

IN THE MATTER OF APPLICATIONS )  
26494, 26495, 26496 and 26497 FILED )  
BY GRANT J. WEISE FOR PERMISSION )  
TO APPROPRIATE WATER FROM AN UNDER- )  
GROUND SOURCE IN CARSON CITY, NEVADA)

R U L I N G

GENERAL:

10<sup>d</sup>  
Applications 26494 through 26497 were filed by Grant J. Weise on January 20, 1972 to appropriate 1.0 c.f.s. of water under each application from an underground source for Quasi-Municipal purposes.

The proposed point of diversion under Application 26494 is within the NE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 2, T.15N., R.19E., M.D.B.&M. The proposed place of use is described as within the NW $\frac{1}{4}$ , N $\frac{1}{2}$  SW $\frac{1}{4}$  Section 1, NE $\frac{1}{4}$  and E $\frac{1}{2}$  NW $\frac{1}{4}$  Section 2, T.15N., R.19E., M.D.B. & M.

The proposed point of diversion under Application 26495 is within the NE $\frac{1}{4}$  NW $\frac{1}{4}$  Section 2, T.15N., R.19E. The proposed place of use is described as within the NE $\frac{1}{4}$ , E $\frac{1}{2}$  NW $\frac{1}{4}$  and S $\frac{1}{2}$  Section 2, T.15N., R.19E., M.D.B.&M.

The proposed point of diversion under Application 26496 is within the NW $\frac{1}{4}$  SW $\frac{1}{4}$  Section 2, T.15N., R.19E. The proposed place of use is described as within the S $\frac{1}{2}$  of said Section 2 and the proposed point of diversion under Application 26497 is within the SE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 2, T.15N., R.19E. The proposed place of use is described as within the S $\frac{1}{2}$  Section 2 and N $\frac{1}{2}$  SW $\frac{1}{4}$  Section 1, T.15N., R.19E.

A proposed 4,000 lots are to be within the combined places of use under these applications.

Protests were filed under applications 26494 through 26497 by Carson City on July 10, 1972, on the following grounds:

1. The purpose for which the water applied for is too vague and uncertain to establish a necessity and is not authorized.
2. The necessity or need of any water for quasi-municipal purposes does not exist.
3. There are no persons or owners of any lots actually residing within any subdivision approved by Carson City for present or future development who have a need for water to be supplied by the applicant from the point of diversion described in the applications.

4. The quantity and amount of water applied for is in excess of any present need of the applicant for the purposes set forth in the application.

5. The applicant has failed to show where the water applied for will be used or that the quantity that has been applied for will be limited to that reasonably required for any beneficial use to be served.

OPINION:

1. The use applied for under these applications is not vague or uncertain as Quasi-Municipal use is a recognized beneficial use.

2. & 3. The necessity for securing water rights exists prior to actual beneficial use.

4. The limit and extent of the final water rights under these applications will be determined by the amount put to beneficial use within the limits of the permits.

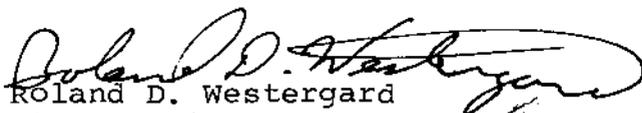
5. The place of use is adequately described.

RULING:

The protests to the granting of permits under Applications 26494 through 26497 are herewith over-ruled on the grounds that the granting of permits under these applications will not adversely affect existing water rights or otherwise be detrimental to the public welfare.

The permits will be issued upon receipt of statutory permit fees, subject to the condition that the combined total amount of water under permits 26494 through 26497 will be limited to 1,000 gallons per day per lot up to a maximum of 4,000 lots and that a map supporting the Proofs of Beneficial Use be submitted showing the number and locations of lots in which water has been placed to beneficial use.

Respectfully submitted,

  
Roland D. Westergard  
State Engineer

Dated this 2nd day  
of January, 1973.

RDW:RRD:bs