

IN THE MATTER OF APPLICATIONS 27341)
THROUGH 27368, INCLUSIVE, FILED BY)
JAMES F. KEARNS TO APPROPRIATE WATER)
FROM AN UNDERGROUND SOURCE IN PARADISE)
VALLEY, HUMBOLDT COUNTY, NEVADA.)

R U L I N G

GENERAL:

The following applications were filed on March 23, 1973, by James F. Kearns to appropriate water from an underground source.

Application 27341 is to appropriate 10 c.f.s. for irrigation purposes. The point of diversion is proposed within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 19, T.37N.,R.39E., M.D.B.&M. The proposed place of use is 480 acres within the N $\frac{1}{2}$ and SW $\frac{1}{4}$ Section 19, T.37N.,R.39E., M.D.B.&M. The period of use is to be from January 1 to December 31 of each year.

Application 27342 is to appropriate 10 c.f.s. for irrigation purposes. The point of diversion is proposed within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 19, T.37N.,R.39E., M.D.B.&M. The proposed place of use is 480 acres within the N $\frac{1}{2}$ and SW $\frac{1}{4}$ Section 19, T.37N.,R.39E., M.D.B.&M. The period of use is to be from January 1 to December 31 of each year.

Application 27343 is to appropriate 10 c.f.s. for irrigation purposes. The point of diversion is proposed within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 17, T.37N.,R.39E., M.D.B.&M. The proposed place of use is 480 acres within the N $\frac{1}{2}$ and SW $\frac{1}{4}$ Section 17, T.37N.,R.39E., M.D.B.&M. The period of use is from January 1 to December 31 of each year.

Application 27344 is to appropriate 10 c.f.s. for irrigation purposes. The point of diversion is proposed within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 17, T.37N.,R.39E., M.D.B.&M. The proposed place of use is 480 acres within the N $\frac{1}{2}$ and SW $\frac{1}{4}$ of Section 17, T.37N.,R.39E., M.D.B.&M. The period of use is to be from January 1st to December 31st of each year.

Application 27345 is to appropriate 10 c.f.s. for irrigation purposes. The point of diversion is proposed within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 7, T.37N.,R.39E., M.D.B.&M. The proposed place of use is 320 acres within the W $\frac{1}{2}$ Section 7, T.37N., R.39E., M.D.B.&M. The period of use is to be from January 1st to December 31st of each year.

Application 27346 is to appropriate 10 c.f.s. for irrigation purposes. The point of diversion is proposed within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 7, T.37N.,R.39E., M.D.B.&M. The proposed place of use is 320 acres within the E $\frac{1}{2}$ of Section 7, T.37N.,R.39E., M.D.B.&M. The period of use is from January 1st to December 31st of each year.

Application 27347 is to appropriate 10 c.f.s. for irrigation purposes. The point of diversion is proposed within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 9, T.37N.,R.39E., M.D.B.&M. The proposed place of use is 320 acres within the W $\frac{1}{2}$ Section 9, T.37N.,R.39E., M.D.B.&M. The period of use is from January 1st to December 31st of each year.

Application 27348 is to appropriate 10 c.f.s. for irrigation purposes. The point of diversion is proposed within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 9, T.37N.,R.39E., M.D.B.&M. The proposed place of use is 320 acres within the E $\frac{1}{2}$ Section 9, T.37N.,R.39E., M.D.B.&M. The period of use is from January 1st to December 31st of each year.

Application 27349 is to appropriate 10 c.f.s. for irrigation purposes. The point of diversion is proposed within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 10, T.37N.,R.39E., M.D.B.&M. The proposed place of use is 480 acres within the W $\frac{1}{2}$ and NE $\frac{1}{4}$ Section 10, T.37N.,R.39E., M.D.B.&M. The period of use is to be from January 1st to December 31st of each year.

Application 27350 is to appropriate 10 c.f.s. for irrigation purposes. The point of diversion is proposed within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 10, T.37N.,R.39E., M.D.B.&M. The proposed place of use is 480 acres within the W $\frac{1}{2}$ and NE $\frac{1}{4}$ Section 10, T.37N.,R.39E., M.D.B.&M. The period of use is from January 1st to December 31st of each year.

Application 27351 is to appropriate 10 c.f.s. for irrigation purposes. The point of diversion is proposed within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 2, T.37N.,R.39E., M.D.B.&M. The proposed place of use is 480 acres within the W $\frac{1}{2}$ and NE $\frac{1}{4}$ Section 2, T.37N.,R.39E., M.D.B.&M. The period of use is from January 1st to December 31st of each year.

Application 27352 is to appropriate 10 c.f.s. for irrigation purposes. The point of diversion is proposed within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 2, T.37N.,R.39E., M.D.B.&M. The proposed place of use is 480 acres within the W $\frac{1}{2}$ and NE $\frac{1}{4}$ Section 2, T.37N.,R.39E., M.D.B.&M. The period of use is from January 1st to December 31st of each year.

Application 27353 is to appropriate 10 c.f.s. for irrigation purposes. The point of diversion is proposed within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 3, T.37N.,R.39E., M.D.B.&M. The proposed place of use is 320 acres within the E $\frac{1}{2}$ Section 3, T.37N.,R.39E., M.D.B.&M. The period of use is from January 1st to December 31st of each year.

Application 27354 is to appropriate 10 c.f.s. for irrigation purposes. The point of diversion is proposed within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 3, T.37N.,R.39E., M.D.B.&M. The proposed place of use is 320 acres within the W $\frac{1}{2}$ Section 3, T.37N.,R.39E., M.D.B.&M. The period of use is from January 1st to December 31st of each year.

