

IN THE MATTER OF APPLICATION)
30049 FILED BY BERT WADE AND)
GEORGE PETERSEN FOR THE WATER)
OF AN UNDERGROUND SOURCE IN)
CARSON CITY, NEVADA.)

R U L I N G

GENERAL:

Application 30049 was filed on March 2, 1976 by Bert Wade and George Petersen to appropriate 0.01 cfs of water from an underground source for commercial and domestic purposes. The point of diversion is described as being located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 31, T.15N., R.20E., MDB&M. The place of use is within portions of SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 32 and SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 31, T.15N., R.20E., MDB&M. The period of use is from January 1 to December 31 of each year.

Application 30049 was protested by Carson City on April 19, 1976 on the following grounds: "The proposed well location falls within the service area of the Carson Water Department and is located within 1000 feet of Carson City Well No. 9. With construction of the new bowling alley at 4600 Snyder Avenue an 8 inch water line will be extended from Well No. 9 to the north side of Appion Way by the Lupin and Oak Streets. This will be approximately 500 feet north of the site of Application 30049. Also, it has been determined that wells within that area have a large radius of influence and it is felt a well at the proposed location may tend to adversely affect Carson City's water rights."

Application 30049 became ready for action on May 7, 1976. On May 4, 1976 a letter was submitted to the Division of Water Resources under the signature of Bert Wade and on May 20, 1976 a letter dated May 17, 1976 was submitted to the Division of Water Resources under the signature of Paul Lumos, Public Works Director, Carson City. Both of these letters are made a part of this ruling by reference.

RULING:

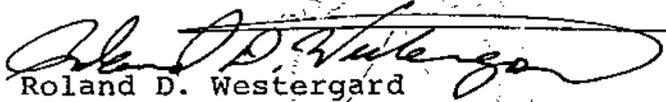
The protest to the granting of Application 30049 is here-with overruled and a permit will be issued under this application upon receipt of the statutory permit fees subject to the following conditions:

1. Duty of water under this permit will be limited to 250 gallons per day.

Ruling
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2. Issued subject to the conditions and statements in the letters dated May 4, 1976 under the signature of Bert Wade and May 17, 1976, under the signature of Paul Lumos.
3. Issued subject to all prior existing water rights.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW:PGM:sk

Dated this 3rd day
of June, 1976.

CARSON CITY



May 17, 1976

Peter Morros
Water Resources Division
Nevada Conservation and
Natural Resources Department
201 South Fall Street
Carson City, Nevada 89710

RE: Application No. 30049

Dear Mr. Morros:

In accordance with our discussion concerning the application by Bert Wade and George Peterson, we hereby agree to the granting of this application subject to a 250 gallon per day duty on the well and agreement by Mr. Wade and Mr. Peterson that they will hook up to the municipal water system at such time as the water mains are extended to their property.

This does not imply that Carson City assumes any responsibility for any adverse influence by Well No. 9 on Mr. Wade and Mr. Peterson's well.

Sincerely,

A handwritten signature in cursive script that reads "Paul Lumos".
Paul Lumos
Public Works Director

PL/sw

P.O. Box 475
Carson City, Nevada
May 4, 1976

Mr. Roland D. Westergard
State Engineer
Division of Water Resources
201 South Fall Street
Carson City, Nv 89701

Re: 30049

Dear Mr. Westergard:

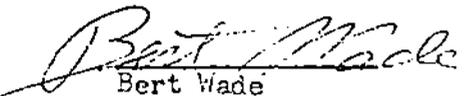
After receiving the notice of protest from Mr. Lumos, regarding the above application, I called on him to see why he protested our application. He informed me that they routinely protest any application in order to not jeopardize any possible water rights of Carson City.

We told Mr. Lumos that we would certainly be willing to connect to the City waterlines at such time as these lines were extended to the property we plan on leasing. Also, he was not aware that the application was on an existing well and that we were not planning on drilling a new well.

The only water which we would be using would be for a restroom in one mobilhome which we will be using as an office, and such water as the City might require us to use for landscaping.

We respectfully request that our application be approved.

Sincerely,


Bert Wade

Copy: Mr. Paul Lumos