

IN THE MATTER OF APPLICATION 28092 )  
FILED BY C. M. POLAND TO APPRO- )  
PRIATE WATER FROM AN UNNAMED STREAM )  
IN LANDER COUNTY, NEVADA. )

R U L I N G

GENERAL:

Application 28092 was filed February 11, 1974, by C. M. Poland to appropriate 2.0 c.f.s. from an Unnamed Stream and Tributaries for irrigation and domestic use. The proposed point of diversion is within the SE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 14, T.30N., R.45E., and the proposed place of use is 80 acres within the E $\frac{1}{2}$  SW $\frac{1}{4}$  of said Section 14.

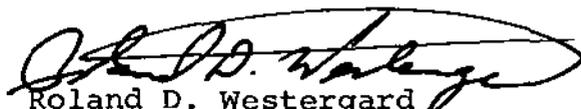
A protest to the granting of Application 28092 was filed on July 16, 1974, by Tom Marvel Ranches, Inc. on the grounds that: "The granting of this Application would adversely affect Protestant's Rights of waters of Lewis Creek." The protestant seeks denial of the application.

A field investigation into the matter of protested Application 28092 was conducted on November 18, 1974.

RULING

The protest to the granting of Application 28092 is hereby overruled on the grounds that the granting of this application will not adversely affect existing rights. A permit will be granted under Application 28092 subject to existing rights upon receipt of the statutory permit fees.

Respectfully submitted,

  
Roland D. Westergard  
State Engineer

RDW:BAR:jw

Dated this 6th day of  
February, 1975.