

IN THE MATTER OF APPLICATION 29414)
FILED BY NORVAL MOORE TO APPRO-)
PRIATE WATER FROM AN UNDERGROUND)
SOURCE IN CHURCHILL COUNTY, NEVADA.)

R U L I N G

GENERAL:

Application 29414 was filed on June 4, 1975, by Norval Moore to appropriate 3.0 c.f.s. of water from an underground source for irrigation purposes. Water is to be diverted from its source by a well located within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 6, T.18N., R.28E., M.D.M. The place of use is described as 34 acres within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 6, T.18N., R.28E., M.D.M. The period of use is to be from April 1 to September 30 of each year.

A protest to the granting of Application 29414 was filed by the Truckee Carson Irrigation District on August 25, 1975. The protest of the Truckee Carson Irrigation District asked that Application 29414 be denied on the following grounds:

- "1. That the waters herein sought to be appropriated have heretofore been appropriated for use for beneficial purposes within the Newlands Project;
- "2. That said waters herein sought to be appropriated are necessary for the uses of the Newlands Project for the irrigation of land and the acquisition of additional pasture lands within said project;
- "3. That said waters herein sought to be appropriated from underground sources go to make up return flow which is used for the irrigation of other lands; and
- "4. The waters herein sought to be appropriated would, if allowed to be appropriated, have an adverse effect upon the surface water supply and upon the shallow underground supply within the boundaries of the Truckee-Carson Irrigation District."

Evidence, data and information available as well as results of field investigation indicate that there is unappropriated ground water and that the proposed appropriation would not adversely affect existing right.

RULING:

The protest to the granting of Application 29414 is herewith overruled on the grounds that the granting of a permit would not adversely affect existing rights or be otherwise detrimental to the public welfare.

A permit will be granted under Application 29414 subject to existing rights upon receipt of the permit fees.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW:WJN:jw

Dated this 13th day of
October, 1976.