

IN THE MATTER OF APPLICATION 18770
FILED APRIL 29, 1960 BY NORTH AMERICAN
AVIATION, INC., TO APPROPRIATE THE WATERS
OF COTTONWOOD CREEK (FLOOD WATERS AND
SEASONAL FLOW) FOR IRRIGATION PURPOSES,
IN WASHOE COUNTY, NEVADA

R U L I N G

General:

A protest to the granting of this application was filed on June 20, 1960 by W. Dalton LaRue, Sr., and Juanita S. LaRue on the grounds that its granting would impair vested stock watering rights claimed by the protestants.

Existing Rights

Certificate 5055 was issued under Permit 15326 for 590 acre-feet per annum of the waters of Cottonwood Creek (flood waters and seasonal flow) diverted within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 21, T 22 N., R 21 E. MDB&M. and used for the irrigation of 159.71 acres located within Section 16, T 22 N., R 21 E. This right is presently owned by North American Aviation, Inc.

A field investigation in the matter of this application was made on July 9, 1962.

Application 18770 is for 410 acre-feet of water for the irrigation of 109.1 acres. The proposed point of diversion is the same as under certificate 5055 and the place of use is within Section 16, T 22 N., R 21 E.

Cottonwood Creek has a relatively low elevation watershed and produces large volumes of water for a very short period of time. The proposed point of diversion is approximately 8 airline miles from the headwaters and only in periods of flood will water reach the point of diversion.

The vested stock watering rights along the stream channel claimed by the protestants, are in an unfenced area, and will not be injuriously affected by the granting of this application.

RULING

The protest to the granting of Application 18770 is herewith overruled on grounds its granting will not impair the value of existing rights or be otherwise detrimental to the public welfare. A permit will be issued, subject to existing rights, upon receipt of the statutory filing fee.

Respectfully submitted,
Elmo J. DeRicco
ELMO J. DERICCO
State Engineer

Dated this 10th day of
January, 1963