

IN THE MATTER OF APPLICATION 11729 )  
FILED NOVEMBER 29, 1946 BY T. A. McCALL )  
TO APPROPRIATE THE WATERS OF BIG SPRING )  
FOR IRRIGATION AND DOMESTIC PURPOSES IN )  
NYE COUNTY, NEVADA )

R U L I N G

Application 11729 was filed for 10 c.f.s. of the waters of Big Spring located within the SE $\frac{1}{4}$  NE $\frac{1}{4}$  Section 3, T. 18 S., R. 50 E., M.D.B. & M., to be diverted within the NE $\frac{1}{4}$  NE $\frac{1}{4}$  Section 9, T. 18 S., R. 50 E., and used for the irrigation of 480 acres of land located within portions of Sections 9, 10, 15 and 16, T. 18 S., R. 50 E., and domestic purposes.

This application has been transferred to Big Meadows, Inc.

A protest to the granting of this application was filed on November 6, 1947, by Mrs. Freda Carlson on the grounds that the protestant has prior rights to the water.

The owner of record and the protestant were notified by certified mail on January 14, 1963, that if they were still interested in the matter of this application they should notify this office within 30 days.

The letter to the protestant was returned with the notation "Moved, left no address".

No reply was made by the owner of record.

Opinion:

It is the opinion of this office that the granting of an application, when the owner of record is no longer interested in the appropriation, would tend to impair the value of existing rights and would be detrimental to the orderly development of the area.

RULING

Application 11729 is herewith denied on grounds that the granting would tend to impair the value of existing rights and would be detrimental to the public welfare.

Respectfully submitted,  
*Elmo J. DeRicco*  
Elmo J. DeRicco  
State Engineer

Dated this 29th day of  
April, 1963