

IN THE MATTER OF APPLICATION)
29629 FILED FOR THE WATERS)
OF AN UNDERGROUND SOURCE)
WITHIN THE WINNEMUCCA SEGMENT,)
HUMBOLDT COUNTY, NEVADA.)

R U L I N G

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GENERAL:

Application 29629 was filed on September 4, 1975, by Dulany Mahan, Jr. to appropriate 6.0 c.f.s. of the waters of an underground source to be diverted within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 34, T.36N., R.37E., M.D.B. & M., to be used for the irrigation of 360 acres within the N $\frac{1}{2}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ said Section 34.

This application was protested on December 5, 1975 by Donald J. Jones on the following grounds: "Additional permits granted in this area would cause damage to water tables, thereby damaging existing water rights both residential and irrigation. Prior applications in this area have been denied for reasons stated in prior protests both formal and in public hearings."

This portion of the Winnemucca Segment was designated by order of the State Engineer on May 6, 1975. Approved appropriations from ground water within the Winnemucca Segment of the Humboldt River Valley exceed the perennial yield of the Winnemucca Segment.

OPINION:

It is our opinion that the granting of additional appropriations in an area where existing approved appropriations exceed the perennial yield of the area would tend to impair the value of existing rights and be otherwise detrimental to the public welfare.

RULING:

Application 29629 is hereby denied on the grounds that the granting would tend to impair the value of existing rights and be otherwise detrimental to the public welfare.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW/TJS/bs

Dated this 9th day
of January, 1976.