

IN THE MATTER OF APPLICATION 28362 )  
FILED BY LYLE D. AND BERTHA STOKER )  
TO APPROPRIATE WATER FROM AN UNDER- )  
GROUND SOURCE IN PARADISE VALLEY, )  
HUMBOLDT COUNTY, NEVADA. )

R U L I N G

GENERAL:

Application 28362 was filed on June 4, 1974, by Lyle D. Stoker and Bertha Stoker to appropriate 11.5 c.f.s. of water from an underground source for irrigation purposes. The proposed point of diversion is within the SE $\frac{1}{4}$  NW $\frac{1}{4}$  Section 21, T.38N., R.39E., M.D.M. The place of use is described as 320 acres within the W $\frac{1}{2}$  of Section 21, T.38N., R.39E., M.D.M. The period of use is to be from January 1 to December 31 of each year. Application 28362 now stands in the name of Umeo and Frances Taki by deed filed October 22, 1974, in this office.

Water Resources Bulletin No. 39 published by the Nevada Department of Conservation and Natural Resources - Division of Water Resources and the U. S. Geological Survey estimates the ground water recharge to the Paradise Valley Ground Water Basin to be 40,000 acre-feet annually.

Existing ground water rights of record in that portion of the Paradise Valley Ground Water Basin south of the center line of Township 39 North totals in excess of 40,000 acre-feet annually. Application 28362 is located within this area of concentration and is appurtenant to the same W $\frac{1}{2}$  of Section 21, T.38N., R.39E., M.D.M. which was the subject of Application 28541 and which was denied by Ruling 1999 dated October 22, 1974.

RULING:

Application 28362 is herewith denied on the grounds that the granting of this application would adversely effect prior existing water rights within this area of concentration.

Respectfully submitted,

  
Roland D. Westergard  
State Engineer

RDW:WJN:jw

Dated this 9th day of

January, 19 76