

IN THE MATTER OF APPLICATIONS 21805,)
 21806 and 21898 FILED FEBRUARY 10,)
 and MARCH 25, 1964 BY DAVID C. AND)
 ANNA DEVORE TO APPROPRIATE WATER FROM)
 AN UNDERGROUND SOURCE FOR MINING,)
 MILLING AND DOMESTIC PURPOSES IN)
 GABBS VALLEY, MINERAL COUNTY, NEVADA)

R U L I N G

122 Applications 21805 and 21806 filed February 10, and Application 21898 filed March 25, 1964, by David C. and Anna Devore, each for 3.5 c.f.s. of water from an underground source, to be diverted from the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 2, the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 2, and the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 3 all in T. 12 N., R. 32 E., are for milling, mining and domestic purposes.

Applications 21805 and 21806 were protested on April 17 and Application 21898 was protested on May 18, 1964, by Nevada Scheelite, Division of Kennametal, Inc. on grounds that there is insufficient subsurface water in the Gabbs Valley drainage basin to support the new applications and that production from them would adversely affect the certificated subsurface water rights now held and operated by the protestant.

The area in which these applications have been filed is located in an extreme northwestern portion of the Gabbs Valley drainage basin.

A field investigation was held on July 7, 1964, and the following information obtained:

(1) The dominant use of water derived from these applications will be for placer mining. Subordinate uses will be the washing of ore in a small mill now under construction and for domestic purposes. Water will be ponded and reused whenever possible. There will be no consumptive water use. The only loss will be by evaporation, however, this loss will be substantial.

(2) There are no wells in operation within the immediate area other than those of the applicant and the protestant.

(3) The water in question is unsuitable for domestic purposes because of excessive amounts of total dissolved solids and iron.

(4) The static water level in the general area is seven to ten feet below the land surface or at about the level of the playa surface approximately one mile to the southeast. There are substantial evapotranspiration losses from this area.

(5) The applicant claims a need for 4,000 gpm in a continuous operation. This amounts to 6,452 acre-feet per year or about 8.9 c.f.s.

Opinion:

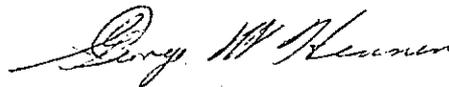
It is the opinion of this office that because of the location of the applications in respect to the area of evapotranspiration, remote from areas of major use, and because of the short length of time required to exploit the acreage involved by placer mining, and because much of the water used will return to the subsurface, the granting of these permits will have no adverse affect on the hydrology of the area. The applicant's wells are separated from those of the protestants by a distance greater than three miles. This distance between wells makes mutual adverse affects because of simultaneous pumping very unlikely.

RULING

Applications 21805, 21806 and 21898 are herewith granted and the protest overruled. The total amount of water granted under the three applications is limited to 8.9 c.f.s. with no more than 3.5 c.f.s. being derived from any one well. It is understood that the place and manner of use as stated in the applications will be strictly adhered to and that these permits are issued subject to all existing rights. It is also understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under these permits will be dependent upon the actual amount of water put to beneficial use. The State retains the right to regulate the use of the water herein granted at any time.

Respectfully submitted,

ELMO J. DeRICCO
State Engineer



By: George W. Hennen
Assistant State Engineer

Dated this 12th day
of August, 1964

TMH:lh