

IN THE MATTER OF APPLICATIONS 34760, 35388,)
 35389, 36585, 36586, 36587, 36761, 36762,)
 36763, 36764, 36765, 36766, 36767, 36768,)
 36769, 36770, 36771, 36772, 36773, 36774,)
 36775, 36776, 36784, 36785, 36786, 36787,)
 36854, 36875, 36877, 36878, 36879, 37080,)
 37081, 37082, 37133, 37134, 37135, 37136,)
 37233, 37234, 37235, 37260, 37281, 37282,)
 37283, 37284, 37306, 37307, 37308, 37309,)
 37312, 37324, 37325, 37326, 37327, 37352,)
 37353, 37354, 37387, 37392, 37393, 37394,)
 37396, 37404, 37405, 37408, 37409, 37410,)
 37412, 37413, 37559, 37575, 37592, 37593,)
 37594, 37595, 37601, 37602, 37603, 37604,)
 37605, 37634, 37650, 37764, 37765, 37767,)
 37771, 37772, 37779, 37780, 37781, 38079,)
 38207, 38208, 38336, 38411, 38466, 38467,)
 39026, 39137, 39293, 39309, 39398, 40537,)
 40538, 40539, 41139, 41215, 41754, 41755,)
 42568, 42757, 42925, 42926, 44612, 44652,)
 AND 45090 FILED TO APPROPRIATE THE WATERS)
 OF AN UNDERGROUND SOURCE IN THE AMARGOSA)
 DESERT DRAINAGE BASIN, NYE COUNTY, NEVADA)

R U L I N G

INTRODUCTION

Applications 34760, 35388, 35389, 36585, 36586, 36587, 36761, 36762, 36763, 36764, 36765, 36766, 36767, 36768, 36769, 36770, 36771, 36772, 36773, 36774, 36775, 36776, 36784, 36785, 36786, 36787, 36854, 36875, 36877, 36878, 36879, 37080, 37081, 37082, 37133, 37134, 37135, 37136, 37233, 37234, 37235, 37260, 37281, 37282, 37283, 37284, 37306, 37307, 37308, 37309, 37312, 37324, 37325, 37326, 37327, 37352, 37353, 37354, 37387, 37392, 37393, 37394, 37396, 37404, 37405, 37408, 37409, 37410, 37412, 37413, 37559, 37575, 37592, 37593, 37594, 37595, 37601, 37602, 37603, 37604, 37605, 37634, 37650, 37764, 37765, 37767, 37771, 37772, 37779, 37780, 37781, 38079, 38207, 38208, 38336, 38411, 38466, 38467, 39026, 39137, 39293, 39309, 39398, 40537, 40538, 40539, 41139, 41215, 41754, 41755, 42568, 42757, 42925, 42926, 44612, 44652, and 45090 were filed to appropriate water from an underground source in the Amargosa Desert Ground Water Basin, Nye County, Nevada.

INTRODUCTION

Water Resources Reconnaissance Series Report 14, Geology and Ground Water of Amargosa Desert, Nevada-California by George E. Walker and Thomas E. Eakin, geologists, was prepared cooperatively by the Nevada Department of Conservation and Natural Resources, Division of Water Resources and the U. S. Department of the Interior, Geological Survey. This report is available from the office of the State Engineer.

FINDINGS OF FACT

I

Application 34760 was filed by Stewart Ranches on December 22, 1977, to appropriate 4.05 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 18, T16S, R48E, MDB&M, and the place of use is 240 acres within Lot 1, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 18, T16S, R48E, MDB&M.

Application 35388 was filed by Clifford E. Harmon on May 5, 1978, to appropriate 5.0 c.f.s. of underground water for irrigation purposes. The point of diversion is within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 8, T17S, R49E, MDB&M, and the place of use is 160 acres within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 8, T17S, R49E, MDB&M.

Application 35389 was filed by Mike Gilgan on May 5, 1978, to appropriate 5.0 c.f.s. of underground water for irrigation purposes. The point of diversion is within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 10, T17S, R49E, MDB&M, and the place of use is 160 acres within the SW $\frac{1}{4}$ of Section 10, T17S, R49E, MDB&M.

Application 36585 was filed by Nye County Development Co. on January 31, 1979, to appropriate 5.0 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 10, T16S, R49E, MDB&M, and the place of use is 240 acres within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 10, T16S, R49E, MDB&M.

