

IN THE MATTER OF APPLICATIONS NOS.
13900 AND 13901 FILED BY JOHN S. SINAI
TO APPROPRIATE THE WATERS OF JONES CREEK
IN WASHOE COUNTY, NEVADA.

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RULING

Description of Applications:

Applications Nos. 13900 and 13901 were filed on November 6, 1951 by John S. Sinai to appropriate the waters of Jones Creek. Said applications were assigned on June 20, 1952 to the Mount Rose Corporation.

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Under Application No. 13900 it is proposed to divert 3.20 c.f.s. of water at a point within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 5, T. 17 N., R. 19 E., M.D.B.&M. and convey it to 320 acres of land within the NE $\frac{1}{4}$ Sec. 9, N $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 10, T. 17 N., R. 19 E., M.D.M. where it will be used for irrigation and domestic purposes from January 1st to December 31st of each year.

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Under Application No. 13901 it is proposed to divert 0.50 c.f.s. of water at a point in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 4, T. 17 N., R. 19 E., M.D.B.&M. and convey it to the NE $\frac{1}{4}$ Sec. 9, T. 17 N., R. 19 E., M.D.M. where it will be used for quasi-municipal and domestic purposes from January 1st to December 31st of each year.

Protests to the granting of these applications were filed on July 15, 1952 by Mrs. H. T. Crutchfield on the grounds that there is no unappropriated water in the source; that under claims Nos. 646 and 646 $\frac{1}{2}$ of the Truckee River Decree the protestant owns all of the waters of Jones Creek, and that the manner in which the water is to be diverted will dry the underground flow to the protestant's well and springs.

General:

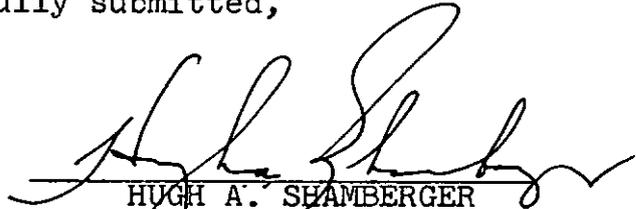
On May 17, 1954 a field investigation in the matter of these applications was made by E. J. DeRicco, Field Deputy State Engineer and D. K. Jewett, Office Engineer. From said investigation it was found that Jones Creek is a typical intermittent mountain stream with high spring runoff and low to non-existent summer flow; that the only appropriator of the waters of Jones Creek is Mrs. H. T. Crutchfield who owns a vested right on said stream under Claims Nos. 646 and 646 $\frac{1}{2}$ of the Truckee River Decree; that the decreed right on the Crutchfield lands is satisfied from both Galena Creek and Jones Creek; that water is diverted from Galena Creek when there is not sufficient flow in Jones Creek to satisfy the decreed right, and that the methods proposed in diverting water from Jones Creek under Applications Nos. 13900 and 13901 would dry up the natural channel of the stream below the proposed points of diversion creating a condition that would materially decrease the flow of Jones Creek at the head of the Crutchfield lands.



RULING

The protests to the granting of Applications Nos. 13900 and 13901 are herewith sustained and said applications are denied on the grounds that Jones Creek is fully appropriated and that the granting of these applications would impair the value of existing rights and be detrimental to the public welfare.

Respectfully submitted,


HUGH A. SEAMBERGER
State Engineer

Dated this 18th day
of January, 1955.