

IN THE MATTER OF APPLICATION 22897)
FILED ON DECEMBER 20, 1965, BY)
FRANK W. LEWIS TO APPROPRIATE) R U L I N G
WATER FROM STONEWALL SPRING FOR)
MINING AND DOMESTIC USE IN NYE)
COUNTY, NEVADA)

GENERAL:

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Application 22897 was filed on December 20, 1965, by Frank W. Lewis to appropriate 0.5 cfs of water from Stonewall Spring for mining and domestic use, to be diverted within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ (Lot 2) Section 5, T. 5S., R. 44E., MDB&M. The place of use is within portions of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ (Lot 2) Section 5, T. 5S., R. 44E., and S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ and SE $\frac{1}{4}$ Section 12; NE $\frac{1}{4}$ NW $\frac{1}{4}$ and N $\frac{1}{2}$ NE $\frac{1}{4}$ Section 13, T. 5S., R. 43E., MDB&M (unsurveyed).

Certificate 849 was issued November 20, 1923, for 0.025 cfs of water from Stonewall Spring for stockwatering purposes. The present owner of record is James M. Daniels.

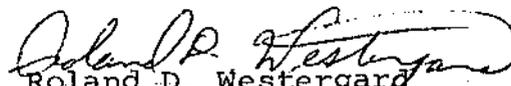
Certificate 3773 was issued February 7, 1952, for 0.01 cfs of water from Stonewall Spring for stockwatering purposes. The present owner of record is James M. Daniels.

A field investigation was made of the protested application on August 24, 1967, and the measured flow of the Spring was found to be 2.5 gpm (0.0055 cfs).

RULING

Application 22897 is herewith denied on the grounds that because of existing rights on the source, there is no water available for appropriation.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW:SH:dc

Dated this 19th day
of October, 1967.