

IN THE MATTER OF APPLICATION NO. }  
13294 FILED BY JAMES M. DANIELS }  
TO APPROPRIATE WATER FROM AN }  
UNNAMED SPRING FOR STOCKWATERING }  
PURPOSES IN ESMERALDA COUNTY, NEV. }

RULING

Description of Application:

Application No. 13294 was filed on March 7, 1950 by James M. Daniels to appropriate 0.025 c.f.s. of water from an Unnamed Spring, now known as "Durr Spring", for the watering of 300 head of cattle and 25 head of horses from January 1st to December 31st of each year. The point of diversion and place of use are described as being within the SW $\frac{1}{4}$  SW $\frac{1}{4}$  Section 5, T. 7 S., R. 43 E., M.D.B.&M.

There were no protests filed to the granting of this application.

General:

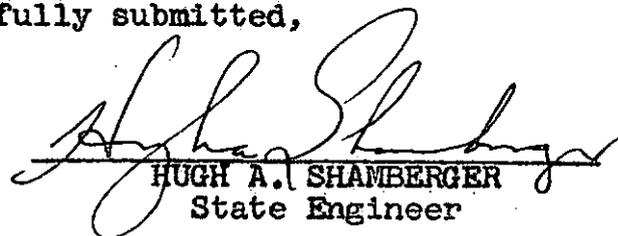
The grazing area serviced by this source is on public domain and has been leased by the federal government to Oscar Rudnick for grazing purposes. In order for the applicant to place the waters of this source to beneficial use, it would be necessary for him to trespass on Oscar Rudnick's grazing lease.



RULING

Application No. 13294 is herewith denied on grounds that the granting thereof would impair the value of existing grazing rights and would be detrimental to the public welfare.

Respectfully submitted,

  
HUGH A. SHAMBERGER  
State Engineer

Dated this 5th day  
of December, 1956.