Application 36586 was filed by Nye County Development Co., Inc., on January 31, 1979, to appropriate 7.1 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 4, T17S, R49E, MDB&M, and the place of use is 320 acres within the E $\frac{1}{2}$ of Section 4, T17S, R49E, MDB&M.

Application 36587 was filed by Nye County Development Co., Inc., on January 31, 1979, to appropriate 5.0 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 33, T16S, R49E, MDB&M, and the place of use is 320 acres within Lots 1, 2, 3, 4, 5, 6, 7, and 8, of Section 33, T16S, R49E, MDB&M.

Application 36761 was filed by James Owen on February 12, 1979, to appropriate 3.6 c.f.s. of underground water for irrigation purposes. The point of diversion is within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 23, T16S, R48E, MDB&M, and the place of use is 160 acres within the SW $\frac{1}{4}$ of Section 23, T16S, R48E, MDB&M.

Application 36762 was filed by James Owen on February 12, 1979, to appropriate 3.6 c.f.s. of underground water for irrigation purposes. The point of diversion is within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 23, T16S, R48E, MDB&M, and the place of use is 160 acres within the NW $\frac{1}{4}$ of Section 23, T16S, R48E, MDB&M.

Application 36763 was filed by James Owen on February 12, 1979, to appropriate 3.6 c.f.s. of underground water for irrigation purposes. The point of diversion is within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 23, T16S, R48E, MDB&M, and the place of use is 160 acres within the SW $\frac{1}{4}$ of Section 23, T16S, R48E, MDB&M.

Application 36764 was filed by James Owen on February 12, 1979, to appropriate 3.6 c.f.s. of underground water for irrigation purposes. The point of diversion is within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 25, T16S, R48E, MDB&M, and the place of use is 160 acres within the NW $\frac{1}{4}$ of Section 25, T16S, R48E, MDB&M.

Application 36765 was filed by James Owen on February 12, 1979, to appropriate 3.6 c.f.s. of underground water for irrigation purposes. The point of diversion is within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 25, T16S, R48E, MDB&M, and the place of use is 160 acres within the SW $\frac{1}{4}$ of Section 25, T16S, R48E, MDB&M.

Application 36766 was filed by James Owen on February 12, 1979, to appropriate 3.6 c.f.s. of underground water for irrigation purposes. The point of diversion is within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26, T16S, R48E, MDB&M, and the place of use is 160 acres within the SE $\frac{1}{4}$ of Section 26, T16S, R48E, MDB&M.

Application 36767 was filed by James Owen on February 12, 1979, to appropriate 3.6 c.f.s. of underground water for irrigation purposes. The point of diversion is within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36, T16S, R48E, MDB&M, and the place of use is 120 acres within the NE $\frac{1}{4}$ (excluding NE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 36, T16S, R48E, MDB&M.

Application 36768 was filed by James Owen on February 12, 1979, to appropriate 3.6 c.f.s. of underground water for irrigation purposes. The point of diversion is within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 36, T16S, R48E, MDB&M, and the place of use is 160 acres within the SE $\frac{1}{4}$ of Section 36, T16S, R48E, MDB&M.

Application 36769 was filed by James Owen on February 12, 1979, to appropriate 3.6 c.f.s. of underground water for irrigation purposes. The point of diversion is within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 36, T16S, R48E, MDB&M, and the place of use is 160 acres within the SW $\frac{1}{4}$ of Section 36, T16S, R48E, MDB&M.

Application 36770 was filed by James Owen on February 12, 1979, to appropriate 3.6 c.f.s. of underground water for irrigation purposes. The point of diversion is within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 36, T16S, R48E, MDB&M, and the place of use is 160 acres within the NW $\frac{1}{4}$ of Section 36, T16S, R48E, MDB&M.

Application 36771 was filed by James Owen on February 12, 1979, to appropriate 3.6 c.f.s. of underground water for irrigation purposes. The point of diversion is within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 30, T16S, R49E, MDB&M, and the place of use is 160 acres within the SE $\frac{1}{4}$ of Section 30, T16S, R49E, MDB&M.

Application 36772 was filed by James Owen on February 12, 1979, to appropriate 3.6 c.f.s. of underground water for irrigation purposes. The point of diversion is within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 30, T16S, R49E, MDB&M, and the place of use is 160 acres within the SW $\frac{1}{4}$ of Section 30, T16S, R49E, MDB&M.

