

IN THE MATTER OF APPLICATION 20263)
FILED JANUARY 22, 1962, BY FREDERICK)
BAKER TO APPROPRIATE 15.0 CFS FROM)
BAKER AND LEHMAN CREEKS AND THEIR)
TRIBUTARIES FOR IRRIGATION AND)
DOMESTIC PURPOSES IN WHITE PINE)
COUNTY, NEVADA)

R U L I N G

General

On January 22, 1962, Frederick Baker filed Application 20263 to appropriate 15.0 c.f.s. from Baker and Lehman Creeks and their tributaries to be used for irrigation and domestic purposes on 1500 acres of land.

The water applied for is salvage or unadjudicated water. The water is the result of the construction of slightly over 8000 feet of concrete flume or ditch. The applicant desires that this water be used to satisfy the summer and winter adjudicated rights of Baker and Lehman Creeks and their tributaries.

USGS gauging stations were installed 4-3/4 miles southwest of Baker, above all diversions on Baker Creek and Lehman Creek. Eight years of records were kept, between the years 1948 and 1955, inclusive, and the combined average yearly flow of the two creeks was 9780 acre-feet. The flow of the combined creek varied from 4620 acre-feet in 1954 to 20,790 acre-feet in 1952.

The Court has decreed to the water users of Baker and Lehman Creeks 16,319.10 acre-feet per year.

OPINION

The State Engineer has determined that there is no unappropriated water in Baker and Lehman Creeks and that the stream is fully appropriated, and a specific finding to this fact is herein made.

RULING

Application 20263 is herewith denied on grounds that there is no unappropriated water in Baker and Lehman Creeks and that Baker and Lehman Creeks are fully appropriated. The granting of Application 20263 would impair the value of existing rights and would be detrimental to the public welfare.

Respectfully submitted,

ELMO J. DeRICCO
State Engineer



By: GEORGE W. HENNEN
Assistant State Engineer

Dated this 28th day of
February, 1964