

**IN THE OFFICE OF THE STATE ENGINEER**

IN THE MATTER OF APPLICATION 47417 )  
FILED TO APPROPRIATE THE PUBLIC )  
WATERS OF AN UNDERGROUND SOURCE IN )  
ORIENTAL WASH BASIN, ESMERALDA )  
COUNTY, NEVADA. )

**RULING**

**GENERAL**

Application 47417 was filed on November 14, 1983, by Lynx Corporation of Nevada to appropriate 1.0 c.f.s. of water from an underground source for mining, milling and domestic purposes within the SE1/4 SW1/4 and the S1/2 SE1/4 Section 33, T.6S., R.40E., M.D.B.&M. The point of diversion is described as being within the SW1/4 SE1/4 Section 33, T.6S., R.40E., M.D.B.&M.<sup>1</sup>

Application 47417 was timely protested by Jack N. Vogt on February 24, 1984, on the following grounds:<sup>1</sup>

"To protect our certified rights above and below the source of application for livestock."

The protestant did not indicate that Application 47417 should be denied.

**FINDINGS OF FACT**

I.

Application 47417 is a request to appropriate underground water in Oriental Wash a non-designated basin.<sup>2</sup>

II.

There are no water rights of record in the name of Jack N. Vogt within a mile of the proposed point of diversion of Application 47417.<sup>2</sup>

**CONCLUSIONS**

I.

The State Engineer has jurisdiction of the parties and the subject matter of this action under the provisions of NRS Chapters 533 and 534.<sup>3</sup>

-----  
<sup>1</sup> Public record in the office of the State Engineer under Application 47417.

<sup>2</sup> Public record in the office of the State Engineer.

<sup>3</sup> NRS 533.325.

II.

Information available to the State Engineer indicates there will be no adverse affect on existing rights if Application 47417 is approved.<sup>1</sup>

**RULING**

The protest to Application 47417 is hereby overruled on the grounds that the granting thereof will not tend to impair the value of existing rights or be otherwise detrimental to the public welfare.

A permit will be issued under Application 47417 upon payment of the required statutory permit fees and subject to existing rights on the source.

Respectfully submitted



Peter G. Morros  
State Engineer

PGM/GC/bl

Dated this 15th day of  
November, 1984.