

**IN THE OFFICE OF THE STATE ENGINEER**

IN THE MATTER OF APPLICATION 48391)  
FILED TO CHANGE THE PLACE OF USE OF A)  
PORTION OF THE WATERS OF THE TRUCKEE)  
RIVER (GREGORY DITCH) HERETOFORE)  
APPROPRIATED UNDER CLAIM NO. 634,) )  
ORR DITCH DECREE, IN WASHOE COUNTY,) )  
NEVADA. )

**RULING**

**GENERAL**

Application 48391 was filed on September 11, 1984, by James R. Carlile to change the place of use of 0.12 c.f.s., a portion of water from the Truckee River (Gregory Ditch) heretofore appropriated under Claim 634, Orr Ditch Decree. The proposed use is as decreed within the NW1/4 SW1/4, SE1/4 NW1/4, NE1/4 SW1/4 Section 18, T.20N., R.24E., M.D.B.&M. The existing place of use is within the SE1/4 NW1/4 Section 8, T.20N., R.24E., M.D.B.&M. The point of diversion is described as being within the SE1/4 SE1/4 Section 14, T.20N., R.23E., M.D.B.&M.<sup>1</sup>

**FINDINGS OF FACT**

I.

The existing place of use to be changed under Application 48391 is described as being within the SE1/4 NW1/4 Section 8, T.20N., R.24E., M.D.B.&M., and shown by supportive map as being 0.35 acres located under present I-80 Highway.<sup>2</sup>

II.

Records from the Orr Ditch Decree and supporting Truckee River Atlas show that there are no existing decreed water rights located within the SE1/4 NW1/4 Section 8, T.20N., R.24E., M.D.B.&M., and lying under present I-80 Highway.<sup>1</sup>

**CONCLUSION**

Records of the State Engineer's office show that there are no existing water rights under the proposed change by Application 48391.

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<sup>1</sup> Public record in the office of the State Engineer.

<sup>1</sup> Public record in the office of the State Engineer under Application 48391.  
NRS 533.350.

RULING

Application 48391 is herewith denied on the grounds that no existing rights are available under the proposed change.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Peter G. Morros", is written over a horizontal line.

PETER G. MORROS  
State Engineer

PGM/TT/bl

Dated this 6th day of  
December, 1985.