

APPLICATION 22814 AND 22815 FILED)
ON OCTOBER 5, 1965, BY SAM A. HEPNER)
FOR WATER FROM AN UNDERGROUND SOURCE)
FOR MILLING AND DOMESTIC PURPOSES, IN)
ESMERALDA COUNTY, NEVADA.)

R U L I N G

GENERAL:

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Application 22814 was filed on October 5, 1965, by Sam A. Hepner for 0.299 c.f.s. of water from an underground source for milling and domestic purposes. The point of diversion is described as being in the SW $\frac{1}{2}$ SW $\frac{1}{2}$ Section 34 T. 2 S., R. 42 E., M.D.B. & M. or at a point from which the S $\frac{1}{2}$ corner of said Section 34 bears S. 78° 57' W. a distance of 1201 feet. The place of use is described as being within the same subdivision as the point of diversion.

Application 22815 was filed October 5, 1965, by Sam A. Hepner for 0.299 c.f.s. of water from an underground source for milling and domestic purposes. The point of diversion is described as being within the SW $\frac{1}{2}$ SW $\frac{1}{2}$ Section 34 T. 2 S., R. 42 E., M.D.B. & M. The place of use is described as being within the SE $\frac{1}{2}$ SW $\frac{1}{2}$ of said Section 34.

Application 22814 is in conflict with Application 22691 which was filed July 15, 1965, by the Townsite of Goldfield to appropriate 0.10 c.f.s. of water from an underground source for irrigation and domestic (cemetary) purposes. The point of diversion is described as being in the SE $\frac{1}{2}$ SW $\frac{1}{2}$ of Section 34 T. 2 S., R. 42 E., M.D.B. & M. or at a point from which the S $\frac{1}{2}$ corner of said Section 34 bears S. 79° 27' 12" E. a distance of 1112.24 feet. The place of use is described as being within the SW $\frac{1}{2}$ SE $\frac{1}{2}$ of said Section 34.

These applications were investigated on November 2, 1966. The investigation disclosed that the well under Application 22691 and Application 22814 was the same well in spite of the difference in bearing and distance shown in the ties.

OPINION:

It is our opinion that the granting of Application 22814 would interfere with a prior application and also would not be in the public interest.

It is our opinion that the granting of Application 22815 would tend to impair existing rights as the well under this application is located 290 feet from the point of diversion under Application 22961.

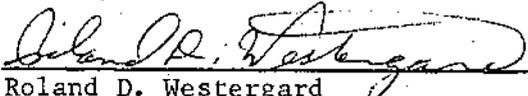
RULING

Applications 22814 and 22815 are hereby denied on the grounds that the granting of these applications would tend to impair existing rights and also not be in the public interest.

Respectfully submitted,

GEORGE W. HENNEN
STATE ENGINEER

By:


Roland D. Westergard
Assistant State Engineer

RDW:RRD:jw

Dated this 4th day

of January 1967