

**APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC
WATERS OF THE STATE OF NEVADA**

Date of filing in State Engineer's Office NOV 15 2001

Returned to applicant for correction _____

Corrected application filed _____

Map filed JUL 26 1977 under 31888

The applicant **Pitchfork, Ranch, Inc.** hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

1. The source of the proposed appropriation is **Underground**
2. The amount of water applied for is **6.0 c.f.s – 2,200 acft/annum (See Remarks)** second-feet
 - (a) If stored in reservoir give number of acre-feet
3. The water to be used for **Supplemental Irrigation & Drought Relief (See Remarks)**
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated **1,300 acres as a supplemental source**
 - (b) Stockwater, state number and kinds of animals to be watered
 - (c) Other use (describe fully under No. 12. "Remarks")
 - (d) Power:
 - (1) Horsepower developed
 - (2) Point of return of water to stream
5. The water is to be diverted from its source at the following point **w/in Lot 5 (SW¹/₄NW¹/₄) Section 4 T11N, R26E, MDM or at a point from which the NW corner of Section 5 T11N, R26E, MDM bears N 65 degrees 53 minutes 19 seconds W, a distance of 6,008.63 feet.**
6. Place of Use **See Remarks**
7. Use will begin about **January 1** and end about **December 31** of each year.
8. Description of proposed works **drilled and cased well equipped with motor, pump and ditch system**
9. Estimated cost of works **\$60,000.00**
10. Estimated time required to construct works **2 years**
11. Estimated time required to complete the application of water to beneficial use **5 years (See Remarks)**

68201

12. Remarks: See attached remarks.

By s/Michael D. Buschelman
Michael D. Buschelman
Post Office Box 51371
Sparks, Nevada 89435

Compared cmf/ cam

Protested 2/19/02 by Mineral County and Walker Lake Working Group;

DENIAL OF STATE ENGINEER

This application is hereby denied on the grounds that its approval would:

- A. Violate State Engineer's Order 1125
- B. Conflict with existing water rights, and
- C. Threaten to prove detrimental to the public interest.

Those portions of the protest specific to these issues are upheld and no ruling is made on the remainder of the protest points.

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set
my hand and the seal of my office,

this 14th day of October, A.D. 2004.

Hugh Ricci, P.E.
State Engineer

**ITEM NO. 6 - PROPOSED PLACE OF USE
AND
ITEM NO. 12 - REMARKS**

**APPLICANT - PITCHFORK RANCH, INC.
PROPOSED USE - SUPPLEMENTAL IRRIGATION AND DROUGHT RELIEF**

**APPLICATION NO. _____
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ITEM NO. 6 - PROPOSED PLACE OF USE

Township 12 North, Range 26 East, MDM.

Section 29: SW1/4SW1/4
Section 30: SE1/4SW1/4, SE1/4SE1/4
Section 31: NE1/4, E1/2NW1/4, N1/2SE1/4
Section 32: S1/2, W1/2NW1/4, SE1/4NW1/4, W1/2NE1/4, SE1/4NE1/4
Section 33: W1/2SW1/4

Township 11 North, Range 26 East, MDM.

Section 4: Lots 2, 3, 4, 5, 6, 7, 11, 12, 13, 14 & 15
Section 5: NE1/4, NE1/4NW1/4
Section 9: Lots 2, 7 & 9
Section 10: W1/2SW1/4
Section 14: NW1/4SW1/4
Section 15: E1/2NW1/4, N1/2SE1/4

ITEM NO. 12 - REMARKS

Refer to map filed under Application Nos. 31888 and 31889 to support this application:

Application No. 57577 was denied based on the conclusion that additional appropriations within the Mason Valley Groundwater Basin No. 108 would conflict with existing rights and threaten to prove detrimental to the public interest. As stated in the State Engineer's Ruling No. 4308, the State has found the groundwater level had dropped approximately 22 feet in the immediate area of Application No. 57577 in the time period 1986 to 1994. This is a minor drop in water table considering the severity of the 8 year drought extending from 1987 to 1995. The reason for such a reasonable drop in the groundwater levels is based on the following findings.

ITEM NO. 12 - REMARKS CONTINUED**APPLICATION NO. _____**
PAGE 2 OF 2

Pitchfork Ranch, Inc. has conducted research to determine which groundwater basin the ranch is located within. Based on geologic and engineering studies completed and published since the delineation of the Mason Valley Groundwater Basin No. 108, the private lands of the Pitchfork Ranch should not have been included within the Mason Valley Groundwater Basin but rather the East Walker River Groundwater Basin No. 109. The following reports and bulletins were utilized for this determination.

Geology and Mineral Deposits of Lyon, Douglas and Ormsby Counties, Nevada, Bulletin 75 by J. Moore, 1969, Nevada Bureau of Mines and Geology

Soil Survey of Lyon County Area, Nevada by U.S. Department of Agriculture - Soil Conservation Service, 1984

East Walker River Diversion Structure Area Study by U.S. Department of Agriculture - Soil Conservation Service, 1991

Upon reviewing these publications with respect to this Application, the following facts support the point of diversion requested by this Application is within the East Walker River Groundwater Basin No. 109.

1. The underlying geology of the Pitchfork Ranch has igneous and extrusive rocks. These rock types were found to be virtually the only rock types with just a thin veneer of Quaternary colluvium present. Drilling conducted during the East Walker River Diversion Structure Area Study encountered bedrock at between sixteen inches (16" and twenty feet (20') in depth within the northwestern Pitchfork Ranch area. The Pitchfork Ranch lands on the northern border are separated from the Mason Valley Groundwater Basin by a granite stock, with bedrock approximately two feet from the surface.
2. The margins of the Mason Valley Groundwater Basin appear to have been delineated by following topographic contour lines rather than geologic controls. The above geologic and engineering studies were not available at the time of the Mason Valley Groundwater Basin delineation. Based on the referenced geologic and engineering studies, including drill hole data, the margin of the Mason Valley Groundwater Basin is along the east half of Sections 25 and 36, T12N, R25E, MDM, approximately three miles west of the currently drawn boundary, and well west of the Pitchfork Ranch. The Pitchfork Ranch is located within the East Walker River Groundwater Basin No. 109.