

IN THE MATTER OF APPLICATIONS 24293 &)
24294 FILED TO APPROPRIATE WATER FROM)
AN UNDERGROUND SOURCE IN PERSHING)
COUNTY, NEVADA.)

RULING

GENERAL:

Application 24293 was filed December 18, 1967, by Robert E. Shaw and Mary T. Shaw to appropriate 4.0 cfs 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, T29N., R33E., MDB&M., and the place of use is the E $\frac{1}{2}$ E $\frac{1}{2}$ of said Section 32 (160 acres).

Application 24294 was filed December 18, 1967, by Robert E. Shaw and Mary T. Shaw to appropriate 1.0 cfs of water from an underground source for stockwatering and domestic purposes. The point diversion and place of use is the same as described in Application 24293.

Protests to the granting of Application 24293 were received February 28, 1968, from the City of Lovelock and March 4, 1968, from the Big Meadow Water Association. A protest to the granting of Application 24294 was received March 4, 1968, from the Big Meadow Water Association.

The proposed point of diversion and place of use referred to in Applications 24293 and 24294 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 the aforementioned 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 subarea. Recharge to the Oreana subarea, from local sources is only about 2,000 acre-feet per year. . . ." Report 32 is a water resources appraisal of Lovelock Valley, Pershing County, Nevada.

The existing ground water rights of record in this office in T29N., R33E., which comprise most of the Oreana subarea, total 17,165 acre-feet per year. All of the aforementioned existing water rights were filed prior to December 18, 1967, the date of filing of Applications 24293 and 24294.

The site of the proposed well referred to in Applications 24293 and 24294 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 cfs 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 24293 and 24294 is also approximately 1900 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 cfs of water for municipal and domestic purposes for use in the City of Lovelock and for Upper and Lower Valley customers.

OPINION:

It is the opinion of this office that the granting of subsurface water rights under Applications 24293 and 24294 would adversely affect the existing subsurface water rights in the nearby area.

RULING

The protests to the granting of Applications 24293 and 24294 are hereby sustained and Applications 24293 and 24294 are hereby denied on the grounds that their granting 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:dc

Dated this 11th day of
April, 1968.