

IN THE MATTER OF APPLICATION 40875)
FILED TO CHANGE APPROPRIATED WATER)
FROM AN UNDERGROUND SOURCE IN DAYTON)
VALLEY, LYON COUNTY, NEVADA)

R U L I N G

INTRODUCTION

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Application 40875 was filed on March 13, 1980 by Lyon County to change the place of use of underground water later appropriated under Permit 39883. The place of use under Permit 39883 is within the SE $\frac{1}{2}$ Section 14, SE $\frac{1}{2}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ Section 23, N $\frac{1}{2}$ Section 24, T.16N., R.21E., M.D.B.&M., N $\frac{1}{2}$ S $\frac{1}{2}$, N $\frac{1}{2}$ Section 19, S $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 18, NW $\frac{1}{4}$ Section 17, T.16N., R.22E., M.D.B.&M., and the proposed place of use under Application 40875 is NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$ Section 33, N $\frac{1}{2}$ NW $\frac{1}{4}$ Section 34, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ Section 28, W $\frac{1}{2}$ SE $\frac{1}{4}$, a portion of E $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 27, a portion of NW $\frac{1}{4}$ Section 26, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 23, SE $\frac{1}{4}$, a portion of NE $\frac{1}{4}$ Section 14, all of Section 11, the N $\frac{1}{2}$ Section 24, T.16N., R.21E., M.D.B.&M., N $\frac{1}{2}$ S $\frac{1}{2}$, N $\frac{1}{2}$ Section 19, S $\frac{1}{2}$ S $\frac{1}{2}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ Section 18, NW $\frac{1}{4}$ Section 17, T.16N., R.22E., M.D.B.&M.

Application 40875 was protested by Quilici Ranch Corp. & Holly Ranch.

A hearing before the State Engineer in the matter of Application 39883 was held in Carson City, Nevada, on June 23, 1980. A transcript of the hearing is on file in the State Engineer's office.

The protest to Application 39883 was overruled and a permit was issued. A copy of the Ruling is attached as a part of this Ruling.

RULING

The protests to Application 40875 are overruled on the grounds that the same issues were considered under Application 39883 and the matter resolved by the Ruling on Application 39883. A permit will be issued under Application 40875.

Respectfully submitted,

William J. Newman

William J. Newman
State Engineer

WJN/JC/bc

Dated this 27th day of
FEBRUARY, 1981.