

IN THE MATTER OF APPLICATIONS)
28210 AND 28211 FILED TO)
APPROPRIATE THE WATERS OF AN)
UNDERGROUND SOURCE IN DIAMOND)
VALLEY, EUREKA COUNTY, NEVADA.)

R U L I N G

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GENERAL:

Application 28210 was filed by LaVerne D. and Eunice M. Machacek and Jerry L. Machacek on March 25, 1974 to appropriate 5.4 c.f.s. of water from an underground source located within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 36, T.21N., R.53E., M.D.B.& M. Water is to be used for irrigation and domestic purposes on 301.2 acres within the SE $\frac{1}{4}$ of Section 36, T.21N., R.53E., M.D.B.& M. and Lots 1, 2 and 5 of Section 1, T.20N., R.53E., M.D.B.& M.

Application 28211 was filed by LaVerne D. and Eunice M. Machacek and Jerry L. Machacek on March 25, 1974 to appropriate 5.4 c.f.s. of water from an underground source located within the E $\frac{1}{2}$ of Lot 5, Section 1, T.20N., R.53E., M.D.B.& M. The water is to be used for irrigation and domestic purposes on 301.2 acres within the SE $\frac{1}{4}$ of Section 36, T.21N., R.53E., M.D.B.& M. and Lots 1, 2 and 5, Section 1, T.20N., R.53E., M.D.B.& M.

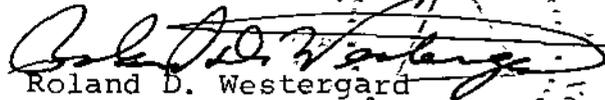
The proposed appropriations are located within the designated area of the Diamond Valley Ground Water Basin in Eureka County. The U. S. Geological Survey estimates that 30,000 acre feet per year of water annually are available as the perennial yield from the basin. The existing ground water rights of record in the State Engineer's office total 127,526 acre feet per year for the irrigation of 32,650 acres. These applications are located on the eastern side of a concentrated agricultural area south of the South Boundary Line of T.22N., where the State Engineer has determined that the ground water is being depleted. Approval of additional appropriations for the irrigation of new land within this concentrated area would adversely affect existing rights and would be otherwise detrimental to the public welfare.

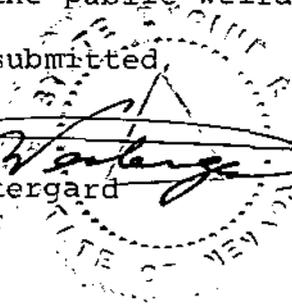
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RULING:

Applications 28210 and 28211 are herewith denied on the grounds that they would adversely affect existing rights and be otherwise detrimental to the public welfare.

Respectfully submitted,


Roland D. Westergard
State Engineer



RDW/BLR/bs

Dated this 22nd day of
December, 1975.