

IN THE MATTER OF APPLICATION 23578 FILED)
BY GLENN W. LANE TO APPROPRIATE WATER)
FROM AN UNDERGROUND SOURCE IN WHITE RIVER))
VALLEY IN WHITE PINE COUNTY, NEVADA)

R U L I N G A1013

GENERAL:

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Application 23578 was filed January 3, 1967 to appropriate 2.7 c.f.s. of water from an underground source for irrigation purposes. The point of diversion described in Application 23578 is within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1, T.12N., R. 61E., MDB&M. The place of use is described as being portions of Section 1, 12 and 13 in T. 12N., R. 61E., MDB&M., and portions of Section 7, T. 12N., R. 62E., MDB&M., (approximately 170 acres).

The application was protested on March 13, 1967 by the Preston Irrigation Company on the following grounds: "That it would impair and conflict with the value of existing rights; that it would be against public policy to grant said application, and contrary to statute; that the granting of said application would interfere with the customary use of Protestants' existing water rights."

The existing water rights of record in this office in the name of the Preston Irrigation Company are related to appropriations from the White River, Preston Big Spring, Arnoldson Spring and Jakes Valley Wash.

The existing well which is covered by Application 23578 is approximately 6700 feet southeast of Preston Big Spring and approximately 6000 feet north of Arnoldson Spring. Water Resources Bulletin No. 8 titled, "Ground Water in White River Valley", states that Preston Big Spring, Arnoldson, Cold and Nichols Springs issue from valley alluvium, probably through a conduit, and are under artesian pressure. The spring conduits are assumed to be enclosed by relatively impermeable sediments which would prevent lateral percolation of appreciable quantities of water. The water table is deep in the immediate vicinity of the springs and substantial losses through the conduit walls would be expected to result in a ground-water level at or near the level of the spring orifices.

On June 22, 1967 a field investigation was held in the above matter.

OPINION:

It is the opinion of this office that the granting of a permit under Application 23578 will not impair the value of, or conflict with existing rights, or be detrimental to the public interest.

RULING

The protest of Application 23578 is herewith overruled, and a permit will be issued subject to existing rights, upon receipt of the statutory permit fee.

Respectfully Submitted,


ROLAND D. WESTERGARD
State Engineer

RDW:BJV:dih

Dated this 12th day

of October, 1967