

IN THE MATTER OF APPLICATION 25673)
FILED BY CHARLES B. THORNTON AND)
ROY L. ASH TO APPROPRIATE WATER FROM)
ROCK CREEK LOCATED IN EUREKA COUNTY,)
NEVADA.)

R U L I N G

GENERAL:

Application 25673 was filed on June 23, 1970, by Charles B. Thornton and Roy L. Ash to appropriate 350.0 c.f.s. of the waters of Rock Creek for irrigation purposes. The point of diversion is described as being within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 17, T.34N., R.48E., M.D.B.&M. The place of use, consisting of 25,760 acres under this application is lengthy and therefore the attachment to the application describing the place of use is made a part of this ruling. The period of use is from January 1st to December 31st of each year.

There are decreed rights under the Humboldt River Decree to serve portions of the proposed place of use under Application 25673. That Decree establishes an irrigation season.

Records indicate that flows in Rock Creek in excess of that necessary to satisfy existing water rights are limited in quantity, duration and frequency.

RULING

Application 25673 is hereby denied on the grounds that when there are sufficient quantities of water available to satisfy existing rights, the portion of the place of use under the application which has appurtenant water rights has an adequate water supply; further, on the grounds that there is insufficient water available in quantity, duration and frequency on a direct diversion basis to adequately serve and therefore provide a beneficial use on those portions of the place of use that do not have an existing water right.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW:PGM:jw

Dated this 25th day of

June, 1974.

Section	Subdivision	Township	Range	Acres
1	All	33	47	640
2	All			640
3	SE $\frac{1}{4}$			160
9	NE $\frac{1}{2}$ NE $\frac{1}{4}$			40
9	SW $\frac{1}{2}$ NE $\frac{1}{4}$			40
9	SE $\frac{1}{2}$ NE $\frac{1}{4}$			40
9	SE $\frac{1}{4}$			160
9	NE $\frac{1}{4}$ SW $\frac{1}{4}$			40
9	S $\frac{1}{2}$ SW $\frac{1}{4}$			40
9	SE $\frac{1}{4}$ SW $\frac{1}{4}$			40
10	All			640
11	All			640
12	All			640
13	All			640
14	All			640
15	All			640
16	All			640
17	S $\frac{1}{2}$			320
17	SE $\frac{1}{2}$ NE $\frac{1}{4}$			40
18	NE $\frac{1}{2}$ SE $\frac{1}{4}$			40
18	SW $\frac{1}{2}$ SE $\frac{1}{4}$			40
18	SE $\frac{1}{2}$ SE $\frac{1}{4}$			40
19	NE $\frac{1}{4}$			160
19	S $\frac{1}{2}$			320
20	All	33	47	640

Section	Subdivision	Township	Range	Acres
25	NE $\frac{1}{4}$ NE $\frac{1}{4}$	33	46	40
25	SW $\frac{1}{4}$ NE $\frac{1}{4}$	33	46	40
25	SE $\frac{1}{4}$ NE $\frac{1}{4}$	33	46	40
25	SE $\frac{1}{4}$	33	46	160
25	NE $\frac{1}{4}$ SW $\frac{1}{4}$	33	46	40
36	NE $\frac{1}{4}$ NE $\frac{1}{4}$	33	46	40
36	SE $\frac{1}{4}$ NE $\frac{1}{4}$	33	46	40

NOT RECORDED

1912

Section	Subdivision	Township	Range	Acres
25	SE $\frac{1}{4}$	34	47	160
35	SE $\frac{1}{4}$	34	47	160
36	All	34	47	640
4	W $\frac{1}{2}$	33	48	320
5	All	33	48	640
6	All	33	48	640
7	All	33	48	640
8	All	33	48	640
9	W $\frac{1}{2}$	33	48	320
16	NW $\frac{1}{4}$	33	48	160
17	All	33	48	640
18	All	33	48	640
19	N $\frac{1}{2}$	33	48	320
19	N $\frac{1}{2}$ S $\frac{1}{2}$	33	48	160
20	N $\frac{1}{2}$	33	48	320
20	N $\frac{1}{2}$ S $\frac{1}{2}$	33	48	160
19	SE $\frac{1}{4}$	34	48	160
20	All	34	48	640
21	W $\frac{1}{2}$	34	48	320
28	W $\frac{1}{2}$	34	48	320
29	All	34	48	640
30	All	34	48	640
31	All	34	48	640
32	All	34	48	640
33	W $\frac{1}{2}$	34	48	320

Section	Subdivision	Township	Range	Acres
21	A11	33	47	640
22	A11	33	47	640
23	A11			640
24	A11			640
25	N $\frac{1}{2}$			320
26	N $\frac{1}{2}$			320
26	N $\frac{1}{2}$ S $\frac{1}{2}$			160
27	N $\frac{1}{2}$			320
27	N $\frac{1}{2}$ S $\frac{1}{2}$			160
28	A11			640
29	A11			640
30	A11			640
31	N $\frac{3}{4}$			320
32	N $\frac{1}{4}$			320
33	N $\frac{3}{4}$	33	47	160

1910 35