

IN THE OFFICE OF THE STATE ENGINEER  
OF THE STATE OF NEVADA

834

O R D E R

Mr. Larry Cross  
777 E. Williams, Suite 110  
Carson City, Nevada 89701

Pursuant to complaint submitted to the State Engineer by M. J. Wagner concerning the obstruction of the flow of a natural stream channel and watercourse known as Bryan Creek within the SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 23, T.16N., R.19E., M.D.B.&M.; representatives of this office made a field investigation on November 9, 1983. It was determined at said investigation that the flow of natural stream channel and watercourse of Bryan Creek was in fact obstructed by an improperly constructed roadway across the channel on the above described land.

You are hereby advised that NRS 535.050 prohibits the obstruction of any stream channel or watercourse in the state of Nevada when said obstruction has not been legally established and recognized through a valid claim of vested right, by court decree or by a permit issued by the state of Nevada. Further, NRS 535.050 provides for removal of any dam or obstruction not in compliance with said statute.

There is no record in the office of the State Engineer indicating compliance with the applicable provisions of NRS relating to the obstruction constructed in the Bryan Creek Channel within the above described land in Washoe County, Nevada. The obstruction is further interfering with and adversely affecting existing water rights on Bryan Creek and causing flood damage to adjacent properties.

Therefore, you are hereby ordered to immediately remove said obstruction and restore said natural stream channel and watercourse to its natural condition.



Peter G. Morros  
State Engineer

Dated at Carson City, Nevada, this  
29th day of DECEMBER, 1983.