

IN THE MATTER OF APPLICATION)
29427 FILED TO APPROPRIATE THE)
WATERS OF AN UNDERGROUND SOURCE)
WITHIN THE DIAMOND VALLEY GROUND))
WATER BASIN, EUREKA COUNTY,)
NEVADA.)

R U L I N G

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GENERAL:

Application 29427 was filed on June 10, 1975 by Richard E. and Mari Alice Kephart to appropriate 2.7 c.f.s. of water from an underground source within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 24, T.21N., R.53E., M.D.B. & M. The water is to be used for irrigation and domestic purposes on 160 acres of land within the NW $\frac{1}{4}$, Section 24, T.21N., R.53E., M.D.B. & M.

The proposed appropriation is located within the designated area of the Diamond Valley Ground Water Basin in Eureka County. The U. S. Geological Survey estimates that 30,000 acre feet per year of water annually are available as the perennial yield from the basin. The existing ground water rights of record in the State Engineer's office total 127,526 acre feet per year for the irrigation of 32,650 acres. This application is located in the concentrated agricultural area south of the South Boundary Line of T.22N., where the State Engineer has determined that the ground water is being depleted. Approval of additional appropriations for the irrigation of new land within this concentrated area would adversely affect existing rights and would be otherwise detrimental to the public welfare.

RULING:

Application 29427 is herewith denied on the grounds that it would adversely affect existing rights and be otherwise detrimental to the public welfare.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW/BLR/bs

Dated this 22nd day of
December, 1975.