

IN THE MATTER OF APPLICATION )  
26980 FILED BY NORMAN L. LINDLEY )  
FOR PERMISSION TO APPROPRIATE ) R U L I N G  
WATER FROM MOLLESON SPRINGS IN )  
WHITE PINE COUNTY, NEVADA )

GENERAL: 1-9

Application 26980 was filed by Norman L. Lindley on September 12, 1972 for permission to appropriate 2.5 c.f.s. of water from Molleson Springs for irrigation and domestic purposes. The point of diversion is described as within the NE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 20, T.19N., R.63E., M.D.B.& M. The proposed place of use is 160 acres within the SE $\frac{1}{4}$  of said Section 20. This application was ready for action on December 31, 1972.

A protest was filed under this application by Gordon V. and Irene T. Foppiano on December 21, 1972. The protestants requested denial on the grounds that "This water drains into the Steptoe Slough and would interfere with the appropriated waters under Permit 12928, causing a water shortage which would impair our livestock and ranching operations".

Permit 12928 of record in the name of Gordon Vernon Foppiano was issued April 18, 1950 for 3.2 c.f.s. of water from Steptoe Slough for irrigation purposes. The point of diversion is within the SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 25, T.23N., R.63E. Certificate 3928 was issued under this permit on February 20, 1953 for 3.0 c.f.s. of water for irrigation of 288.1 acres within a portion of Section 25, T.23N., R.63E., M.D.B.& M. The point of diversion under Permit 12928 is located 22.75 miles northerly from the point of diversion under Application 26980. Previous field investigations in the area indicate that Molleson Springs does not contribute to the flow of the Steptoe Slough.

RULING:

The protest filed under Application 26980 is herewith overruled on the grounds that the granting of application 26980 would not interfere with Permit 12928 and further, that there is unappropriated water from the sources under Application 26980. A permit will be granted under 26980, upon receipt of statutory permit fees.

Respectfully submitted,

  
Roland D. Westergard  
State Engineer

Dated this 6th day  
of February, 1973.  
RDW/RRD/bs