

IN THE MATTER OF APPLICATIONS)
37941 AND 39047 FILED TO)
APPROPRIATE UNDERGROUND WATER)
FROM THE ELKO SEGMENT, ELKO)
COUNTY, NEVADA)

R U L I N G

GENERAL

Application 37941 was filed by Charles J. Catello on April 18, 1979, to appropriate 6 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 18, T.34N., R.55E., M.D.B.&M., and the place of use is within the S $\frac{1}{2}$ of said Section 18.

Application 39047 was filed by Keith R. Jones on September 13, 1979, to appropriate 2.7 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 24, T.34N., R.55E., M.D.B.&M., and the place of use is within the W $\frac{1}{2}$ NE $\frac{1}{4}$ of said Section 24.

Applications 37941 and 39047 are to support Desert Land Entries.

A portion of the Elko Segment Hydrographic Area was designated under Nevada Revised Statutes 534 on December 8, 1981 by Order #778.

Application 37940 to irrigate land to support a Desert Land Entry was denied at a hearing before the State Engineer on February 19, 1982.

CONCLUSION

1. It is not in the public interest or in the best interests of the orderly management of the resource to grant irrigation permits in support of Desert Land Entries within an area of highly concentrated ground water development which includes a municipal well field. The granting of this application would also adversely affect existing rights. (Nevada Revised Statutes 533.370, 534.120, and Chapter 474 Advance Sheets of Nevada Statutes 1981.)

RULING

Applications 37941 and 39047 are denied on the grounds that to permit them would adversely affect existing rights, would be detrimental to the public welfare and would not be a preferred use of the limited ground water resource in the designated portion of the Elko Segment.

Respectfully submitted,



Peter G. Morros
State Engineer

PGM/JC/bc

Dated this 1st day of

MARCH, 1982.