Application 36773 was filed by James Owen on February 12, 1979, to appropriate 3.6 c.f.s. of underground water for irrigation purposes. The point of diversion is within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31, T16S, R49E, MDB&M, and the place of use is 160 acres within the NE $\frac{1}{4}$ of Section 31, T16S, R49E, MDB&M.

Application 36774 was filed by James Owen on February 12, 1979, to appropriate 3.6 c.f.s. of underground water for irrigation purposes. The point of diversion is within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31, T16S, R49E, MDB&M, and the place of use is 160 acres within the SE $\frac{1}{4}$ of Section 31, T16S, R49E, MDB&M.

Application 36775 was filed by James Owen on February 12, 1979, to appropriate 3.6 c.f.s. of underground water for irrigation purposes. The point of diversion is within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 31, T16S, R49E, MDB&M, and the place of use is 160 acres within the SW $\frac{1}{4}$ of Section 31, T16S, R49E, MDB&M.

Application 36776 was filed by James Owen on February 12, 1979, to appropriate 3.6 c.f.s. of underground water for irrigation purposes. The point of diversion is within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 31, T16S, R49E, MDB&M, and the place of use is 160 acres within the NW $\frac{1}{4}$ of Section 31, T16S, R49E, MDB&M.

Application 36784 was filed by Nye County Development Co., Inc., on February 14, 1979, to appropriate 5.4 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 22, T16S, R49E, MDB&M, and the place of use is 320 acres within the S $\frac{1}{2}$ of Section 22, T16S, R49E, MDB&M.

Application 36785 was filed by Nye County Development Co., Inc., on February 14, 1979, to appropriate 1.94 c.f.s. of underground water for irrigation purposes. The point of diversion is within Lot 11 of Section 35, T16S, R49E, MDB&M, and the place of use is 115 acres within Lots 9, 10, 11, and 12 of Section 35, T16S, R49E, MDB&M.

Application 36786 was filed by Nye County Development Co., Inc., on February 14, 1979, to appropriate 3.68 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within Lot 12 of Section 34, T16S, R49E, MDB&M, and the place of use is 218 acres within Lots 9, 10, 11, and 12 of Section 33 and Lots 9, 10, 11, and 12 of Section 34, T16S, R49E, MDB&M.

Application 36787 was filed by Nye County Development Co., Inc., on February 14, 1979, to appropriate 5.4 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 3, T17S, R49E, MDB&M, and the place of use is 320 acres within the E $\frac{1}{2}$ of Section 3, T17S, R49E, MDB&M.

Application 36854 was filed by Stewart Southwest, Inc., on February 26, 1979, to appropriate 2.7 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 18, T16S, R48E, MDB&M, and the place of use is 160 acres within the W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 18, T16S, R48E, MDB&M.

Application 36875 was filed by Henry Sjaardema on March 2, 1979, to appropriate 2.0 c.f.s. of underground water for irrigation purposes. The point of diversion is within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 26, T18S, R50E, MDB&M, and the place of use is 311 acres within the W $\frac{1}{2}$ of Section 26, T18S, R50E, MDB&M.

Application 36877 was filed by Jean M. (Fujita) Sjaardema on March 2, 1979, to appropriate 2.0 c.f.s. of underground water for irrigation purposes. The point of diversion is within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 34, T18S, R50E, MDB&M, and the place of use is 308 acres within the NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 34, T18S, R50E, MDB&M.

Application 36878 was filed by Nye County Development Co., Inc., on March 2, 1979, to appropriate 2.5 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within Lot 8 of Section 33, T16S, R49E, MDB&M, and the place of use is 320 acres within Lots 1, 2, 3, 4, 5, 6, 7, and 8 of Section 33, T16S, R49E, MDB&M.

Application 36879 was filed by Nye County Development Co., Inc., on March 2, 1979, to appropriate 5.4 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within Lot 2 of Section 34, T16S, R49E, MDB&M, and the place of use is 320 acres within Lots 1, 2, 3, 4, 5, 6, 7, and 8 of Section 34, T16S, R49E, MDB&M.

