

IN THE MATTER OF APPLICATION 5424)
FILED BY THE PLYMOUTH LAND AND)
STOCK COMPANY TO CHANGE THE)
POINT OF DIVERSION OF WATERS WITHIN)
DOUGLAS COUNTY, NEVADA)

R U L I N G

GENERAL:

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Application 5424 was filed May 17, 1919 by Plymouth Land and Stock Company to change the point of diversion of 17.83 c.f.s. of water which are to be used for irrigation and domestic purposes. The water is to be diverted from its source in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 10, T. 10 N., R. 23 E., M.D.B.&M. The 1486 acres described under the place of use are within the NW $\frac{1}{4}$ Sec. 19, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 3, NW $\frac{1}{4}$ Sec. 10, all of Sections 8, 9, 17, W $\frac{1}{2}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 16, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, and NW $\frac{1}{4}$ Sec. 20, all in T. 11 N., R. 24 E., M.D.B.&M.

A letter was sent by this office by Certified Mail to the applicant on August 2, 1968, requesting additional information necessary before action could be taken on this application.

On August 8, 1968, Fred Dressler, Secretary for Plymouth Land and Stock Company, appeared at the State Engineer's office and requested further information concerning the letter of August 2, 1968, and details of application 5424.

Since the Walker River Decree of 1936, Cl25 United States of America vs. Walker River Irrigation District, et al, incorporates the changes as originally proposed in application 5424, Mr. Dressler indicated application 5424 was unnecessary. He stated, however, that he would rather withdraw the application than have it denied.

A form was sent to him August 9, 1968, enabling him to withdraw application 5424. On September 24, 1968, a letter was sent to Mr. Dressler with the same form necessary to withdraw application 5424 and stating that if the form is not completed and received within 14 days, it would be necessary to deny the application.

It is the opinion of the State Engineer that the changes in the record to be accomplished by filing application 5424 are reflected in the Walker River Decree, Cl25 United States of America vs. Walker River Irrigation District, et al.

RULING

Application 5424 is herewith denied on the grounds that

the applicant or successors in interest have not furnished evidence or information to support the necessity of granting the application and further that granting the application would serve no beneficial purpose. Granting an application under such circumstances is not in the individual or public interest.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW:RED:jls

Dated this 21st Day
of October, 1968