

IN THE MATTER OF APPLICATION 25736)
FILED BY WALKER RIVER DEVELOPMENT)
COMPANY TO APPROPRIATE 500 C.F.S.) R U L I N G
OF WATER FROM THE WEST WALKER RIVER)
FOR RECREATION AND DOMESTIC PURPOSES)

GENERAL:

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Application 25736 was filed on July 29, 1970 by Walker River Development Company to appropriate 500 cubic feet per second of water from the West Walker River at a point within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17, T.10N., R.23E., M.D.B.&M., for recreation and domestic purposes. It is the intent of the Applicant to construct an earth-fill dam and store 5,000 acre-feet of the surplus water of the West Walker River in the reservoir thus created. The place of use is stated as portions of Sections 17 - 20, incl., T.10N., R.23E., M.D.B.&M., and portions of Sections 24, 25, 26, 35 and 36, T.10N., R.22E., M.D.B.&M.

Application 25736 was protested on October 7, 1970 by the Walker River Irrigation District, on the following grounds:

"The waters of the West Walker River are fully appropriated by Decree C-125, by storage rights of the protestant in Topaz Lake, by Hoyo Dam Permit 9405, and by diversion Permit 5528.

"Further, the flooding rights to the site are owned by Protestant Walker River Irrigation District and not by the applicant, are a matter of record, and have not been abandoned, assigned, or rescinded."

The site of the proposed dam under Application 25236 is approximately the same as that proposed under valid Permit 9405, which is owned by the Walker River Irrigation District. Permit 9405, filed on January 23, 1931, was approved for the storage of 200,000 acre-feet of the waters of the West Walker River, including 50,000 acre-feet refill - 3,500 c.f.s. of direct flow. Permit 9405 relates to the so-called Hoyo Canyon Dam.

Application 25736 is identical to application 25236, which was filed on August 21, 1969 by the Walker River Development Company, except as to the amount of the proposed appropriation and the size of the proposed dam and the capacity of the reservoir to be thereby created. Application 25236 was denied by a ruling

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Ruling

of the State Engineer made in formal public hearing on July 28, 1970, on the grounds that it would adversely affect the prior rights of the Walker River Irrigation District.

Conditions have not changed since the denial of Application 25236.

RULING

Application 25736 is hereby denied on the grounds that it would interfere with and be detrimental to existing rights.

Respectfully submitted,


Roland D. Westergaard
State Engineer

RDW:JCP:jn

Dated this 15th day of
December, 1971