

IN THE MATTER OF APPLICATION 25122 )  
FILED ON JUNE 16, 1969, BY RAYMOND )  
ORTEGA TO APPROPRIATE WATER FROM AN )  
UNDERGROUND SOURCE IN GRASS VALLEY, )  
PERSHING COUNTY, NEVADA. )

R U L I N G

GENERAL:

Application 25122 was filed by Raymond Ortega for permission to divert 5.4 c.f.s. of water from an underground source for irrigation (320 acres) and domestic purposes. Water is to be diverted from its source within the SW $\frac{1}{2}$ SW $\frac{1}{2}$  of Section 27, T.34N.,R.37E.,M.D.B.&M. The place of use is described as within the S $\frac{1}{2}$  of Section 27, T.34N.,R.37E., M.D.B.&M.

Ground Water Resources Reconnaissance Series, Report 29, published by the Nevada Department of Conservation and the U. S. Geological Survey estimates the annual ground water recharge into the Grass Valley basin to be 13,000 acre-feet annually. It is also estimated that an underflow of 6,000 acre-feet leaves the basin annually and contributes to the surface flow of the Humboldt River, which is fully appropriated by downstream uses. A net annual recharge of 7,000 acre-feet remains in the basin.

Existing water rights of record, as of October 1, 1968, total 38,174 acre-feet annually.

OPINION:

It is the opinion of this office that the granting of additional rights to divert water from an underground source, in a basin that is over appropriated, would adversely affect existing water rights.

RULING:

Application 25122 is herewith denied on the grounds that there is no unappropriated water in the ground water basin, and the granting of this application would be detrimental to the public welfare.

Respectfully submitted,

  
Roland D. Westergard  
State Engineer

RDW:WJN:jw

Dated this 12th day of  
December, 1969.