

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

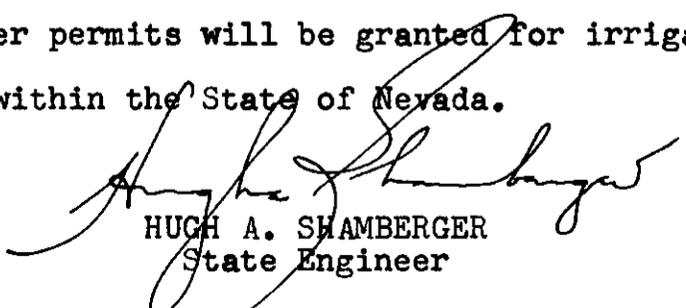
IN THE MATTER OF THE DETERMINATION OF THE)
AVAILABILITY OF WATER FOR IRRIGATION USE)
ON THE SALMON RIVER (SOMETIMES REFERRED TO :
AS SALMON CREEK OR SALMON FALLS CREEK) AND)
ITS TRIBUTARIES IN ELKO COUNTY, NEVADA)

OPINION

It is the opinion of the State Engineer, after a thorough study of the water supply of the Salmon River and its tributaries, in Nevada and Idaho as reported in U.S.G.S. Water Supply Papers, Part 13, Surface Water Supply of Snake River Basin, the provisions of the so-called "Dietrich Decree" in the District Court of the United States for the District of Idaho, Southern Division, dated March 23, 1916, and the provisions of the Salmon River Settlement Agreement dated May 20, 1952 that there is no surplus of water available for appropriation for irrigation use in the State of Nevada other than that which is provided for in the Settlement Agreement of May 20, 1952. It is expressly understood, however, that this Opinion and Order does not prejudice the right of the State Engineer to act without reservation upon all applications filed prior to the issuance of this Order for a permit to appropriate water in the State of Nevada filed in accordance with the statutory laws of the State of Nevada by an individual or corporation not a party to the Settlement Agreement heretofore referred to.

ORDER

It is the Order of the State Engineer that the waters of the Salmon River (sometimes referred to as Salmon Creek or Salmon Falls Creek) and its tributaries in Elko County, Nevada are fully appropriated and that no further permits will be granted for irrigation use on the stream system within the State of Nevada.


HUGH A. SHAMBERGER
State Engineer

Dated October 6, 1952