

IN THE MATTER OF APPLICATION 22147)
FILED ON JULY 28, 1964, IN THE NAME)
OF THE NEVADA LAND SALES AND)
DEVELOPMENT CORP., FOR 2.0 c.f.s. OF)
SUBSURFACE WATER TO BE USED FOR)
MUNICIPAL AND DOMESTIC PURPOSES IN)
THE TRUCKEE MEADOWS AREA OF WASHOE)
COUNTY, NEVADA.)

R U L I N G

General:

On July 28, 1964, Mr. R. B. Pifer for Nevada Land Sales and Development Corporation filed Application 22147 for an additional 2.0 c.f.s. of subsurface water from a well drilled under Permit 18440, also in the name of Nevada Land Sales and Development Corporation. The total amount of water is to be used for Municipal and Domestic purposes in the Virginia Foothills subdivision. Three hundred homes are to be served. The point of diversion the same as 18440 is to be from a point within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27, T. 18 N., R. 20 E., M.D.B.&M. The period of use is to be from January 1st through December 31st of each year.

Application 22147 was protested on September 2, 1964 by Mr. Peter I. Breen for the Washoe Water Service, Inc. The protest was to the extent that Nevada Land Sales and Development Corp., has entered into a contract with Washoe Water Service, Inc., with respect to the appropriation and operation of water service and water systems.

Nevada Land Sales and Development Corporation and Washoe Water Service, Incorporated both made application to the Public Service Commission of Nevada for a Certificate of Public Convenience and Necessity to operate a water service. Both applications were to serve the same area. Each applicant protested the application of the other.

At a hearing conducted by the Public Service Commission of Nevada it was established that the Nevada Land Sales and Development Corporation now holds title to the land, the well, existing water rights and the installed improvements required to provide service to inhabitants of the Virginia Foothills subdivision.

In part, it was the findings of the Public Service Commission that after due deliberation and investigation by this commission in both applications of Nevada Land Sales and Development Corporation and the Washoe Water Service, Incorporated, it would be in the public interest to approve the application of Nevada Land Sales and Development Corporation for a Certificate of Public Convenience and Necessity.

Opinion:

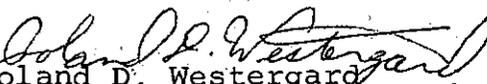
It is the opinion of this office that because Nevada Land Sales and Development Corporation owns the well from which the water will be produced has one valid water right on that well and is the only entity with the necessary certificate to put the water to beneficial use that the grounds of the protest are no longer valid.

RULING:

The protest to Application 22147 is overruled and a permit will be issued upon receipt of statutory permit fees.

Respectfully submitted,

George W. Hennen
State Engineer

By: 
Roland D. Westergard
Assistant State Engineer.

Dated this 7th day of

July, 1965.