

IN THE OFFICE OF THE STATE ENGINEER
OF THE STATE OF NEVADA

O R D E R

Willow Creek, Inc.
c/o Mrs. Helen Lienemann
2556 El Rancho Road
Sidney, Nebraska 69162

Pursuant to complaint by Robert Harbeke concerning a dam in the natural stream channel and watercourse known as Willard Creek within Lot 3 (NE $\frac{1}{4}$ NW $\frac{1}{4}$) Section 6, T.13N., R.68E., M.D.B.&M., representatives of this office made a field investigation on May 5, 1982. It was determined at said investigation that the flow of the natural stream channel and watercourse of Willard Creek was in fact obstructed at the above described location by a dam approximately 20 feet high.

You are hereby advised that NRS 535.010 prohibits the construction of any obstruction in any stream in the state of Nevada without permission from the State Engineer for such construction. Further, NRS 535.050 provides for removal of any dam or obstruction not in compliance with said statute.

There is no record in the office of the State Engineer indicating compliance with the applicable provisions of NRS relating to the obstruction constructed in Willard Creek at the above described location in White Pine County, Nevada. The obstruction is further interfering with and adversely affecting existing water rights on Willard Creek.

Therefore, you are hereby ordered to immediately remove said obstruction.

During the above mentioned field investigation, it was observed that virtually all the flow of Willard Creek was being diverted to land in the N $\frac{1}{2}$ NW $\frac{1}{4}$ Section 6, T.13N., R.68E., and the E $\frac{1}{2}$ NE $\frac{1}{4}$ Section 1, T.13N., R.67E., M.D.B.&M. The maximum diversion allowed under the water rights appurtenant to said land is 0.5182 c.f.s. (Permit 1052, Certificate 2443, and Permit 17017, Certificate 4673).

Accordingly, you and/or your agents are further ordered to immediately cease, and hereafter, refrain from diverting in excess of 0.5182 c.f.s. of the waters of Willard Creek and its Tributaries for use on the hereinabove described land.


Peter G. Morros
State Engineer

Dated at Carson City, Nevada, this
14th day of MAY, 1982.