

IN THE MATTER OF APPLICATIONS NOS. 14407,
14408, 14455 AND 14456 IN NAME OF GARLEY AMOS
TO APPROPRIATE GROUND WATER FOR IRRIGATION
PURPOSES, PERSHING COUNTY, NEVADA.

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RULING

The following applications to appropriate ground water for irrigation and domestic purposes were filed by Garley Amos:

Application No. 14407 filed July 7, 1952 to appropriate 1.5 c.f.s. for irrigation and domestic purposes. The proposed point of diversion is in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 32, T. 33 N., R. 38 E. and the land to be irrigated, consisting of 160 acres, is located within the NW $\frac{1}{4}$ of said Section 32.

Application No. 14408 filed July 7, 1952 to appropriate 1.5 c.f.s. for irrigation and domestic purposes. The proposed point of diversion is within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 32 and the land to be irrigated is as described under Application No. 14407.

Application No. 14455 filed July 28, 1952 to appropriate 1.5 c.f.s. of water at a point within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 32 and the land to be irrigated is as described above.

Application No. 14456 filed July 28, 1952 to appropriate 1.5 c.f.s. of water at a point within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 32 for the irrigation of 160 acres of land as described above.

Notice of the above described applications were published, as prescribed by law, for five weekly issues in the Review-Miner, a newspaper of general circulation in Pershing County.

On September 30, 1952, and within the period prescribed by law for the filing of protests, protests to the granting of permits under Applications Nos. 14407, 14408, 14455 and 14456 were filed by Lloyd, Gladys and Harrold Sweeney. The protests were based upon the following grounds:

"That the granting of the application would adversely effect rights heretofore granted protestants under application numbers 12521, 13894, and vested rights to wells on lands belonging to protestants adjacent to the proposed well."

On May 15, 1953 a field investigation was made by H. E. Winchester, Ground-Water Hydrologist of the office of State Engineer.

GENERAL:

Application Garley Amos is the owner of the NW $\frac{1}{4}$ Section 32, T. 33 N., R. 38 E. containing 160 acres of land. He proposes to develop ground water by means of four wells, approximately one-half mile apart, and located on the four corners of the 160 acre-tract.

Well No. 1 applied for under Application No. 14407 has already been drilled to a depth of 100 feet and is cased with 100 feet of 14 inch casing. Proposed Well No. 2 filed for under Application No. 14408 is approximately 2 miles southeasterly from the pumping well of Protestant under Certificate No. 3774 (Permit No. 12521). Proposed Wells Nos. 2 and 4 of Applicant Amos and filed for under Applications Nos. 14408 and 14456 are located about one-half mile easterly and southerly, respectively, from the proposed well under Application No. 14406 in name of Fred Kerlee.

Protestant Sweeney is the owner of Certificate No. 3774, issued under Permit No. 12521, in the amount of 1.5 c.f.s. or 247.24 acre-feet per season. The well covered by this water right is 100 feet deep and is equipped with a Pomona turbine pump. Protestant Sweeney at one time had another permit to appropriate ground water (Permit No. 13894 mentioned in the protest) for irrigation purposes. The proposed point of diversion under Permit No. 13894 was in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 13, T. 33 N., R. 37 E. However, this permit was cancelled December 8, 1952 for failure to comply with the provisions of the permit. The Protestant probably owns certain other vested rights to the use of ground water which are undetermined.

The locations of the proposed wells by Applicant Amos are over two miles up-grade from the nearest irrigation well of Protestant Sweeney and also up-grade from the proposed wells of Fred Kerlee under Applications Nos. 14404, 14405, 14406 and 14457. It is our considered opinion that the proposed pumping operations by Applicant Amos would cause no interference between the wells of Applicant Amos and Protestant Sweeney. On the well already drilled by Applicant, designated as Well No. 1 under Application No. 14408, the static water table is 35 feet below ground surface. On the well of Fred Kerlee under Application 14404, the water table also stands at 35 feet. The water table on Protestant's well under Certificate No. 3774 (Permit No. 12521) stands at 8.2 feet below ground surface. Tests made on the Kerlee and Amos wells indicated a drawdown of 30 and 25 feet, respectively, when pumping several hundred gallons of water per minute. This indicates a high specific yield and which would substantiate our belief that there should be little, if any, well interference.

One of the major tributaries to Grass Valley, Clear Creek enters the valley directly east from Protestant's property and down-grade from Applicant's proposed wells. This tributary would contribute to the ground water diverted by Protestant's well, but probably would not contribute to the ground water under Applicant's land.

Previous investigations by the U. S. Geological Survey indicates an average annual replenishment of several thousand acre-feet of water to the ground water basin. Much of this water is lost by transpiration by non-beneficial plants such as salt grass and greese-wood.

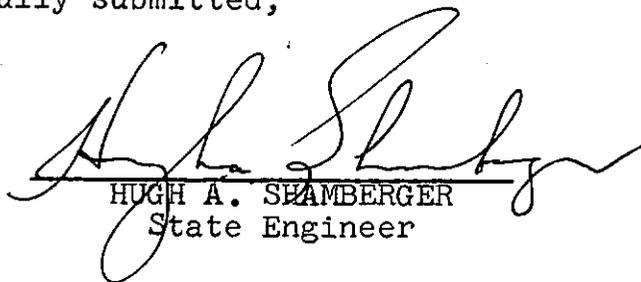
RULING

Being of the opinion that there is unappropriated ground water in the area covered by Applications Nos. 14407, 14408, 14455 and 14456, and that the diversions thereof would not be detrimental to Protestant's interests, the protests of Lloyd, Gladys and Harrold Sweeney are herewith overruled and permits will be issued subject to all existing rights and with the following provisions:

- (1) That wells all be equipped with air line gages;
- (2) That measuring devices, preferably Parshall flumes, be installed near each point of diversion; and
- (3) That a record be kept of the number of hours pumped each year, together with the discharge.

Permits will be issued following receipt of permit fees of \$13.00 under each application.

Respectfully submitted,


HUGH A. SEAMBERGER
State Engineer

June 16, 1953.