

IN THE MATTER OF APPLICATION)  
26545 BY ALBERT J. SIMONSON )  
TO APPROPRIATE THE WATERS OF)  
AN UNNAMED STREAM IN WASHOE )  
COUNTY, NEVADA )

R U L I N G

GENERAL:

Application 26545 was filed on February 9, 1972, by Albert J. Simonson to appropriate 1.0 c.f.s., of water from an unnamed stream within the SE $\frac{1}{4}$ SE $\frac{1}{4}$  Section 1, T.20N., R.18E., M.D.B.&M., for a one acre-foot onstream reservoir for recreation and domestic purposes.

A protest to the granting of the application was filed in this office on March 27, 1972 by Mr. A. E. Anderson on the grounds that the granting of the application would interfere with his water rights to the storage of flood waters in Silver Lake for irrigation purposes.

A field investigation in the matter of this application was held on June 13, 1972.

The unnamed stream develops at the lower elevations on the northern slope of Peavine Mountain, and with an adequate flow would terminate in Silver Lake. Normal stream flow is from several springs located approximately 3/4 mile above the proposed dam site, and is of an insufficient quantity to reach Silver Lake. The stream sinks into the ground approximately 500 feet below the proposed dam site, and would probably reach Silver Lake only when swollen by heavy local precipitation or snowmelt runoff.

The only existing water right of record on the source in the State Engineer's Office is Certificate 505 (Permit 2241) which was issued March 1, 1921 to Mr. Henry Anderson for 0.0088 c.f.s., of the flood water which collects in Silver Lake and is pumped from there for irrigation and domestic use on 0.88 acres of pasture. Mr. Henry Anderson, though now deceased, is the present owner of record in this office.

OPINION

It is our opinion that the granting of a permit under this application will not adversely affect any existing water rights.

RULING

The protest to the granting of application 26545 is herewith overruled. Upon receipt of the statutory permit fees, a permit will be granted subject to existing rights.

Respectfully submitted,

  
Roland D. Westergard  
State Engineer

RDW:BAR:jn

Dated this 28th day of

June, 1972.