

IN THE MATTER OF APPLICATION)
18094 FILED BY ASH MEADOWS,)
INC. FOR PERMISSION TO APPRO-)
PRIATE WATER FROM LONGSTREET)
SPRING IN NYE COUNTY, NEVADA.)

R U L I N G

GENERAL:

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Application 18094 was filed by Ash Meadows, Inc. on July 2, 1959 for permission to appropriate 3.0 c.f.s. of water from Longstreet Spring for irrigation and domestic purposes. The proposed point of diversion is described as within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 22, T. 17 S., R. 50 E., M.D.B.&M. The place of use is described as 120 acres within the W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 15 and NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 22, T. 17 S., R. 50 E., M.D.B.&M. This application was ready for action February 15, 1960. A protest was filed under this application by Norine B. Harris on the grounds that granting of this application would interfere with the protestants Application No. 17947. This application was assigned to Spring Meadows, Inc. on October 17, 1967.

Application 17947 was filed by Norine B. Harris on April 20, 1959 for permission to appropriate 4.0 c.f.s. of water from Longstreet Spring for irrigation and domestic purposes. The proposed point of diversion is described as within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 22, T. 17 S., R. 50 E., M.D.B.&M. The proposed place of use is described as 160 acres within W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 21 and W $\frac{1}{2}$ NE $\frac{1}{4}$ Section 28, T. 17 S., R. 50 E., M.D.B.&M. This application was ready for action November 9, 1959.

Protest was filed under this application by Merrill H. Peterson on November 2, 1959 on the grounds that granting permit under this application would be detrimental to the protestants existing rights. This application was assigned to Nye County Land Company (predecessor to Spring Meadows, Inc.) on January 10, 1962. The owner of record withdrew this application June 22, 1964.

A note was inserted in Application 18094 on January 25, 1963 requesting that action be withheld on this application pending adjudication proceedings on Longstreet Springs. A petition to adjudicate Longstreet Spring, submitted by George Swink, predecessor in interest to Spring Meadows, Inc.) in November, 1962. No further action has been taken on the adjudication proceedings.

A letter, dated December 2, 1971, was received in this office from Grant A. Engstrom, agent for Capparet Enterprises, (Spring Meadows, Inc.), requesting action be taken on Application 18094 pending adjudication proceedings not withstanding.

RULING

The protest filed under Application 18094 is here-
with overruled on the grounds that the protestant's interest
has been acquired by the applicants under this application
and there are no basis left for this protest. Permit will be
issued upon receipt of the statutory permit fees.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW:gs

Dated this 30th day
of December, 1971.