

IN THE MATTER OF APPLICATION 37201 )  
TO APPROPRIATE GROUND WATER IN )  
BUENA VISTA VALLEY, PERSHING )  
COUNTY, NEVADA )

R U L I N G

FINDINGS OF FACT

I

Application 37201 was filed by Jim Ferrara on March 26, 1979 to appropriate 6.0 c.f.s. of ground water for irrigation and domestic purposes. The point of diversion is within the SW $\frac{1}{4}$  SW $\frac{1}{4}$  Section 21, T.30N., R.35E., M.D.B. & M., for use on 640 acres within said Section 21.

II.

Transfer documents have been filed in the State Engineer's office indicating Application 37201 has been assigned to and stands in the name of Charles W. and Patricia Moore and Herman E. and Alene Beal, as joint tenants.

III

Permit 21247, Certificate 7763, in the name of Allan Bergendahl is for the diversion of 6.12 c.f.s. for the irrigation of 468 acres in Section 26 and 27 in T.30N., R.35E. This permit is for water from an underground source located within the NW $\frac{1}{4}$  NW $\frac{1}{4}$  Section 28, T.30N., R.35E., and has a priority date of May 7, 1963.

IV

The well under 21247 is approximately 150 feet south of the proposed well site under Application 37201 and at about the same elevation. 1/

V

Well log and pump test data collected for the well under 21247 indicate good clean gravel layers underlying the area with the well producing about 3,000 gallons per minute with a drawdown of about 50 feet in the well. 2/

CONCLUSIONS

1. The State Engineer has jurisdiction of the parties and the subject matter of this action. 3/
2. The State Engineer is prohibited by law from granting a permit where:
  - a. There is no unappropriated water at the proposed source, or
  - b. The proposed use conflicts with existing rights, or

c. The proposed use threatens to prove detrimental to the public welfare. 4/

3. If Application 37201 is granted, an additional 2700 gallons per minute would be withdrawn from a highly permeable aquifer that is only 150 feet distant from an existing certificated right. This additional withdrawal would result in a substantial lowering of static and pumping water levels in this area of concentrated pumping due to the interaction of the individual cones of depression created in the water table by each well. This additional withdrawal would, therefore, conflict with existing rights and threaten to prove detrimental to the public welfare.

RULING

Application 37201 is hereby denied on the grounds that the further appropriation of ground water in this area would conflict with existing rights and threaten to prove detrimental to the public welfare.

Respectfully submitted,



Peter G. Morros  
State Engineer

PGM/TKG/dh

Dated this 2nd day  
of February 1982.

FOOTNOTES

1. Public records in the office of the State Engineer.
2. Public records in the office of the State Engineer.
3. NRS 533.025 and 533.030, subsection 1.
4. NRS 533.370, subsection 4.