

IN THE MATTER OF APPLICATIONS )  
42608, 42609, 42610, 42611, 42613 )  
AND 42614 FILED TO APPROPRIATE )  
UNDERGROUND WATER IN DODGE FLAT, )  
WASHOE COUNTY, NEVADA )

R U L I N G

GENERAL

Applications 42608, 42609, 42610, 42611, 42613 and 42614 were filed on October 9, 1980 by Southern Pacific Land Company to appropriate 4.0 c.f.s. of underground water in Dodge Flat, Washoe County, Nevada. The water is to be used for mining, milling and domestic purposes within Sections 23, 25, 26, 27, 33, 34 and 35, T.21N., R.23E., and Sections 19 and 31, T.21N., R.24E., M.D.B.&M. The annual consumption from all proposed wells combined is to be 943.6 million gallons. The point of diversion under 42608 is within the SE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 27, T.21N., R.23E., M.D.B.&M. The point of diversion under 42609 is within the NE $\frac{1}{4}$  NE $\frac{1}{4}$  Section 35, T.21N., R.23E., M.D.B.&M. The point of diversion under 42610 is within the NW $\frac{1}{4}$  SE $\frac{1}{4}$  Section 25, T.21N., R.23E., M.D.B.&M. The point of diversion under 42611 is within the NW $\frac{1}{4}$  NW $\frac{1}{4}$  Section 31, T.21N., R.24E., M.D.B.&M. The point of diversion under 42613 is within the SE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 23, T.21N., R.23E., M.D.B.&M. The point of diversion under 42614 is within the SW $\frac{1}{4}$  SW $\frac{1}{4}$  Section 19, T.21N., R.24E., M.D.B.&M.

Applications 42608, 42609, 42610, 42611, 42613 and 42614 were protested on June 22, 1981 by Steve Barnes who requested that the applications be denied on the following grounds:

"Because of the possibility of taking the water from my domestic well (Legal Permit Number 0490) my agricultural well (Legal Permit Number 39755) and my proposed agricultural well applied for on July 5, 1977 application number 32691."

A field investigation was held on November 17, 1981. Southern Pacific Land Company was represented and protestant Steve Barnes was present.

The protestant, Steve Barnes, reiterated his concern that the proposed wells would adversely affect his existing water rights and two existing wells near the center of Section 36, T.21N., R.23E., M.D.B.&M. These wells are the only source of water for four families living there.

Ron Parratt and John Sharp, representing the applicant, said that exploratory drilling (4 holes) indicates the best wells will be found in Section 19, T.21N., R.24E., M.D.B.&M., over 1-1/2 miles from Barnes' well. Southern Pacific Land Company has filed Applications 45041 and 45042 to change Applications 42611 and 42609 to change the points of diversion into said Section 19. Applications 42611 and 42609 were the two closest filings to Barnes' well.

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RULING

The protests to Applications 42608, 42610, 42613 and 42614 are overruled on the grounds that the proposed point of diversions are adequately spaced so that there will not be an unreasonable adverse effect on protestant's water rights. Permits will be issued upon payment of statutory fees subject to existing rights.

No action will be taken on Applications 42609 and 42611 until Applications to Change 45041 and 45042 are ready for action.

Respectfully submitted,



Peter G. Morros  
State Engineer

PGM/JC/bc

Dated this 4th day of  
DECEMBER, 1981.