

IN THE MATTER OF APPLICATION 26273 )  
FILED BY ASH SPRINGS DEVELOPMENT )  
CORPORATION FOR WATERS OF ASH )  
SPRINGS, PAHRANAGAT VALLEY, LINCOLN )  
COUNTY, NEVADA. )

R U L I N G

GENERAL:

Application 26273 was filed on August 27, 1971 by Ash Springs Development Corporation, to appropriate 18.5 c.f.s. of the waters of Ash Springs, to be used in the NE1/4 NE1/4 Section 1, T. 6 S., R. 60 E., M.D.B.&M., for recreational purposes, a non-consumptive use.

The application was protested on December 23, 1971 by Joe V. Higbee, President of the Ash Springs Water Users and by Kenneth Wadsworth on January 17, 1972.

A field investigation in the matter of this application was held on February 7, 1973.

The remarks contained in Application 26273 indicate that water is to be diverted by a small dam that will control the elevation of the Ash Springs Water channel for recreational purposes, parking space, shower and dressing rooms, and swimming facilities. However, the application also indicates that the proposed use is to be non-consumptive.

Ruling

The request of the protestants that Application 26273 be denied is overruled, but the grounds of protest requesting protection of existing rights are upheld and the permit will be issued subject to existing rights. The permit will also be subject to the provision that the use will be non-consumptive and that there will be no diversion of water that in any way depletes waters of the source. This approval does not preclude fluctuations of water levels when necessary to satisfy prior rights. It is also conditioned on the provision that there will be no adverse affect on water quality by the non-consumptive use granted in the permit.

Respectfully submitted,

  
Roland D. Westergard  
State Engineer

RDW:DD:gs

Dated this 2nd day  
of April, 1973.