

IN THE MATTER OF APPLICATIONS)
25860 AND 26316, FILED BY)
R. W. WEBB IN THE MUDDY RIVER)
SPRINGS AREA, CLARK COUNTY,)
NEVADA.)

R U L I N G

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GENERAL:

Application 25860 was filed on November 12, 1970 by R. W. Webb to change the point of diversion and place of use of Certificate No. 258 of the Muddy River Decree.

Certificate No. 258 of the Muddy River Decree describes the place of use as being 58.086 acres located within the S $\frac{1}{2}$ S $\frac{1}{2}$ Section 9, N $\frac{1}{2}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 16, T.14S., R.65E., M.D.B.& M. The purpose of Application 25860 is to specifically delineate the points of diversion and place of use.

This application was protested on February 24, 1971 by the Muddy Valley Irrigation Company. This application was investigated on July 28, 1971 and informal discussions have been held with the applicants and the protestants.

Application 26316 was filed by R. W. Webb on September 15, 1971, to change the point of diversion and place of use of Application 25860. This application proposes that the waters of Baldwin Springs be allowed to flow into the Muddy River and then be pumped from the Muddy River approximately one and a half miles downstream to irrigate lands described in the proposed place of use. This application was protested on November 29, 1971 by the Muddy Valley Irrigation Company. This application was the subject of a meeting held on July 12, 1972 with the representatives of the applicant and the protestants.

RULING:

Application 25860 was filed for the purpose of specifically delineating the historical and existing place of use and points of diversion. The granting of this application would not tend to impair the value of existing rights and therefore the protest to the granting of the application is hereby overruled.

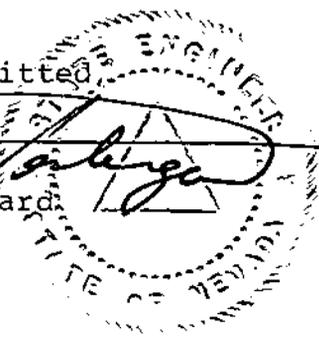
Application 26316 seeks to change the place of use to facilitate the irrigation methods of the permittee. The changing of the place of use would not tend to impair the value of existing rights, therefore the protest against

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the granting of the application to change the place of use is hereby overruled. That portion of the protest against the changing of the point of diversion is hereby sustained as the granting of the change of the point of diversion would tend to impair the value of existing rights. It will be necessary for the applicant to extend his present ditch system to deliver the water of Baldwin Springs to the proposed place of use.

Respectfully submitted,


Roland D. Westergard
State Engineer



RDW/TJS/bs

Dated this 10th

day of January, 1975.