

IN THE MATTER OF APPLICATION 26819 )  
FILED BY WHITE PINE COUNTY TO )  
APPROPRIATE WATER FROM AN UNDERGROUND )  
SOURCE IN WHITE PINE COUNTY, NEVADA. )

R U L I N G

GENERAL:

Application 26819 was filed on July 5, 1972, by White Pine County to appropriate 2.0 c.f.s. of water from an underground source located within the SW $\frac{1}{4}$  NW $\frac{1}{4}$  Section 14, T. 16N., R. 63E., M.D.B. & M., for recreational and domestic use in Steptoe Park, located in the SW $\frac{1}{4}$  NW $\frac{1}{4}$  Section 14 and the SE $\frac{1}{4}$  NE $\frac{1}{4}$  Section 15, T. 16N., R. 63E., M.D.B. & M. The water is to be used to irrigate approximately 12 acres in Steptoe Park and to maintain the level of three ponds of approximately 320,000 gallons total capacity.

A protest to the granting of Application 26819 was filed on August 30, 1972 by the Ely Municipal Water Dept. on the grounds that: "This diversion, if allowed, would adversely affect a municipal well owned by the Protestant located in the NE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 15, T. 16N., R. 63E., M.D.M."

OPINION:

The proposed well will draw water from the same aquifer as does the Ely Municipal Water Dept. well described in the above mentioned protest. However, the two wells are separated by more than  $\frac{1}{4}$ -mile, the aquifer has proven to be a good producer and the Ely Municipal Water Dept. evidently feels that the amount applied for is available as evidenced by their agreement to serve the park from the City's system. It is therefore our opinion that the granting of this application will not tend to impair the value of existing rights or to be otherwise detrimental to the public welfare.

RULING:

The protest against the granting of Application 26918 is hereby overruled and a permit will be granted upon the receipt of the statutory filing fee.

Respectfully submitted,

  
Roland D. Westergard  
State Engineer

Dated this 10th

day of May, 1973.

RDW/BAR/bs