

IN THE MATTER OF APPLICATIONS)
29098, 29099 AND 29100 FILED)
BY ALLAN E. ROSS TO APPROPRIATE))
UNDERGROUND WATER IN BUENA)
VISTA VALLEY, PERSHING COUNTY,)
NEVADA.)

R U L I N G

GENERAL:

Applications 29098, 29099 and 29100 were filed on December 24, 1974 by Allan E. Ross to appropriate underground water for irrigation and domestic purposes in Buena Vista Valley.

Application 29098 is for 3 c.f.s. to irrigate 160 acres within the $W\frac{1}{2} W\frac{1}{2}$ Sec. 20, T.31N., R.35E., M.D.M. The proposed point of diversion is within the $SW\frac{1}{4} NW\frac{1}{4}$ said Sec. 20.

Application 29099 is for 3 c.f.s. to irrigate 160 acres within the $W\frac{1}{2} E\frac{1}{2}$ said Sec. 20. The proposed point of diversion is within the $NW\frac{1}{4} NE\frac{1}{4}$ said Sec. 20.

Application 29100 is for 3 c.f.s. to irrigate 200 acres within the $N\frac{1}{2} NW\frac{1}{4}$, $NW\frac{1}{4} NE\frac{1}{4}$, $S\frac{1}{2} NE\frac{1}{4}$ Sec. 8, T.31N., R.35E., M.D.M. The point of diversion is within the $NE\frac{1}{4} NW\frac{1}{4}$ said Sec. 8.

Applications 29098, 29099 and 29100 were protested on April 8, 1975 by Star Sheep Co., Inc. on the following grounds:

"That the protestant has two irrigation wells and two domestic wells within one mile of the points of diversion named in the above-referenced applications; that the granting of the applications will adversely affect the source of water for the irrigation wells and domestic wells, and consequently, affect protestant's permitted water rights which have a higher priority and are required for both agriculture and stock water purposes."

A field investigation was held on March 12, 1976.

The proposed wells under Applications 29098 and 29099 and Star Sheep Co., Inc.'s well under Permit 23425, Certificate 7793 are situated on the same alluvial fan formed by Star Creek flowing from Star Peak. The protestant's well is now pumping from 280 feet and any additional lowering of the water table in this area

Applications 29098, 29099 and 29100
Ruling
Page 2

would cause the pumping lift at the protestant's well to be unreasonable and uneconomical. The development of two additional irrigation wells situated between the protestant's well and the Star Peak source of ground water recharge would tend to lower water tables and so adversely affect the protestant's existing ground water right.

The proposed well under Application 29100 is situated about three miles to the north and is on a different alluvial fan formed at the mouth of Santa Clara Canyon. Additional pumpage from this area would not adversely affect existing underground water rights.

RULING:

The protests to the granting of Applications 29098 and 29099 are upheld and Applications 29098 and 29099 are hereby denied on the grounds that the granting of these applications would tend to impair the value of existing rights.

The protest to the granting of Application 29100 is hereby overruled on the grounds that the granting of this application will not tend to impair the value of existing rights. A permit will be issued upon receipt of statutory fees.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW/JC/bs

Dated this 9th
day of April, 1976.