

IN THE MATTER OF APPLICATION 30133)  
FILED BY DON M. AND ROSAMOND E. )  
GORDON TO APPROPRIATE WATER FROM )  
AN UNDERGROUND SOURCE IN PANTHER )  
VALLEY, WASHOE COUNTY, NEVADA. )

R U L I N G

GENERAL:

Application 30133 was filed on April 2, 1976 by Don M. and Rosamond E. Gordon to appropriate 0.10 c.f.s. of water from an underground source for quasi-municipal purposes. Water is proposed to be diverted from its source at a point within the NE $\frac{1}{4}$  SW $\frac{1}{4}$  Section 23, T.20N., R.19E., M.D.M. The place of use is within portions of the NW $\frac{1}{4}$  SW $\frac{1}{4}$  and NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 23, T.20N., R.19E., M.D.M. The period of use is to be from January 1 to December 31 of each year.

A protest to the granting of Application 30133 was filed on June 25, 1976, by Samuel M. Newcomer. The basis of the protest is on the following grounds:

- "1. Present well pumps 45 gal per minute (if valid) impossible to supply 75 units.
- "2. Zoning is one acre zoning. Land is 1.19 acres impossible for 75 units.
- "3. Total acreage owned by Gordons adjacent and including the 1.19 is 3.7 acres. Total trailers now is (3) and 1 house. Violation of acre zoning still impossible to provide acreage for 75 units.
- "4. Available land is impossible to provide approved sewage facilities for 75 units.
- "5. House and trailer on one septic system. Ordinances require each to have separate approved systems.
- "6. Approval would reduce water table of wells surrounding Gordon's property."

The applicant stated at the time of the field investigation that it was not intended to develop a total of 75 units from this well. The applicant stated by a telephone call subsequent to the field investigation that 11 units were proposed to be developed on 1/3 acre lots.

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Evidence, data and information available as well as results of the field investigation indicate that there is unappropriated ground water and that the proposed appropriation would not adversely affect existing rights.

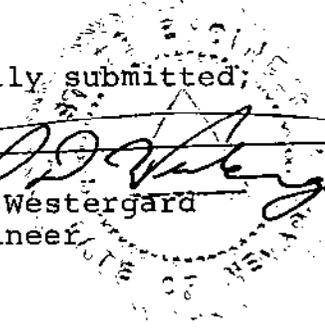
**RULING:**

The protest to the granting of Application 30133 is herewith overruled on the grounds that the granting of a permit would not adversely affect existing rights or be otherwise detrimental to the public welfare.

A permit will be granted under Application 30133 subject to existing rights and limited to service for 11 units upon receipt of the permit fees.

Respectfully submitted;

  
Roland D. Westergard  
State Engineer



RDW:WJN:sk

Dated this 24th day  
of November, 1976.