

IN THE MATTER OF APPLICATION 26793)
FILED BY WILLIAM E. AND DIANTHE B.)
SWEIKERT TO APPROPRIATE WATER FROM) R U L I N G
AN UNKNOWN SPRING IN WHITE PINE COUNTY,)
NEVADA.)

GENERAL:

Application 26793 was filed on June 23, 1972, by William E. and Dianthe B. Sweikert to appropriate 1.0 c.f.s. from an unknown spring in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 11, T.13N., R.69E., M.D.B.&M. The water is to be used for irrigation and domestic purposes on 7.8 acres in W $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 11, T.13N., R.69E., M.D.B.&M. The period of use is January 1st to December 31st of each year.

Protests to the granting of Application 26793 were filed on August 31, 1972, by Wesley and Marthella Jordan, on September 13, 1972, by Wayne D. Gender, and on September 21, 1972, by Fred Baker. All three protestants are water users under the Baker and Lehman Creek Decree, and the grounds for their protests were that the spring is tributary to Lehman Creek, that there is no unappropriated water on Baker and Lehman Creeks, and that the granting of the application would impair the existing water rights on the stream system.

A field investigation in the matter of this application was made on November 16, 1972.

OPINION:

It is our opinion that the granting of this application would adversely affect the existing rights as established under the Baker and Lehman Creek Decree.

RULING

Application 26793 is herewith denied on the grounds that the granting of this application would adversely affect prior existing rights.

Respectfully submitted,

RDW:BAR:jw


Roland D. Westergard
State Engineer

Dated this 13th day of
December, 1972.