

IN THE MATTER OF APPLICATIONS 23514 AND)
23515 FILED TO APPROPRIATE WATER FROM AN)
UNDERGROUND SOURCE IN PERSHING COUNTY,)
NEVADA)

R U L I N G

GENERAL:

Application 23514 was filed November 23, 1966, by Robert E. Shaw and Mary T. Shaw to appropriate 4.0 c.f.s. of water from an underground source for irrigation and domestic purposes. The point of diversion described in the application is within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 32, T. 29N., R. 33E., M.D.B.&M., and the place of use is the E $\frac{1}{2}$ E $\frac{1}{2}$ of said Section 32 (160 acres).

Application 23515 was filed November 23, 1966, by Robert E. Shaw and Mary T. Shaw to appropriate 1.0 c.f.s. of water from an underground source for stockwatering and domestic purposes. The point of diversion and place of use is the same as described in Application 23514.

The subject applications are located within the immediate vicinity of the City of Lovelock's existing well field which lies east of Oreana, Nevada, in an area hereafter referred to as the Oreana subarea. The City of Lovelock and the Upper and Lower Valley domestic water users are dependent on the existing wells located in this well field for their domestic supply of water.

The United States Geological Survey in Water Resources - Reconnaissance Series - Report 32 states that "Most of the available ground water of suitable chemical quality for agricultural and domestic uses occurs in the alluvium in the Oreana. Recharge to the Oreana subarea, from local sources is only about 2,000 acre-feet per year. . . .".

The existing ground water rights of record in this office in T. 29N., R. 33E., which comprises most of the Oreana subarea, total 17,805 acre feet per year. All of the aforementioned water rights were filed prior to November 23, 1966, the date of filing of Applications 23514 and 23515.

A field investigation regarding the subject applications was made June 21, 1967.

The site of the proposed well referred to in Applications 23514 and 23515 is approximately 3,200 feet northwest of the existing well covered by Permit 9083 - Certificate 1796 which is in the name of the City of Lovelock and is for an appropriation of 1.34 c.f.s. of water for municipal and domestic purposes. The amount of water pumped from this well for use in the Lovelock area, from June 1966 through June 1967, was 132,726,800 gallons.

The site of the proposed well, referred to in Applications 23514 and 23515, is also approximately 1,900 feet southwest of the proposed well to be drilled under Permit 22794 which is in the name of the City of Lovelock and is for a right to appropriate 5.0 c.f.s. of water for municipal and domestic purposes for use in the City of Lovelock and for Upper and Lower Valley customers.

Informal protests, to the granting of the subject applications, were received on June 2, 1967 from the City of Lovelock, domestic water users of Upper and Lower Valley and the Big Meadow Water Association.

OPINION:

It is the opinion of this office that the granting of subsurface water rights under Applications 23514 and 23515 would adversely affect the existing subsurface water rights in the nearby area.

RULING

Applications 23514 and 23515 are hereby denied on the grounds that the granting of the applications would impair the value of the existing subsurface water rights and be detrimental to the public welfare.

Respectfully Submitted,


Roland D. Westergard
State Engineer

RDW:BJV:dih

Dated this 13th day
of July, 1967