

IN THE MATTER OF THE DETERMINATION OF)
 THE RELATIVE RIGHTS OF CLAIMANTS AND)
 APPROPRIATORS OF THE WATERS OF THE : ORDER
 HUMBOLDT RIVER STREAM SYSTEM AND)
 TRIBUTARIES.)

RE: T. S. Ranch Property in Lander
 and Eureka Counties, Nevada.

The Horseshoe Cattle Company is diverting and using the waters of Rock Creek, a tributary to the Humboldt River, and the Humboldt River for the irrigation of lands in a manner contrary to Nevada law and not in accord with the legal rights as they have been determined and decreed in "In the Matter of the Determination of the Relative Rights of Claimants and Appropriators of the Waters of the Humboldt River Stream System and Tributaries", being Case No. 2804 in the Sixth Judicial District Court of Nevada.

In the opinion of the State Engineer this use of water is detrimental to the decreed rights of other claimants and appropriators in and to the waters of the Humboldt River Stream System.

You are hereby ordered to cease the use of a diversion located in approximately the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 32, T. 34 N., R. 48 E. which diverts the waters of Rock Creek into a ditch in which it flows southerly and irrigates lands to which said water was not decreed.

You are further ordered to remove, prior to March 1, 1950, an obstruction of rocks and debris that has been placed in the present channel of the Humboldt River in approximately the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 5, T. 32 N., R. 47 E. This obstruction causes the Humboldt River to overflow its banks and irrigate lands in a manner and to an extent not in conformity with the rights fixed in the decree.

Upon investigation, reliable information and belief, the State Engineer alleges that the diversion from Rock Creek was made by your predecessor subsequent to the filing of the Order of Determination of January 17, 1923; and that the afore-said described obstruction was also placed in the Humboldt River by your predecessor subsequent to the filing of said Order of Determination of January 17, 1923. The findings in said Order of Determination were affirmed by the Decree of Judge H. W. Edwards on October 8, 1935.

Dated this 29th day of November, 1949, at Carson City,
 Nevada.


 ALFRED MERRITT SMITH
 State Engineer