

IN THE MATTER OF APPLICATION 28564)
FILED TO CHANGE THE POINT OF DIVER-)
SION OF THE WEST WALKER RIVER DECREED)
RIGHTS WITHIN LYON COUNTY, NEVADA.)

R U L I N G

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GENERAL:

Application 28564 was filed August 1, 1974, by Double J. A. Land and Livestock Company to change the point of diversion of 7.954 c.f.s. as decreed under the Walker River Decree. The proposed point of diversion is the West Walker Ditch located within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 2, T.10N., R.23E. The existing point of diversion is the Plymouth and Burbank Ditches located within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 10, T.10N., R.23E., M.D.B.&M. This application was protested on November 14, 1974, by Peter A. Fenili on the grounds:

- "1. Necessary water for the Plymouth Ditch.
- "2. The West Walker irrigation ditch cannot handle this excessive diversion.
- "3. No specifications for the enlargement or improvement of the West Walker irrigation ditch.
- "4. No apparent restrictions.
- "5. No offer to pay for any improvements."

A field investigation was conducted May 20, 1975, to determine if the change would adversely affect other rights. During the course of the field investigation it was determined that the West Walker Ditch was the best physical means of delivering the decreed water right. The ditch has been restored to carry the additional capacity.

RULING

The protest to the granting of Application 28564 is hereby overruled and a permit will be issued.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW:DLW:jw

Dated this 12th day of
June, 1975.