

IN THE MATTER OF APPLICATION)
30002 FILED BY HARRY N. AND)
ALMA R. PECK TO APPROPRIATE)
THE WATERS OF BROWNS CREEK AND)
ITS TRIBUTARIES IN WASHOE COUNTY,)
NEVADA.)

R U L I N G

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GENERAL:

Application 30002 was filed February 17, 1976, by Harry N. and Alma R. Peck, to appropriate 0.1 c.f.s. of the waters of Browns Creek and its tributaries for irrigation purposes, to be diverted within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 15, T.17N., R.19E., M.D.B.&M. The place of use is described as being 4.31 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 23, T.17N., R.19E., M.D.B.&M. The water of Browns Creek would be conveyed to the place of use by the existing ditch that conveys decreed rights to users in Washoe Valley. The period of use to be from April 1 to November 1 of each year.

On August 18, 1976, a State Decree was issued determining the relative rights of vested water users on Browns Creek. The Decree determined the capacity of the ditch conveying decreed rights from Browns Creek to the various places of use as 1.015 c.f.s., and the total decreed rights served by the ditch is 1.311 c.f.s. The Orr Ditch Decree of 1944, entitled the Washoe Lake Reservoir and Galena Creek Ditch Co. to 114 c.f.s. of the "not previously appropriated water of Browns Creek."

RULING

Application 30002 is herewith denied on the grounds that there is no unappropriated water in the proposed source.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW:SH:jw

Dated this 5th day of
October, 1976.