

IN THE MATTER OF APPLICATION
NO. 17245 FILED ON APRIL 18,
1957 BY JEAN A. PRENTISS TO
APPROPRIATE WASTE AND UNAP-
PROPRIATED WATER OF CHIMNEY
CREEK FOR IRRIGATION AND
DOMESTIC PURPOSES IN HUMBOLDT
COUNTY, NEVADA. }

RULING

General:

Jean A. Prentiss has previously made application for the waters of Chimney Creek, with the source, point of Diversion, amount of appropriation, manner and place of use identical under all of the applications filed. Reference is made to:

Application No. 15627, filed on May 5, 1954. Protested by Lyle L. Fry on November 3, 1954. Denied by State Engineer's Ruling on April 18, 1956.

Application No. 16935, filed on May 10, 1956. Protested by Lyle L. Frey on July 23, 1956. Denied by State Engineer's Ruling on January 10, 1957.

Both of these applications were denied on grounds that Chimney Creek is one of the tributaries making up the flow of Tony Creek, in Humboldt County, Nevada; that the water of Tony Creek have heretofore been declared fully appropriated and that there is no unappropriated water in the source. Neither of the rulings on Applications Nos. 15627 and 16935 were appealed, as provided for under the provisions of NRS 533.450.

RULING

Application No. 17245 is denied on the grounds that there is no unappropriated water in the source.

Respectfully submitted,

Edmund A. Muth
EDMUND A. MUTH
State Engineer.

Dated April 3, 1958