

IN THE MATTER OF APPLICATIONS)
FILED FOR THE WATERS OF AN ...)
UNNAMED SPRING IN LEE CANYON,)
CLARK COUNTY, NEVADA)

R U L I N G

GENERAL:

Application 25867 was filed on November 16, 1970 by Joseph Mikulich, et al, to appropriate 0.25 c.f.s. of the waters of an unnamed spring, located within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 11, T. 19 S., R. 56 E., M.D.B.&M., to be used for quasi-municipal and domestic purposes within the S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 2, T. 19 S., R. 56 E., M.D.B.&M.

This application was protested on March 12, 1971 by James L. Hogan on the grounds that the amount of water requested was in excess of the amount needed for the subdivision.

Application 25868 was filed on November 17, 1970 by James L. Hogan for 0.045 c.f.s. of waters of the above described spring, to be used for recreation camp, domestic and quasi-municipal purposes within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 2, T. 19 S., R. 56 E., M.D.B.&M. This application was not protested.

Application 25890 was filed on December 15, 1970 by Camp Lady of the Snows Mutual Water & Improvement Association for 0.045 c.f.s. of the above described spring, to be used for quasi-municipal and domestic purposes within S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 2, T. 19 S., R. 56 E., M.D.B.&M. This application was not protested.

The place of use of Applications 25867 and 25890 is the same and the place of use of Application 25868 lies adjacent to the west side of the subdivision.

An investigation in the matter of these applications was made on July 27, 1971.

OPINION

It is our opinion that there is less than sufficient water from the source from which the water is to be appropriated to satisfy the ultimate demands of any one of the three applications.

Application 25867, if granted, would not impair the value of existing rights or be otherwise detrimental to the public welfare. And, if Application 25867 is granted, there would not be sufficient water to allow the granting of Applications 25868 and 25890.

RULING

The protest against the granting of 25867 is hereby overruled and a permit will be granted in the amount of 0.25 c.f.s., with the understanding that the amount of water granted is only a temporary allowance, and that the final water right obtained under this permit will be dependant upon the number of lots being served.

Applications 25868 and 25890 are hereby denied on the grounds that the water from the source sought to be appropriated is fully appropriated, and the granting of the applications would tend to impair the value of existing rights.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW:TJS:gs

Dated this 24th day
of August, 1971.