

IN THE MATTER OF APPLICATION )  
36918 TO APPROPRIATE WATER )  
FROM AN UNDERGROUND SOURCE IN ) R U L I N G  
THE TRACY SEGMENT, STOREY )  
COUNTY, NEVADA )

GENERAL

Application 36918 was filed March 8, 1979, in the name of Joseph Conforte to appropriate 0.5 c.f.s. of water from an underground source located within the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 16, T.19N., R.21E., M.D.B.&M. for quasi-municipal and domestic purposes within portions of Sections 16, 20 and 21 of T.19N., R.21E., M.D.B.&M. The water to be used at the existing Lockwood Trailer Park, a proposed 16-lot addition and 15 existing apartment units.

A protest to the granting of Application 36918 was filed May 25, 1979, in the name of David R. Hoy which seeks denial of the application on the grounds that:

"Application 36918 will adversely effect existing and prior Applications 34825 and 34826 which are senior priority to 36918" and "the applicant is apparently presently diverting water in support of development within the place of use under 36918 without benefit of a permit under 36918 and the record of the State Engineer's office does not show any valid existing water right to do so."

Applications 34825 and 34826 will be ready for action by the State Engineer's office on August 6, 1979. The points of diversion of Applications 34825 and 34826 are approximately 1.00 and 0.50 miles west of Application 36918, respectively.

A field investigation into the matter of protested Application 36918 was conducted on June 25, 1979.

Application 28864 was filed November 4, 1974, in the name of the Peri Brothers to appropriate 0.50 c.f.s. of water from an underground source located within the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 16, T.19N., R.21E., M.D.B.&M. Application 28864 was approved March 6, 1975, for quasi-municipal and domestic purposes to 50 trailers and 10 single family units. The place of use does not include the location presently occupied by the Lockwood Trailer Park.

RULING

The protest to Application 36918 is overruled on the grounds that the prior Applications 34825 and 34826 will not be adversely affected by the issuing of a permit under Application 36918. A permit will be issued upon payment of statutory fees.

Respectfully submitted,

*William J. Newman*

WILLIAM J. NEWMAN, P.E.  
State Engineer



WJN/JC/ha

Dated this 6th day

of July 1979.

PAID  
WASA  
JUL 10 1979