAL:

Application 13570 was filed on December 13, 1950 by John Kippen et. al., to appropriate 0.05 cfs of the waters of Ferguson Springs for stockwatering purposes. The point of diversion is located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 33, T. 30 N., R. 69 E., M.D.B.&M., and the place of use within the same subdivision. The applicant proposes to water 8,000 head of sheep on a year around basis.

This application was protested on August 16, 1951 by Clarence Keller and W. Peterson et. al.

The grounds of the protest are lengthy but in general claim interference with existing rights and no unappropriated water at the source.

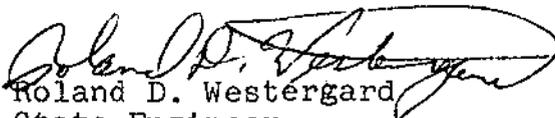
A field investigation in the above matter was made on May 26, 1969.

Results of the field investigation indicate that there is sufficient water to serve all existing rights and the appropriation proposed under Application 13570.

RULING

The protest to the granting of Application 13570 is herewith overruled and a permit will be granted subject to existing rights upon receipt of the statutory permit fees. Nothing in this ruling should be interpreted as granting of any right of egress or ingress to the permittee.

Respectfully Submitted,


Roland D. Westergard
State Engineer

RDW:PGM:jb

Dated This 26th Day

of June, 1969.