

IN THE MATTER OF APPLICATION 26415 )  
FILED BY ARROWHEAD SILICA CORP. )  
TO APPROPRIATE WATER FROM SLAUGHTER- ) R U L I N G  
HOUSE CANYON IN LANDER COUNTY, )  
NEVADA. )

*42*

On November 22, 1971, Arrowhead Silica Corp. filed Application 26415 to appropriate 1 c.f.s. of water from Slaughterhouse Canyon. The water is to be used for milling and domestic purposes. The point of diversion is within the NE $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 18, T.19N., R.44E., M.D.M. and the place of use is within the S $\frac{1}{2}$  NE $\frac{1}{4}$  Sec. 13, T.19N., R.44E., M.D.M.

On February 14, 1972, the United States of America, Forest Service, protested the granting of Application 26415 on the following grounds:

"The proposed point of diversion may be on National Forest land. The source is a seep which is presently used by wildlife and approximately 100 cattle. The continuous use for livestock watering since earliest pioneer times constitutes a vested right for the water needed for livestock watering purposes. We allege that the planned horizontal drilling may destroy the surface spring, and that there is not 1.0 second foot of water available for appropriation after subsisting rights established by livestock use has been satisfied."

There are no other water rights of record within one-half mile of the proposed point of diversion under Application 26415.

On August 21, 1974, a field investigation was held to gather additional information. The applicant and protestant had been notified by certified mail. No one was present representing Arrowhead Silica Corp.

#### RULING

Application 26415 is hereby denied on the grounds that by not being represented at the field investigation the applicant has failed to submit necessary additional information. The approval of this application without the desired additional information would be detrimental to the public welfare.

Respectfully submitted,

  
Roland D. Westergard  
State Engineer

RDW:JC:jw

Dated this 21st day of  
November, 1974.