

IN THE MATTER OF APPLICATION 30363)
FILED TO APPROPRIATE UNDERGROUND)
WATER FROM CARSON VALLEY, DOUGLAS)
COUNTY, NEVADA.)

R U L I N G

Application 30363 was filed on July 1, 1976 by F. Heise Land and Livestock Co., to appropriate 6.65 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 8, T.12N., R.20E., M.D.B. & M. The place of use is 654.65 acres within the S $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 1, NE $\frac{1}{4}$ Sec. 12, T.12N., R.19E., NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 7, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ Sec. 8, T.12N., R.20E., M.D.B. & M.

Application 30363 was protested on March 7, 1977 by Gordon and JoAnne Fricke on the grounds that:

"Prior vested water rights for existing domestic and stock watering well. Long periods of pumping will affect domestic and stock watering wells in the area during extreme dry periods".

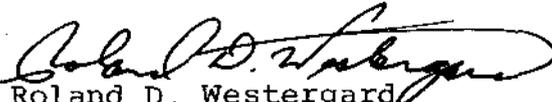
A search of records on file at the Office of the State Engineer shows the nearest underground point of diversion to be about one-half mile from the proposed well under Application 30363.

NRS 534.110, subsection 4, provides that the right of the Appropriator must allow for a reasonable lowering of the static water level at the Appropriator's point of diversion.

R U L I N G

The protest to the granting of Application 30363 is overruled on the grounds that the proposed appropriation of underground water under Application 30363 will not tend to impair the value of existing rights. A permit will be issued for 6.0 c.f.s. and be further limited to 4.0 acre-feet per acre of land irrigated from all sources. The permit will be issued subject to existing rights upon receipt of statutory permit fees.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW/JC/dc

Dated this _____ 8th _____ day
of _____ July _____ 1977.