

IN THE MATTER OF APPLICATIONS 29446)
AND 29447 FILED BY RAINBOW MILLING)
COMPANY FOR PERMISSION TO CHANGE)
THE PLACE OF USE OF APPLICATIONS)
28906 AND 28905 IN ESMERALDA COUNTY,)
NEVADA.)

R U L I N G

GENERAL:

Application 29446 was filed June 16, 1975 in the name of Rainbow Milling Co. to change the place of use of 0.12 c.f.s. of water heretofore appropriated under Permit 28906. The source of water is described as Spring No. 3 located within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 32, T.6S., R.40E. The proposed place of use is described as portions of Sections 33 and 34, T.6S., R.40E. and within portions of Sections 3, 4, 5, 10, 11, 14 and 15, T.7S., R.40E. M.D.B.&M.

Application 29447 was filed June 16, 1975 in the name of Rainbow Milling Co. to change the place of use of 0.12 c.f.s. of water heretofore appropriated under Permit 28905. The source of water is described as Spring No. 2 located within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 32, T.6S., R.40E., M.D.B.&M. The proposed place of use is the same as Application 29446 above.

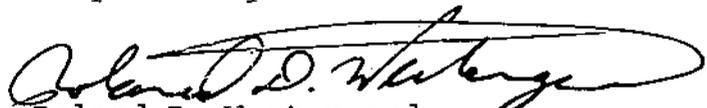
Separate protests to the granting of Application 29446 and Application 29447 were filed September 18, 1975 by Darlene Y. Haymes.

On November 18, 1975 personnel of the Division of Water Resources held a field investigation at the location of the points of diversion. After locating the springs covered by Applications 29446 and 29447 the protestant explained that her concern had been for the waters of O'Hara Spring nearby, and upon seeing that these applications would not effect the waters of O'Hara Spring she had no objection to the issuance of permits under these applications.

RULING:

The protests to the granting of Applications 29446 and 29447 are herewith overruled and permits will be issued subject to existing rights, upon receipt of the required permit fees.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW/TFH/lk

Dated this 9th day
of December, 1975.