

IN THE MATTER OF APPLICATION NO. 3658 }
FILED BY JOHN G. TAYLOR AND J. SHEEHAN }
TO APPROPRIATE WATER FROM ROCK CREEK }
IN HUMBOLDT COUNTY, NEVADA. }

R U L I N G

GENERAL:

70

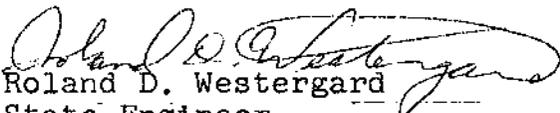
Application 3658 was filed on October 26, 1915 by John G. Taylor and J. Sheehan to appropriate 10.0 cfs of water from Rock Creek for irrigation (1,000 acres) and domestic purposes. The point of diversion is described within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 16, T. 35 N., R. 40 E., M.D.B.&M. The place of use is described as within Section 19, T. 36 N., R. 40 E.; NE $\frac{1}{4}$, part of SE $\frac{1}{4}$ and part of the NW $\frac{1}{4}$ of Section 24, T. 36 N., R. 39 E., M.D.B.&M. Irrigation will begin March 1st and end October 1st of each year. Protest to the granting of Application 3658 was filed on December 15, 1915 by the Golconda Cattle Company. Application 3658 has been assigned to the Nevada Garvey Ranches, Inc. as owner of record.

The Bartlett Decree, Humboldt River Adjudication, Page 89 states "Pole and Rock Creeks are small streams of variable flow and the culture area and character of the culture varies. Claimants Taylor and Sheehan and their predecessors have at all times used the entire flow of said streams reaching their points of diversion, increasing and decreasing the amount of culture area and changing the character thereof to adapt themselves to the amount of the flow. The claimants are entitled to the entire flow of said streams reaching their points of diversion for irrigation of the land specified".

RULING

Application 3658 is herewith denied on the grounds that there is no water subject to appropriation from the source.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW:WJN:jb

Dated This 20th Day
of January, 1969.