

IN THE MATTER OF APPLICATION)
TO CHANGE 25684 FILED BY)
WILLIAMS STOCK FARMING)
FOR THE WATERS OF MARTIN)
CREEK, LOCATED IN HUMBOLDT)
COUNTY, NEVADA)

R U L I N G

GENERAL:

Application 25684 was filed on June 30, 1970 to change the point of diversion and place of use of a portion of the waters of Martin Creek, heretofore appropriated under Permit 5425. The application proposes to change 1200 acre-feet of water stored for irrigation purposes. The point of diversion is located within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22, T.42N., R.40E., M.D.B. & M. and the place of use within the SE $\frac{1}{4}$, SW $\frac{1}{4}$ Section 4; NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 9; NW $\frac{1}{4}$ Section 10, T.41N., R.40E., M.D.B. & M. The application proposes to store the water in an earth fill dam 3029 feet long and 30 feet high during the non-irrigation season. The existing point of diversion under Permit 5425 is located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 12, T.42N., R.40E., M.D.B. & M.

This application was protested on November 20, 1970 by Loui and Leo Cerri dba Cerri Brothers, on December 24, 1970 by the Foresta Institute, and on December 24, 1970 by Iva Zellar, Alvin E. Miller, Ernest R. Miller and Eleanor Ahern, dba 101 Ranching Company and the Estate of Marie Miller. The protests are made a part of this ruling by reference.

A field investigation was held in the above matter on December 12, 1973.

There is no evidence that the proposed change would be detrimental to existing rights or to the administration of distribution on the stream system.

RULING

The protests to the granting of Application 25684 are herewith overruled and a permit will be granted subject to all existing rights on the source. The permit will allow for diversion to storage during the non-irrigation season not to exceed 1200 acre-feet per year. The water may be rediverted from storage only during the irrigation season.

Respectfully submitted,


Roland D. Westergard
State Engineer

Dated this 25th day

of January, 1974