

IN THE MATTER OF APPLICATIONS 20561)
 AND 20562 FILED BY NORTH AMERICAN)
 AVIATION, INC., TO CHANGE POINTS OF)
 DIVERSION, MANNER AND PLACES OF USE OF)
 CERTIFICATES 506 AND 1600, RESPECTIVELY,)
 IN WASHOE COUNTY, NEVADA.)

R U L I N G

General:

84 Applications 20561 and 20562 were filed July 10, 1962, by North American Aviation, Inc., to change points of diversion, manner and places of use of Application 3971, Certificate 506, and Application 6627, Certificate 1600, respectively.

Application 20561 proposes to change 0.0948 c.f.s. of the waters of Piute Creek from the irrigation of 9.48 acres of land located within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 18, T. 22 N., R. 22 E., M.D.B.&M., and domestic purposes to Industrial and Domestic purposes within the SE $\frac{1}{4}$ of said Section 18.

Application 20562 proposes to change 0.2153 c.f.s., or 79 acre-feet per season of the waters of Piute Creek from the irrigation of 21.53 acres of land located within the W $\frac{1}{2}$ SW $\frac{1}{4}$ Section 18, T. 22 N., R. 22 E., M.D.B.&M. and domestic purposes to Industrial and Domestic purposes within the SE $\frac{1}{4}$ of said Section 18.

Protests to the granting of these applications were filed September 13, 1962, by Forrest L. Parmenter on grounds that the changes in points of diversion, manner and places of use, would interfere with the public waters appropriated by him under Application 18597.

An investigation was made in the area of these applications on July 9, 1962, and while this was before the applications were filed, the intention of the applications and the intention to file them were disclosed and discussed in the presence of Mr. Parmenter, representatives of North American Aviation, Inc., Dalton LaRue and his representatives, and Herbert E. Winchester and Thomas J. Smales of the Division of Water Resources.

The points of diversion under Certificates 506 and 1600 were described as being in different locations; however, they are actually the same, and by recent surveys, neither location was correct. Hence, the applications to change the points of diversion are for the purpose of correcting the description of the location and are not intended to change the physical location.

Under Certificate 1600 the water was conveyed by a ditch approximately $1\frac{1}{2}$ miles in length to a small regulatory reservoir, and under Certificate 506 the water was conveyed in the same ditch to a point approximately $\frac{1}{2}$ miles above the reservoir where the ditch divided and the water was conveyed south and west about $\frac{1}{4}$ mile to the place of use.

The applicants propose to use the same point of diversion and the same ditch to convey the water to a reservoir located at a point where the ditch divided, as described above. The water will then be pumped through a pipeline to a distribution system where it will be used for industrial and domestic purposes at the new place of use.

The actual point of diversion of these applications is approximately $\frac{3}{4}$ mile downstream from the point of return of water to the stream channel described in Mr. Parmenter's Application 18597.

Opinion

Neither the location of the point of diversion nor the manner and place of use under these applications can possibly interfere with Mr. Parmenter's appropriation under Application 18597.

RULING

The protests to the granting of Applications 20561 and 20562 are herewith overruled on the grounds that their granting will not impair the value of existing rights or be otherwise detrimental to the public welfare and permits will be issued.

Respectfully submitted,



Elmo J. DeRicco
State Engineer

Dated this 10th day of
March, 1963.