

IN THE MATTER OF APPLICATION 26262)
FILED ON AUGUST 17, 1971 BY JOHN)
RUIZ TO APPROPRIATE WATER FROM AN)
UNDERGROUND SOURCE IN GRASS VALLEY,)
PERSHING COUNTY, NEVADA)

R U L I N G

GENERAL

Application 26262 was filed on August 17, 1971 by John Ruiz to appropriate 2.0 c.f.s. of water from an underground source for irrigation (100 acres) and domestic use. The proposed point of diversion is described as within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 25, T.34N., R.37E., M.D.B. &M. The proposed place of use is 100 acres within the S $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 24 and the N $\frac{1}{2}$ NE $\frac{1}{4}$ Section 25, all in T.34N., R.37E., M.D.B.&M. The proposed period of use is from April 1st to October 31st of each year.

Ground Water Resources Reconnaissance Series Report 29, published by the Nevada Department of Conservation and Natural Resources and the U. S. Geological Survey estimates the ground water recharge to be 13,000 acre-feet annually. It is also estimated that an underflow of 6,000 acre-feet is discharged from the basin annually and contributes to the surface flow of the Humboldt River required to satisfy existing water rights of downstream appropriators.

Existing water rights to appropriate ground water within the Grass Valley basin total 36,950 acre-feet as of March 30, 1972.

OPINION

It is the opinion of this office that the granting of additional right to appropriate ground water for irrigation within a basin which is over appropriated would adversely affect existing rights.

RULING

Application 26262 is herewith denied on the grounds that there is no unappropriated water in the ground water basin, and that the granting of this permit would adversely affect prior existing rights.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW:WJN:ga

Dated this 28th day

of April, 1972