

IN THE MATTER OF APPLICATION)
36184 FILED BY PAUL EICH TO)
APPROPRIATE WATER FROM AN)
UNDERGROUND SOURCE IN TRUCKEE)
MEADOWS, WASHOE COUNTY, NEVADA.)

R U L I N G

GENERAL:

Application 36184 was filed on November 20, 1978, by Paul Eich to appropriate 0.5 c.f.s. of water from an underground source for domestic and garden purposes. The proposed point of diversion is within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 21, T.18N., R.20E., M.D.B.&M. The place of use is described as being 2.00 acres within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, T.18N., R.20E. The period of use is January 1 to December 31 of each year.

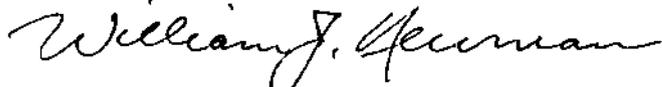
OPINION:

The granting of a water right from an underground source for domestic and garden purposes only would not afford the applicant any use that is not already provided for under NRS 534.010 and NRS 534.180. Under 534.010 and NRS 534.180 the statute provides domestic use to be limited to a single family dwelling where the draught of water does not exceed 1800 gallons per day and further provides that a permit is not required for domestic purposes.

RULING:

Application 36184 is hereby denied on the grounds that domestic wells are provided for under NRS 534.010 and NRS 534.180 without the requirement of a permit and to grant such a permit within the Truckee Meadows Basin would infer the granting of some right or assurance that the applicant was not otherwise afforded such as regulation of other withdrawals to maintain water levels.

Respectfully submitted,



William J. Newman
State Engineer

WJN:BAR:jw

Dated this 27th day of
March, 1979