Application 27355 is to appropriate 10 c.f.s. for irrigation purposes. The point of diversion is proposed within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 5, T.37N.,R.39E., M.D.B.&M. The proposed place of use is 320 acres within the E $\frac{1}{2}$ Section 5, T.37N., R.39E., M.D.B.&M. The period of use is from January 1st to December 31st of each year.

Application 27356 is to appropriate 10 c.f.s. for irrigation purposes. The point of diversion is proposed within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 5, T.37N.,R.39E., M.D.B.&M. The proposed place of use is 320 acres within the W $\frac{1}{2}$ Section 5, T.37N.,R.39E., M.D.B.&M. The period of use is from January 1st to December 31st of each year.

Application 27357 is to appropriate 10 c.f.s. for irrigation purposes. The point of diversion is proposed within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 29, T.37N.,R.38E., M.D.B.&M. The proposed place of use is 320 acres within the S $\frac{1}{2}$ Section 29, T.37N.,R.38E., M.D.B.&M. The period of use is from January 1st to December 31st of each year.

Application 27358 is to appropriate 10 c.f.s. for irrigation purposes. The point of diversion is proposed within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 29, T.37N.,R.38E., M.D.B.&M. The proposed place of use is 320 acres within the N $\frac{1}{2}$ Section 29, T.37N.,R.38E., M.D.B.&M. The period of use is from January 1st to December 31st of each year.

Application 27359 is to appropriate 10 c.f.s. for irrigation purposes. The point of diversion is proposed within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 21, T.37N.,R.38E., M.D.B.&M. The proposed place of use is 320 acres within the S $\frac{1}{2}$ Section 21, T.37N.,R.38E., M.D.B.&M. The period of use is from January 1st to December 31st of each year.

Application 27360 is to appropriate 10 c.f.s. for irrigation purposes. The point of diversion is proposed within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 21, T.37N.,R.38E., M.D.B.&M. The proposed place of use is 320 acres within the N $\frac{1}{2}$ Section 21, T.37N.,R.38E., M.D.B.&M. The period of use is to be from January 1st to December 31st of each year.

Application 27361 is to appropriate 10 c.f.s. for irrigation purposes. The point of diversion is proposed within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 15, T.37N.,R.38E., M.D.B.&M. The proposed place of use is 480 acres within the S $\frac{1}{2}$ and NW $\frac{1}{4}$ Section 15, T.37N.,R.38E., M.D.B.&M. The period of use is from January 1st to December 31st of each year.

Application 27362 is to appropriate 10 c.f.s. for irrigation purposes. The point of diversion is proposed within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 15, T.37N.,R.38E., M.D.B.&M. The proposed place of use is 480 acres within the S $\frac{1}{2}$ and NW $\frac{1}{4}$ of Section 15, T.37N.,R.38E., M.D.B.&M. The period of use is from January 1st to December 31st of each year.

Application 27363 is to appropriate 10 c.f.s. for irrigation purposes. The point of diversion is proposed within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 13, T.37N.,R.38E., M.D.B.&M. The proposed place of use is 320 acres within the W $\frac{1}{2}$ Section 13, T.37N.,R.38E., M.D.B.&M. The period of use is from January 1st to December 31st of each year.

Application 27364 is to appropriate 10 c.f.s. for irrigation purposes. The point of diversion is proposed within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 13, T.37N.,R.38E., M.D.B.&M. The proposed place of use is 320 acres within the E $\frac{1}{2}$ Section 13, T.37N.,R.38E., M.D.B.&M. The period of use is from January 1st to December 31st of each year.

Application 27365 is to appropriate 10 c.f.s. for irrigation purposes. The point of diversion is proposed within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 11, T.37N.,R.38E., M.D.B.&M. The proposed place of use is 480 acres within the N $\frac{1}{2}$ and SE $\frac{1}{4}$ Section 11, T.37N.,R.38E., M.D.B.&M. The period of use is from January 1st to December 31st of each year.

Application 27366 is to appropriate 10 c.f.s. for irrigation purposes. The point of diversion is proposed within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 11, T.37N.,R.38E., M.D.B.&M. The proposed place of use is 480 acres within the N $\frac{1}{2}$ and SE $\frac{1}{4}$ Section 11, T.37N.,R.38E., M.D.B.&M. The period of use is from January 1st to December 31st of each year.

Application 27367 is to appropriate 10 c.f.s. for irrigation purposes. The point of diversion is proposed within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 1, T.37N.,R.38E., M.D.B.&M. The proposed place of use is 320 acres within the W $\frac{1}{2}$ Section 1, T.37N., R.38E., M.D.B.&M. The period of use is from January 1st to December 31st of each year.

Application 27368 is to appropriate 10 c.f.s. for irrigation purposes. The point of diversion is proposed within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 1, T.37N.,R.38E., M.D.B.&M. The proposed place of use is 320 acres within the E $\frac{1}{2}$ Section 1, T.37N.,R.38E., M.D.B.&M. The period of use is from January 1st to December 31st of each year.

Water Resources Bulletin No. 39, published by the Nevada Department of Conservation and Natural Resources - Division of Water Resources and the U. S. Geological Survey, estimates the ground water recharge to the Paradise Valley Ground Water Basin to be 40,000 acre-feet annually.

Existing water rights in that portion of the Paradise Valley Ground Water Basin south of the center line of T.39N., totals 62,910 acre-feet annually. Application Nos. 27341 through 27368, inclusive, are located within this area of concentration.

RULING

Application Nos. 27341 through 27368, inclusive, are herewith denied on the grounds that the granting of these applications would adversely effect prior existing water rights within this area of concentration.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW:WJN:jw

Dated this 25th day
of July, 1973.