

IN THE MATTER OF APPLICATIONS)
26453, 26455 AND 26455 FILED)
BY BJARNE A. AND GLADYS L.) R U L I N G
PEDERSON TO APPROPRIATE UNDER-)
GROUND WATERS LOCATED IN CARSON)
CITY, NEVADA)

GENERAL: 10^d

Application 26453 was filed December 29, 1971 by Bjarne A. and Gladys L. Pederson to appropriate 0.10 of a second foot (not to exceed 1.5 million gallons per year) of water from an underground source located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 11, T.15N., R.20E., to be used for industrial and domestic purposes. The place of use is described as being within a portion of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 11, T.11N., R.20E.

Application 26454 was filed December 29, 1971, by Bjarne A. and Gladys L. Pederson to appropriate 0.10 of the c.f.s., (not to exceed 1.5 million gallons per year) from an underground source located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 17, T.15N., R.20E., and to be used for industrial and domestic purposes. The place of use is described as being within a portion of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 17, T.15N., R.20E. The use is industrial and domestic.

Application 26455 was filed December 29, 1971, by Bjarne A. and Gladys L. Pederson to appropriate 0.10 c.f.s., (not to exceed 1.5 million gallons per year) from an underground source located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 17, T.15N., R.20E., and to be used for industrial and domestic purposes. The place of use is described as being within a portion of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 17, T.15N., R.20E., M.D.B.&M.

All three applications were protested on March 23, 1972, by Carson City Consolidated Municipality of the State of Nevada. The grounds for protest are as follows:

1. "Protestant is the owner and operator of an existing water distribution system situate adjacent to applicants' lands which is presently providing applicants with a fire protection service without compensation from applicants, and from which protestants can supply all other needs of the applicants for water".
2. "The construction of a well and distribution system for water by the applicant will result in the duplication of an existing system for supplying water to the applicants".

3. "Protestant is Consolidated Municipality engaged in furnishing water to the inhabitants of the area where applicants propose to use the water applied for, and can furnish whatever quantity may be required from waters already appropriated".

4. "The area within which applicants propose to take groundwater is situate within a water depleted area and water already appropriated by protestant and supplied by a distribution system already constructed is available to applicants and can be supplied by protestant".

Their protest prays that these applications be denied.

RULING

The protest of the granting of applications 26453, 26454 and 26455 are herewith overruled on the grounds that as of the date of filing of the applications there was no authority to deny applications in areas served by the Municipality as requested in the protests. Permits will be issued subject to the following conditions: Application 26453 will be granted upon receipt of the statutory permit fee with the provision that the diversion will not exceed 0.10 c.f.s., and 1.5 million gallons per annum for industrial and domestic use. Application 26454 and application 26455 will be granted on receipt of Statutory permit fees, with the provision that the total diversion (under both permits) shall not exceed 0.10 c.f.s., and the total duty of water under both permits shall not exceed 1.5 million gallons per annum from one and/or both wells.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW:DLW:cm

Dated this 17 day of
October, 1972.