

IN THE MATTER OF APPLICATION 22305 FILED BY )  
RIO KING LAND AND INVESTMENT COMPANY TO )  
CHANGE A PORTION OF THE PLACE OF USE OF )  
PERMIT 20247, AN UNDERGROUND SOURCE IN )  
HUMBOLDT COUNTY, NEVADA. )

RULING # 766

General:

Application 22305 was filed on October 27, 1964 by Rio King Land and Investment Company to change the place of use of a portion of the water heretofore appropriated under Permit 20247. The point of diversion is located within the SW $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 24, T. 45 N., R. 33 E., M.D.B.&M. The proposed place of use is the SE $\frac{1}{4}$  Sec. 24, T. 45 N., R. 33 E., and the existing place of use is the S $\frac{1}{2}$  NE $\frac{1}{4}$ , N $\frac{1}{2}$  SE $\frac{1}{4}$  Sec. 24, T. 45 N., R. 33 E.

This application was protested on January 8, 1965 by Robert Burroughs on the following grounds:

20A  
"Present appropriations within the basin exceed the estimated recharge figures. Present concentration of ground water development may be detrimental to the ground water basin and further appropriation would compound the problem of over-appropriation of the present water supply you say exist. Application does not state how much water is to be changed, they state (a portion). If this water exceeds there requirements as per the original requirements any excess should not be transferred to another parcel. This water should be left in the underground basin to cover shortages the water office claims exists. Another entryman in the valley has been denied an allowance to transfer an unused portion of water allowed to him to another parcel of land. You have denied this entryman this allowance stating the same reasons I have used to protest this filing # 22305 heretofore appropriated under application and permit 20247 (16392)."

Application 22305 is to change a portion of the place of use of water heretofore appropriated under Permit 20247 and also to change the manner of use so as to include domestic use. This application does not propose to increase either acreage to be irrigated or amount of water already appropriated. The point of diversion will be unchanged so there will be no change in the well concentration in the area.

Opinion:

It is the opinion of this office that the granting of this application would not impair the value of existing rights or be otherwise detrimental to the public welfare.

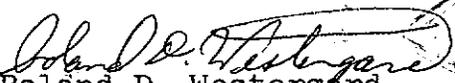
RULING

The protest to the granting of Application 22305 is herewith overruled on the grounds that its granting would not impair the value of existing rights or be otherwise detrimental to the public welfare.

Respectfully submitted,

GEORGE W. HENNEN  
State Engineer

BY:

  
Roland D. Westergard  
Assistant State Engineer

Dated this 24th day of  
March, 1965.

RDW/TJS/wij