Application 37080 was filed by Richard E. Kephart on March 19, 1979, to appropriate 5.4 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 10, T16S, R49E, MDB&M, and the place of use is 320 acres within the W $\frac{1}{2}$ of Section 10, T16S, R49E, MDB&M.

Application 37081 was filed by Susan E. Kephart on March 19, 1979, to appropriate 5.4 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, T16S, R49E, MDB&M, and the place of use is 320 acres within the E $\frac{1}{2}$ of Section 7, T16S, R49E, MDB&M.

Application 37082 was filed by Mari Alice Kephart on March 19, 1979, to appropriate 5.4 c.f.s. of underground water for irrigation purposes. The point of diversion is within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 3, T16S, R49E, MDB&M, and the place of use is 320 acres within the S $\frac{1}{2}$ of Section 3, T16S, R49E, MDB&M.

Application 37133 was filed by Domenic J. Falcone on March 23, 1979, to appropriate 2.0 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27, T15S, R49E, MDB&M, and the place of use is 320 acres within the W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 27 and N $\frac{1}{2}$ of Section 34, T15S, R49E, MDB&M.

Application 37134 was filed by Sheila Anne Falcone on March 23, 1979, to appropriate 2.0 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 26, T15S, R49E, MDB&M, and the place of use is 320 acres within the E $\frac{1}{2}$ SE $\frac{1}{4}$ Section 27, W $\frac{1}{2}$ SW $\frac{1}{4}$ Section 26, E $\frac{1}{2}$ NE $\frac{1}{4}$ Section 34, and the W $\frac{1}{2}$ NW $\frac{1}{4}$ Section 35, T15S, R49E, MDB&M.

Application 37135 was filed by Harold P. Waldum on March 23, 1979, to appropriate 2.0 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 22, T15S, R49E, MDB&M, and the place of use is 320 acres within the SE $\frac{1}{4}$ Section 22, NE $\frac{1}{4}$ Section 27, T15S, R49E, MDB&M.

Application 37136 was filed by Joseph M. Kennedy on March 23, 1979, to appropriate 2.0 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 22, T15S, R49E, MDB&M, and the place of use is 320 acres within the NE $\frac{1}{4}$ Section 22, S $\frac{1}{2}$ NW $\frac{1}{4}$ Section 23, N $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 23, T15S, R49E, MDB&M.

Application 37233 was filed by Eugene C. Johnston on March 27, 1979, to appropriate 6.5 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, T17S, R48E, MDB&M, and the place of use is 320 acres within the E $\frac{1}{2}$ of Section 2, T17S, R48E, MDB&M.

Application 37234 was filed by Mack C. Vassar on March 27, 1979, to appropriate 5.0 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27, T16S, R48E, MDB&M, and the place of use is 160 acres within the SE $\frac{1}{4}$ of Section 27, T16S, R48E, MDB&M.

Application 37235 was filed by Mack C. Vassar on March 27, 1979, to appropriate 5.0 c.f.s. of underground water for irrigation purposes. The point of diversion is within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 27, T16S, R48E, MDB&M, and the place of use is 240 acres within the NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 27, T16S, R48E, MDB&M.

Application 37260 was filed by Louise K. Devereaux on March 28, 1979, to appropriate 5.0 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 5, T17S, R49E, MDB&M, and the place of use is 320 acres within the W $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 5, T17S, R49E, MDB&M.

Application 37281 was filed by William J. Monahan on March 29, 1979, to appropriate 2.0 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 34, T15S, R49E, MDB&M, and the place of use is 320 acres within the S $\frac{1}{2}$ of Section 34, T15S, R49E, MDB&M.

Application 37282 was filed by Kenneth L. Wilson on March 29, 1979, to appropriate 2.0 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 22, T15S, R49E, MDB&M, and the place of use is 320 acres within the E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 22, E $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27, T15S, R49E, MDB&M.

Application 37283 was filed by Renata R. Waldum on March 29, 1979, to appropriate 2.0 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 23, T15S, R49E, MDB&M, and the place of use is 320 acres within the SE $\frac{1}{4}$ Section 23, NE $\frac{1}{4}$ of Section 26, T15S, R49E, MDB&M.

Application 37284 was filed by Lt. Col. Mel Castillo on March 29, 1979, to appropriate 2.0 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 23, T15S, R49E, MDB&M, and the place of use is 320 acres within the S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 23, NW $\frac{1}{4}$ and E $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 26, T15S, R49E, MDB&M.

