

IN THE MATTER OF APPLICATION 43821 )  
FILED TO APPROPRIATE THE WATERS OF )  
AN UNDERGROUND SOURCE IN THE LAS )  
VEGAS ARTESIAN BASIN, CLARK COUNTY, )  
NEVADA )

R U L I N G

FINDINGS OF FACT

I

Application 43821 was filed on June 2, 1981 by Ruth Hunsaker to appropriate 0.0083 c.f.s. of water to be diverted within the NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 16, T.20S., R.62E., M.D.B.&M., and to be used for quasi-municipal purposes (3 homes) within the same subdivision at the point of diversion.

III

The well under Application 43821 consists of a 12-inch diameter hole drilled to a depth of 250 feet, cased with 8-inch diameter casing to total depth, gravel packed from 50 feet to 250 feet and cemented from 0 feet to 50 feet. The well was constructed by Thompson Drilling Company, Incorporated, between June 2, 1981 and June 12, 1981.

IV

The well is equipped with a submersible pump, pressure tank and distribution system to 2 homes. The protestant's home is not connected to the system.

V

The protestant asserts ownership of a 1/2 interest in the submersible pump and a 1/3 interest in the pressure tank.

VI

The applicant has refused to allow protestant to hook up to the well.

VII

The protestant's claim of partial ownership in the pump and pressure tank is not germane to the appropriation of water and is outside the jurisdiction of the office of the State Engineer.

VIII

The applicant, by letter dated April 1, 1982, requested that the west 200' of the N $\frac{1}{2}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$  Section 16, T.20S., R.60E., M.D.B.&M., be withdrawn from the application and consideration be given to 3 residences on the remaining described place of use.

RULING

1. The protest to the granting of Application 43821 is hereby overruled on the grounds that its granting will not tend to impair the value of existing rights or be otherwise detrimental to the public interest.
2. A permit will be granted subject to revocation as provided under NRS 534.120, subsection 3(a).
3. The permit will exclude the west 200' of the N $\frac{1}{2}$  NW $\frac{1}{2}$  NE $\frac{1}{2}$  NW $\frac{1}{2}$  Section 16, T.20S., R.60E., M.D.B.&M., under the place of use.

Respectfully submitted,

  
Peter G. Morros  
State Engineer

PGM/TS/bc

Dated this 16th day of  
NOVEMBER, 1982.