

IN THE MATTER OF APPLICATION)  
22682 FILED TO APPROPRIATE }  
GROUND WATER IN STONE CABIN }  
VALLEY, NYE COUNTY, NEVADA }

R U L I N G

GENERAL:

Application 22682 was filed by Darrold Termunde to appropriate 5.4 c.f.s. of water from an underground source for irrigation and domestic purposes. The point of diversion shown in the application is within the NE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 20, T. 3N., R. 48E., M.D.B.&M. and the place of use is the E $\frac{1}{2}$  of the SW $\frac{1}{4}$  and the W $\frac{1}{2}$  of the SE $\frac{1}{4}$  in Section 20, the N $\frac{1}{2}$  of the NW $\frac{1}{4}$ , and the W $\frac{1}{2}$  of the NE $\frac{1}{4}$  in Section 29 all in T. 3N., R. 48E., M.D.B.&M. (320 acres).

The application was protested by P.T.P., Inc. who had reportedly purchased the John J. Casey interests in Stone Cabin Valley.

There is one existing water right in the vicinity of Application 22682. This water right, issued under Certificate 4228, stands in the name of John J. Casey and is for stockwatering purposes for 0.031 c.f.s. or sufficient water to water 1000 cattle. The source is underground (flag well) and the point of diversion is located within the NE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 32, T. 3N., R. 48E., M.D.B.&M. The well covered by Certificate 4228 is over one half mile from any part of the lands covered by Application 22682.

The U. S. Geological Survey estimates that the average annual recharge to the ground water reservoir in Stone Cabin Valley is 16,000 acre feet. Our records indicate that approximately 8000 acre feet annually have been appropriated from the ground water reservoir. 8000 acre feet combined with the 1280 acre feet applied for under Application 22682 is 9280 acre feet annually which is less than the U. S. Geological Survey estimate of 16,000 acre feet of average annual recharge.

We have been informed by letter dated February 18, 1966 from the Bureau of Land Management that the land proposed to be irrigated under the subject application has been allowed under Desert Land Entry Nev 061600.

Opinion:

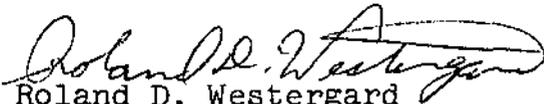
It is the opinion of this office that the granting of Application 22682 will not tend to impair the value of existing rights, or be otherwise detrimental to the public welfare.

RULING

The protest of Application 22682 is herewith overruled, and a permit will be issued subject to existing rights, upon receipt of the statutory permit fee.

Respectfully Submitted,

GEORGE W. HENNEN  
STATE ENGINEER

  
Roland D. Westergard  
Assistant State Engineer

RDW:BJV:jb

DATED THIS 25th DAY  
OF January, 1967.