

IN THE MATTER OF APPLICATION 25148 )  
FILED BY HUGH R. AND/OR MARY MADELINE )  
FLETCHER TO APPROPRIATE WATER FROM NEVADA )  
CREEK IN DOUGLAS COUNTY, NEVADA. )

R U L I N G

GENERAL:

Application 25148 was filed by Hugh R. and/or Mary Madeline Fletcher on July 10, 1969, for permission to appropriate 0.25 c.f.s. of water from Nevada Creek for irrigation and domestic purposes. The proposed point of diversion is described as within the NE $\frac{1}{4}$ NW $\frac{1}{4}$  Section 32, T.10N., R.22E., M.D.B.&M. The proposed place of use is described as one acre within Lots 15 and 16, portions of the NE $\frac{1}{4}$ NW $\frac{1}{4}$  said Section 32. This application was protested by Mr. Morris Kahn on October 7, 1969, on the grounds that the protestant felt that his property had prior rights to the water of Nevada Creek and would interfere with his claimed water right and the development of his property.

Examination of the existing rights from Nevada Creek disclosed Certificate 4972, issued under Permit 6583, of record in the name of Walker River Irrigation District. Said certificate was issued January 15, 1960, for 1,500 acre-foot per year storage from an unnamed stream for irrigation and domestic purposes. The point of diversion is described as within the NE $\frac{1}{4}$ NW $\frac{1}{4}$  Section 32, T.10N., R.22E. The proposed place of use is land under Walker Irrigation Districts Control. The point of diversion under Certificate 4972 is the point where Nevada Creek empties into Topaz Lake Reservoir, some 250 feet downstream from the proposed point of diversion under Application 25148.

A field investigation under this protest was held November 5, 1969.

RULING

The protest under Application 25148 is herewith overruled and a permit will be issued under this application subject to existing rights upon receipt of statutory permit fees.

Respectfully submitted,

  
Roland D. Westergard  
State Engineer

RDW:RRD:jw

Dated this day 28th  
of November, 1969.