Application 37306 was filed by Douglas Ueckert on March 29, 1979, to appropriate 6.4 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 5, T17S, R49E, MDB&M, and the place of use is 320 acres within the W $\frac{1}{2}$ of Section 5, T17S, R49E, MDB&M.

Application 37307 was filed by Jean M. Records on March 29, 1979, to appropriate 5.0 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 6, T17S, R49E, MDB&M, and the place of use is 320 acres within the W $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 6, T17S, R49E, MDB&M.

Application 37308 was filed by Cheryl L. Records on March 29, 1979, to appropriate 5.0 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 6, T17S, R49E, MDB&M, and the place of use is 320 acres within the E $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 6, T17S, R49E, MDB&M.

Application 37309 was filed by Lon H. Records on March 29, 1979, to appropriate 5.0 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 4, T17S, R49E, MDB&M, and the place of use is 320 acres within the W $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 4, T17S, R49E, MDB&M.

Application 37312 was filed by Richard C. Records on March 29, 1979, to appropriate 5.0 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 8, T17S, R49E, MDB&M, and the place of use is 320 acres within the W $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 8, T17S, R49E, MDB&M.

Application 37324 was filed by James G. Frazier, Jr., on March 29, 1979, to appropriate 5.4 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 22, T16S, R49E, MDB&M, and the place of use is 320 acres within the N $\frac{1}{2}$ of Section 22, T16S, R49E, MDB&M.

Application 37325 was filed by Gayle E. Frazier on March 29, 1979, to appropriate 5.4 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 21, T16S, R49E, MDB&M, and the place of use is 320 acres within the N $\frac{1}{2}$ of Section 21, T16S, R49E, MDB&M.

Application 37326 was filed by Sheryl Lynn Frazier on March 29, 1979, to appropriate 5.4 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 16, T16S, R49E, MDB&M, and the place of use is 320 acres within the S $\frac{1}{2}$ of Section 16, T16S, R49E, MDB&M.

Application 37327 was filed by James Gene Frazier on March 29, 1979, to appropriate 5.4 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 15, T16S, R49E, MDB&M, and the place of use is 320 acres within the S $\frac{1}{2}$ of Section 15, T16S, R49E, MDB&M.

Application 37352 was filed by Charles J. Roesbery, Jr., on March 29, 1979, to appropriate 5.4 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 22, T15S, R49E, MDB&M, and the place of use is 320 acres within the E $\frac{1}{2}$ of Section 22, T15S, R49E, MDB&M.

Application 37353 was filed by Harold W. Svoboda on March 29, 1979, to appropriate 5.4 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 23, T15S, R49E, MDB&M, and the place of use is 320 acres within the W $\frac{1}{2}$ of Section 23, T15S, R49E, MDB&M.

Application 37354 was filed by Gloria C. Ward on March 29, 1979, to appropriate 5.4 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 27, T15S, R49E, MDB&M, and the place of use is 320 acres within the E $\frac{1}{2}$ of Section 27, T15S, R49E, MDB&M.

Application 37387 was filed by Michael L. Berk on March 30, 1979, to appropriate 6.4 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 22, T16S, R49E, MDB&M, and the place of use is 320 acres within the E $\frac{1}{2}$ of Section 22, T16S, R49E, MDB&M.

Application 37392 was filed by Verdes H. Ueckert on March 30, 1979, to appropriate 6.4 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 4, T17S, R49E, MDB&M, and the place of use is 320 acres within the W $\frac{1}{2}$ of Section 4, T17S, R49E, MDB&M.

Application 37393 was filed by Delbert Berk on March 30, 1979, to appropriate 6.4 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 22, T16S, R49E, MDB&M, and the place of use is 320 acres within the W $\frac{1}{2}$ of Section 22, T16S, R49E, MDB&M.

Application 37394 was filed by Rick W. Berk on March 30, 1979, to appropriate 6.4 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 29, T16S, R49E, MDB&M, and the place of use is 320 acres within the S $\frac{1}{2}$ of Section 29, T16S, R49E, MDB&M.

Application 37396 was filed by Rosanna S. Ueckert on March 30, 1979, to appropriate 6.4 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 5, T17S, R49E, MDB&M, and the place of use is 320 acres within the E $\frac{1}{2}$ of Section 5, T17S, R49E, MDB&M.

