

IN THE MATTER OF APPLICATION NO. 13787 FILED)
BY FREEMAN E. FAIRFIELD TO APPROPRIATE UNDER- :
GROUND WATER IN DOUGLAS COUNTY FOR IRRIGATION :
PURPOSES.)

RULING

Description of Application:

Application No. 13787 was filed on August 1, 1951 by Freeman E. Fairfield to appropriate 2.5 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is given as being within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 14, T. 10 N., R. 22 E., M.D.B.&M., and the place of use to be 250 acres of land within the S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, and SW $\frac{1}{4}$ Section 14; N $\frac{1}{2}$ NW $\frac{1}{4}$ Section 23, T. 10 N., R. 22 E., M.D.B.&M.

A protest to the granting of Application 13787 was filed on October 16, 1951 by the Walker River Irrigation District, et al, on the grounds that the granting of the application would invade the prior vested and existing rights of protestants; that there is no unappropriated water in the underground basin; that the waters applied for constitute waters which naturally find their way into the West Walker River; that the taking of the water from said source would, in effect, be a violation of the Decree entered in Equity C-125; that the distribution of the water under Decree C-125 to the water users has been taken into consideration in fixing the priorities to be served, and if a portion of the underground return supply is taken from the point specified in the application, it will also affect and reduce priorities to be served upstream from the proposed point of diversion.

General:

On July 7, 1950 a ruling was issued by this office granting permits and overruling protests in the matter of Application Nos. 13005-13017, inclusive, and 13037, all in the name of Freeman E. Fairfield. These applications were filed to appropriate underground water for irrigation purposes on the Fairfield Ranch in Douglas County, Nevada, within T. 10 N., R's. 22 and 23 E., M.D.B.&M. Protests to the granting of these applications were filed by the Walker River Irrigation District on grounds identical to the protest under Application No. 13787.

Opinion:

The proposed point of diversion under Application No. 13787 is approximately two miles from the Walker River and approximately one and one-half miles northeast of the well under Application 13014.

It is the opinion of this office that the findings in our ruling of July 7, 1950 would also apply to the well under Application No. 13787.

RULING

The protest to the granting of Application 13787 is herewith overruled on grounds that the granting thereof will not impair the value of existing rights or be otherwise detrimental to the public welfare.

A permit will be issued under Application 13787 upon receipt of the statutory permit fee, and will be subject to the provisions as set forth under Application 13014.

Respectfully submitted,


HUGH A. SHAMBERGER
State Engineer

Dated this 19th day
of November, 1956.