

IN THE MATTER OF APPLICATION 34677)
FILED TO APPROPRIATE UNDERGROUND)
WATER IN THE CARSON DESERT,)
CHURCHILL COUNTY, NEVADA)

R U L I N G

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Application 34677 was filed on December 1, 1977 by Marshall V. Perry and Geraldine A. Wallace to appropriate 3 c.f.s., of water from an underground source for quasi-municipal use. The proposed point of diversion is within NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 27, T.19N., R.28E., M.D.M., and the place of use is within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ of said Section 27. Approximately 100 single family units are to be built.

Application 34677 was protested on February 27, 1978 by Kennametal, Inc., who prayed that Application 34677 be denied on the following grounds:

"That Kennametal, Inc., is drawing water from an underground aquifer with an unknown recharge source, if any, and has a considerable investment in a well and pipeline system to an industrial site ten miles north of Fallon and since the above mentioned diversion is near the proposed diversion of Marshall V. Perry and Geraldine A. Wallace that an appropriation of 3.0 second feet of public water for this or other Quasi-Municipal Purposes could result in the decrease in quantity or quality or both of Kennametal's appropriation."

Application 34677 was protested on March 15, 1978 by the Truckee-Carson Irrigation District.

A hearing in the matter of Application 34677 was held on July 12, 1978 during which the Truckee-Carson Irrigation District withdrew its protest.

The proposed point of diversion under Application 34677 is over 3 miles from the nearest Kennametal, Inc., well.

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The protest to Application 34677 is overruled and a permit will be issued upon payment of statutory fees. The maximum rate of diversion will be limited to 1 c.f.s., and the diversion will further be limited to 36.5 million gallons annually.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW/JC/jv

Dated this 29th day

of September, 1978.