

IN THE MATTER OF APPLICATION )  
30134 FILED FOR THE WATERS OF )  
AN UNDERGROUND SOURCE WITHIN )  
THE OREANA SUBAREA OF LOVELOCK )  
VALLEY, PERSHING COUNTY, NEVADA )

R U L I N G

Application 30134 was filed on April 5, 1976 by Oreana Milling and Mining, Inc. to appropriate 1.0 c.f.s. of the waters of an underground source to be diverted within the SW $\frac{1}{4}$  SE $\frac{1}{4}$  Section 31, T.29N., R.33E., M.D.B.&M. and to be used for mining, milling and domestic purposes within the W $\frac{1}{2}$  SE $\frac{1}{4}$  of said Section 31.

This application was protested on June 14, 1976 by the City of Lovelock.

Oreana Milling and Mining, Inc. by letter of October 29, 1976, indicated that the mill would be running on a 24 hour basis, 5 days a week on an average of 10 months per year and would use an excess of 240,000 gallons a day while in operation.

The Oreana Subarea of Lovelock Valley was designated by Order of the State Engineer on February 25, 1969. Additionally, by Order of the State Engineer on the same date, a Notice of Curtailment of Water Appropriation and Designation of Preferred Use of Ground water was entered.

The proposed point of diversion is within the designated area and also within the area of the notice of curtailment of water appropriation and designated of use of ground water.

Water Resources Reconnaissance Series Report 32 prepared by the Department of Conservation and Natural Resources, Division of Water Resources and U.S. Geological Survey estimate the annual recharge within the Oreana Subarea is 2,000 acre-feet per year. According to this report, this recharge moves generally westward and is evaporated and transpired in areas of shallow ground water largely east of Interstate 80. The proposed point of diversion under Application 30134 is approximately 1 $\frac{1}{2}$  miles westerly of the City of Lovelock municipal well field and is within an area of evapotranspiration.

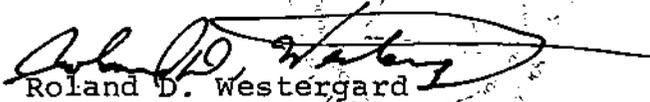
OPINION:

It is the opinion of this office that the granting of this application in the area of evapotranspiration would salvage water that is presently being lost through evaporation and transpiration.

RULING:

The protest to the granting of Application 30134 is hereby overruled on the grounds that its granting would not tend to impair the value of existing rights or be otherwise detrimental to the public welfare.

Respectfully submitted,

  
Roland D. Westergard  
State Engineer

RDW/lk

Dated this 23rd

day of March, 1977.