Application 37404 was filed by Vedina Beard on March 30, 1979, to appropriate 5.3 c.f.s. of underground water for irrigation purposes. The point of diversion is within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, T17S, R49E, MDB&M, and the place of use is 320 acres within the E $\frac{1}{2}$ of Section 6, T17S, R49E, MDB&M.

Application 37405 was filed by Virginia Beard on March 30, 1979, to appropriate 5.4 c.f.s. of underground water for irrigation purposes. The point of diversion is within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 18, T16S, R49E, MDB&M, and the place of use is 160 acres within the N $\frac{1}{2}$ N $\frac{1}{2}$ of Section 18, T16S, R49E, MDB&M.

Application 37408 was filed by Arthur Scott on March 30, 1979, to appropriate 5.3 c.f.s. of underground water for irrigation purposes. The point of diversion is within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 14, T16S, R48E, MDB&M, and the place of use is 205 acres within the SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 14, T16S, R48E, MDB&M.

Application 37409 was filed by Steven Beard on March 30, 1979, to appropriate 5.3 c.f.s. of underground water for irrigation purposes. The point of diversion is within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 8, T17S, R49E, MDB&M, and the place of use is 320 acres within the W $\frac{1}{2}$ of Section 8, T17S, R49E, MDB&M.

Application 37410 was filed by Virginia Beard on March 30, 1979, to appropriate 5.4 c.f.s. of underground water for irrigation purposes. The point of diversion is within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 13, T16S, R48E, MDB&M, and the place of use is 160 acres within the N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 13, T16S, R48E, MDB&M.

Application 37412 was filed by Rodney P. Beard on March 30, 1979, to appropriate 5.4 c.f.s. of underground water for irrigation purposes. The point of diversion is within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 13, T16S, R48E, MDB&M, and the place of use is 320 acres within the W $\frac{1}{2}$ of Section 13, T16S, R48E, MDB&M.

Application 37413 was filed by Christopher Schaefer on March 30, 1979, to appropriate 5.3 c.f.s. of underground water for irrigation purposes. The point of diversion is within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14, T16S, R48E, MDB&M, and the place of use is 320 acres within the W $\frac{1}{2}$ of Section 14, T16S, R48E, MDB&M.

Application 37559 was filed by Jean E. Berk on April 2, 1979, to appropriate 6.4 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 7, T16S, R49E, MDB&M, and the place of use is 320 acres within the E $\frac{1}{2}$ of Section 7, T16S, R49E, MDB&M.

Application 37575 was filed by Kathleen Ann Berk on April 2, 1979, to appropriate 6.4 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 7, T16S, R49E, MDB&M, and the place of use is 320 acres within the W $\frac{1}{2}$ of Section 7, T16S, R49E, MDB&M.

Application 37592 was filed by Gary Wayland Vassar on April 2, 1979, to appropriate 3.6 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 12, T16S, R48E, MDB&M, and the place of use is 160 acres within the SE $\frac{1}{4}$ of Section 12, T16S, R48E, MDB&M.

Application 37593 was filed by Gary Wayland Vassar on April 2, 1979, to appropriate 3.6 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 12, T16S, R48E, MDB&M, and the place of use is 160 acres within the SW $\frac{1}{4}$ of Section 12, T16S, R48E, MDB&M.

Application 37594 was filed by Glynn Wayland Vassar on April 2, 1979, to appropriate 3.6 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 14, T16S, R48E, MDB&M, and the place of use is 160 acres within the SW $\frac{1}{4}$ of Section 14, T16S, R48E, MDB&M.

Application 37595 was filed by Glynn Wayland Vassar on April 2, 1979, to appropriate 3.6 c.f.s. of underground water for irrigation purposes. The point of diversion is within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14, T16S, R48E, MDB&M, and the place of use is 160 acres within the NW $\frac{1}{4}$ of Section 14, T16S, R48E, MDB&M.

Application 37601 was filed by Mae Fae Vassar on April 2, 1979, to appropriate 1.8 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 14, T16S, R48E, MDB&M, and the place of use is 80 acres within the W $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 14, T16S, R48E, MDB&M.

Application 37602 was filed by Mae Fae Vassar on April 2, 1979, to appropriate 3.6 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 16, T16S, R48E, MDB&M, and the place of use is 160 acres within the NW $\frac{1}{4}$ of Section 16, T16S, R48E, MDB&M.

