

IN THE OFFICE OF THE STATE ENGINEER
OF THE STATE OF NEVADA

IN THE MATTER OF APPLICATION)
51063 FILED TO APPROPRIATE THE)
UNDERGROUND WATER OF THE LONG)
VALLEY HYDROGRAPHIC BASIN (009),)
WASHOE COUNTY, NEVADA.)

RULING

5229

GENERAL

I.

Application 51063 was filed on June 19, 1987, by Richard Joseph Sublett to appropriate 2.7 cubic feet per second (cfs) of the underground water of the Long Valley Hydrographic Basin, Washoe County, Nevada, for the domestic purposes and the irrigation of 80 acres of land described as N $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, T.41N., R.20E., M.D.B.&M. The proposed point of diversion is described as being located within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 6.¹

II.

Application 51063 was protested by Washoe County on the grounds that the application would adversely affect Washoe County's Application No. 50227 also located in Long Valley and in the same general location.¹

FINDINGS OF FACT

I.

By State Engineer's ruling,² Application 50227 was denied. The State Engineer finds the grounds for Washoe County's protest to Application 51063 no longer exist; therefore, Application 51063 can be considered.

CONCLUSIONS

I.

The State Engineer has jurisdiction over the parties and of the subject matter of this action and determination.³

¹ File No. 51063, official records in the Office of the State Engineer.

² State Engineer's Ruling No. 4599, dated January 26, 1998, official records in the Office of the State Engineer.

³ NRS chapters 533 and 534.

II.

The State Engineer is prohibited by law from granting a permit under an application to appropriate the public waters where:⁴

- A. there is no unappropriated water at the proposed source;
- B. the proposed use or change conflicts with existing rights;
- C. the proposed use or change conflicts with protectible interests in existing domestic wells as set forth in NRS § 533.024; or
- D. the proposed use or change threatens to prove detrimental to the public interest.

III.

The State Engineer concludes the appropriation requested under Application 51063 will not conflict with existing rights, will not conflict with protectible interests in existing domestic wells as set forth in NRS § 533.024, and will not threaten to prove detrimental to the public interest.

RULING

The protest to Application 51063 is hereby overruled and Application 51063 is granted subject to existing rights and payment of the statutory fee.

Respectfully submitted,



HUGH RICCI, P.E.
State Engineer

HR/SJT/jm

Dated this 5th day
of May, 2003.

⁴ NRS § 533.370(3).