

IN THE MATTER OF APPLICATION NO. 11768)
IN NAME OF W. L. FISK TO APPROPRIATE)
THE WATERS OF SHADY RUN CANYON SPRINGS : RULING
FOR STOCKWATERING PURPOSES, CHURCHILL)
COUNTY, NEVADA.)

Application 11768 was filed February 6, 1947 by W. L. Fisk to appropriate the waters of Shady Run Canyon Springs for stockwatering purposes. The proposed point of diversion is in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 12, T. 22 N., R. 33 E.

This application was protested July 9, 1947 by E. S. Berney and Felix Bernedo. We understand that they represent the Freeman Ranch, Incorporated.

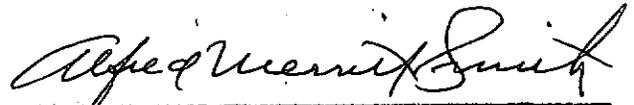
Action was held up on this application due to the fact that the Bureau of Land Management had not as yet adjudicated the range area.

By letter dated February 23, 1950 from the Bureau of Land Management they advised that Mr. Fisk, the applicant, now has an understanding with Protestant E. S. Berney on the use of the range allotment in the area in which the source of water applied for is located. The Bureau of Land Management advises that they do not believe that the allowance of a permit under this application would interfere with the administration of the Grazing District, providing that Protestants Berney and Bernedo are allowed the use of the water in common with Applicant W. L. Fisk.

In view of the recommendation of the Bureau of Land Management, and the agreement between W. L. Fisk and

E. S. Berney and Felix Bernedo as to use of the range, it appears that there is no reason why a permit should not be granted under Application 11768 with the provision that Berney and Bernedo be allowed to use the waters of said source in common with Applicant.

Respectfully submitted,



ALFRED MERRITT SMITH
State Engineer

Dated March 10, 1950.