

IN THE MATTER OF APPLICATION 20495)
FILED MAY 31, 1962, BY EUREKA COUNTY)
BOARD OF EDUCATION TO APPROPRIATE)
WATER FROM AN UNDERGROUND SOURCE FOR)
SCHOOL AND DOMESTIC PURPOSES.)

608

R U L I N G

General:

A protest to the granting of the Application 20495 was filed on October 15, 1962, by Heller's Eureka Water Works. The protest was based on two points:

1. That its granting would infringe upon the water rights of Heller's Eureka Water Works.

2. That the application is not properly prepared, not being located by proper political subdivision.

An investigation of water rights in the vicinity of the proposed well was made. The closest valid right was over one-half mile distant.

As to the application being improperly prepared, this has been corrected to the satisfaction of this office.

A study of the general geology of the area, along with the log of the test well already drilled, indicates that:

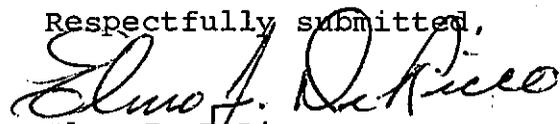
1. The rock from which the water will probably come is fine-grained and will therefore give up the water very slowly and only small amounts will be available.

2. The distance between the proposed well and any existing water right is great enough that there will be little probability of interference.

RULING

The protest to the granting of this application is herewith overruled on the grounds that its granting will not impair existing water rights or be otherwise detrimental to the public welfare.

Respectfully submitted,



Elmo J. DeRicco
State Engineer

Dated this 29th day of

April, 1963