

IN THE MATTER OF APPLICATION 10188  
FILED DECEMBER 1, 1937 BY THE U. S.  
DEPARTMENT OF AGRICULTURE AND SINCE  
TRANSFERRED TO THE U. S. DEPARTMENT  
OF INTERIOR, NATIONAL PARK SERVICE.

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RULING

Application 10188 was filed to appropriate 25.0 c.f.s. of the waters of the Muddy River (Muddy Creek) for irrigation purposes to raise feed for migratory waterfowl. The application was protested March 9, 1938 by the Muddy Valley Irrigation Company.

RULING

The normal flow of the waters of the Muddy River and its tributaries are fully appropriated and the rights have been established by either Court Decrees or permits issued by the State of Nevada. There is, however, an undetermined amount of waste and drainage water present in the channel below all the established water users' diversions and at the proposed point of diversion under Application 10188.

The protest of the Muddy Valley Irrigation Company is overruled and a permit will be issued to the U. S. Department of the Interior, National Park Service, under Application No. 10188 with the following restrictions and limitations:

Limitation of Permit:

The permit will be issued with the express understanding that the amount of water is limited to that which is available at the point of diversion and with the understanding that no demand whatsoever can be made upon the upper water users to release water at any time to satisfy the right to be granted.

Respectfully submitted,

HUGH A. SHAMBERGER  
State Engineer

By

*Edmund Muth*

EDMUND MUTH  
Assistant State Engineer

Dated this 17th day  
of June, 1954.