

IN THE MATTER OF APPLICATION 30686)
TO CHANGE THE POINT OF DIVERSION OF)
PERMIT 15308, CERTIFICATE 4820 IN)
PAHRUMP VALLEY, NYE COUNTY, NEVADA.)

R U L I N G

GENERAL

Application 30686 was filed on September 20, 1976 in the name of Tim Hafen Ranches, Inc., to change the point of diversion of 2.0 c.f.s., 1,167 acre-feet per annum, a portion of the water previously allowed under Permit 15308, Certificate 4820. The proposed point of diversion is to be located within the SE1/4 NE1/4 Section 8, T.21S., R.54E., M.D. B.&M., and the existing point of diversion is located within the SE1/4 SE1/4 Section 16, T.21S., R.54E., M.D.B.&M. The existing and proposed place of use is 271 acres located within the SE1/4 NW1/4 and SW1/4 Section 16, and S1/2 SE1/4 Section 17, T.21S., R.54E., M.D.B.&M.

A protest to the granting of Application 30686 was timely filed on February 11, 1977 in the name of Perry L. Bowman which seeks denial of the application on the grounds that:

- "1. Because of depletion of underground water level.
2. Because of lower elevation of new application.
3. Transferring of water from one ranch to another ranch.
4. Comingling of water of two separate ranches."

No other protests to the granting of Application 30686 were filed in the State Engineer's office. The application became ready for action by the State Engineer's office on February 14, 1977.

A field investigation into the matter of protested Application 30686 was conducted by representatives of the State Engineer's office in company with the applicant and protestant on April 4, 1977. The findings of that field investigation are of record in the State Engineer's office.

The proposed point of diversion under Application 30686 is an existing well drilled under unprotested Permits 30273 and 30687. This existing well is located approximately 1/4 mile from the nearest well (also owned by the applicant, Tim Hafen Ranches, Inc.), is located approximately 6600 feet from the nearest well owned by the protestant, Perry L. Bowman, and is not located on the Manse alluvial fan.

RULING

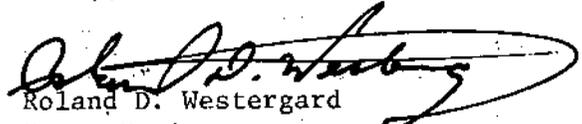
The protest to the granting of Application 30686 is herewith overruled on the grounds that it is the finding of the State Engineer that the granting of this application will not tend to interfere with other existing rights and will not be detrimental to the public interest. A permit will be issued under Application 30686 with the following provisions:

1. That a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements kept of beneficial use, and that the totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed.

2. That the total combined amount of water granted under the permit and existing Permits 30273 and 30687 will be limited to what the well is capable of producing.

3. That the total combined duty of water under this permit and Permits 15308, 15309, 15310 and 32121 shall not exceed 1355 acre-feet per annum.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW/bl

Dated this 27th day

of October 1978.