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IN THE MATTER OF APPLICATION NO.)
12243 FILED BY W. J. FORD TO APPRO-: RULING
PRIATE UNDERGROUND WATER.)

Application No. 12243 was filed January 30, 1948 by W. J. Ford to appropriate underground water from an existing well located within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 28, T. 5 N., R. 35 E. The application was for stockwatering and domestic purposes.

On April 17, 1948 a protest was filed against the granting of this application by Fay Baker through his agent Wayne McLeod. The protest was based on the grounds that there is no available range in the vicinity of the proposed place of use, not being used and that the granting of said application would be detrimental to protestant.

By letter dated June 7, 1948 from the Bureau of Land Management, the State Engineer was advised that Mr. Ford does not have any grazing privileges within the district, and that the approval of said application would interfere with the administration of the grazing district.

On October 1, 1948 Assistant State Engineer, Hugh A. Shamberger, met with Mr. Ford at Mina and discussed this Application with applicant W. J. Ford who stated that he obtained the house and well from a Mr. C. E. Sullivan who is one of the County Commissioners of Mineral County. The property consists of a stone house constructed just west of U. S. Highway No. 95 and near Tonopah Junction, together with well. Mr. Ford stated that Mr. Sullivan had a squatter right on the property and had been paying taxes for twenty years, and that he has obtained the property from Mr. Sullivan. It was further stated by Mr. Ford that he only wanted the well for domestic purposes, and had no intention of running stock on the public domain.

It is therefore the order of the State Engineer that the protest of Fay Baker be sustained as it pertains to public range stockwatering purposes, and that a permit will be issued for domestic use only upon the payment of the statutory permit fee of \$10.00.

Respectfully submitted,

(Signed) Alfred Merritt Smith
ALFRED MERRITT SMITH
State Engineer

Dated this 8th day of October, 1948.
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