

IN THE MATTER OF APPLICATION)
24125 TO APPROPRIATE THE WATERS)
OF RUTH SPRINGS AND TRIBUTARIES)
BY SILVER KING MINES, INC. LOCATED)
IN WHITE PINE COUNTY, NEVADA)

R U L I N G

GENERAL:

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Application 24125 was filed on September 15, 1967 by Silver King Mines, Inc. to appropriate 3.0 c.f.s. of water for mining and milling purposes from Ruth Springs and tributaries located in White Pine County, Nevada. The point of diversion is described as being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 16, T. 14 N., R. 63 E., M.D.B.&M. and the place of use within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 4, T. 14 N., R. 63 E., M.D.B.&M.

This application was protested on February 6, 1968 by Kennecott Copper Corporation, on February 21, 1968 by Copper Sheep Company and on February 22, 1968 by Copper Sheep Company. The grounds of the protests are in general interference and conflict with the value of existing rights and are further outlined in the protests.

A field investigation was held in the above matter on June 13, 1968.

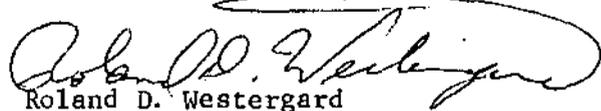
Presently Kennecott Copper Corp. and the town of New Ruth receive their domestic and industrial supplies of water from "water tunnels" located on the west side of Ward Mountain in Sections 23 and 24, T. 15 N., R. 62 E., and Section 31, T. 15 N., R. 63 E., M.D.B.&M. The proposed source under Application 24125 is approximately 5 miles east and on the east side of Ward Mountain and approximately 500 to 1,000 feet lower in elevation. Inspection of the Ely Quadrangle topographic map will outline these locations. There is apparently very little chance of interference between these sources.

Copper Sheep Co. indicated that they were concerned only with water being available for their stock from the springs and they claimed vested stockwatering, as well as, appropriative rights on several springs throughout the Ward Mountain area. Representatives of Phillips Petroleum assured Copper Sheep Co. that they had no intentions of interfering with any stockwatering rights and would make arrangements for stockwatering facilities at the spring sites. This seemed to satisfy the representative of Copper sheep Co.

RULING

The protests to the granting of Application 24125 are herewith overruled and a permit under Application 24125 will be granted upon receipt of the statutory permit fees subject to prior and existing rights.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW:PGM:jls

Dated this 7th day

of May, 1969