Application 37603 was filed by Mae Fae Vassar on April 2, 1979, to appropriate 1.8 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 16, T16S, R48E, MDB&M, and the place of use is 80 acres within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 16, T16S, R48E, MDB&M.

Application 37604 was filed by Debra S. Vassar on April 2, 1979, to appropriate 3.6 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12, T16S, R48E, MDB&M, and the place of use is 160 acres within the NE $\frac{1}{4}$ of Section 12, T16S, R48E, MDB&M.

Application 37605 was filed by Debra S. Vassar on April 2, 1979, to appropriate 3.6 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 12, T16S, R48E, MDB&M, and the place of use is 160 acres within the NW $\frac{1}{4}$ of Section 12, T16S, R48E, MDB&M.

Application 37634 was filed by Dianna Lynn Berk on April 3, 1979, to appropriate 6.4 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, T16S, R49E, MDB&M, and the place of use is 320 acres within the W $\frac{1}{2}$ of Section 8, T16S, R49E, MDB&M.

Application 37650 was filed by Christine Rose Harris on April 3, 1979, to appropriate 6.4 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 2, T17S, R48E, MDB&M, and the place of use is 320 acres within the E $\frac{1}{2}$ of Section 2, T17S, R48E, MDB&M.

Application 37764 was filed by Richard D. Colquitt on April 9, 1979, to appropriate 6.4 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 16, T16S, R49E, MDB&M, and the place of use is 320 acres within the W $\frac{1}{2}$ of Section 16, T16S, R49E, MDB&M.

Application 37765 was filed by Helen V. Colquitt on April 9, 1979, to appropriate 6.4 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 17, T16S, R49E, MDB&M, and the place of use is 320 acres within the E $\frac{1}{2}$ of Section 17, T16S, R49E, MDB&M.

Application 37767 was filed by Sherry A. Colquitt on April 9, 1979, to appropriate 6.4 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 17, T16S, R49E, MDB&M, and the place of use is 320 acres within the W $\frac{1}{2}$ of Section 17, T16S, R49E, MDB&M.

Application 37771 was filed by Otto Ravenholt on April 9, 1979, to appropriate 6.4 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27, T16S, R49E, MDB&M, and the place of use is 320 acres within the S $\frac{1}{2}$ of Section 27, T16S, R49E, MDB&M.

Application 37772 was filed by Arthur Edward Harris on April 9, 1979, to appropriate 6.4 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 6, T17S, R49E, MDB&M, and the place of use is 320 acres within the E $\frac{1}{2}$ of Section 6, T17S, R49E, MDB&M.

Application 37779 was filed by Barbara S. Meisner on April 9, 1979, to appropriate 6.4 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 14, T16S, R49E, MDB&M, and the place of use is 320 acres within the S $\frac{1}{2}$ of Section 14, T16S, R49E, MDB&M.

Application 37780 was filed by Michael John Petroso and Sherriloo Ann Meisner on April 9, 1979, to appropriate 6.4 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 15, T16S, R49E, MDB&M, and the place of use is 320 acres within the S $\frac{1}{2}$ of Section 15, T16S, R49E, MDB&M.

Application 37781 was filed by Richard J. Colquitt on April 9, 1979, to appropriate 6.4 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 16, T16S, R49E, MDB&M, and the place of use is 320 acres within the E $\frac{1}{2}$ of Section 16, T16S, R49E, MDB&M.

Application 38079 was filed by Stewart Southwest, Inc., on May 1, 1979, to appropriate 6.0 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, T16S, R48E, MDB&M, and the place of use is 240 acres within the NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 7, T16S, R48E, MDB&M.

Application 38207 was filed by Nye County Development Co., Inc., on May 18, 1979, to appropriate 3.0 c.f.s. of underground water for irrigation purposes. The point of diversion is within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 4, T17S, R49E, MDB&M, and the place of use is 320 acres within the E $\frac{1}{2}$ of Section 4, T17S, R49E, MDB&M.

Application 38208 was filed by Nye County Development Co., Inc., on May 18, 1979, to appropriate 3.0 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 10, T16S, R49E, MDB&M, and the place of use is 240 acres within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, of Section 10, T16S, R49E, MDB&M.

Application 38336 was filed by Richard C. Records on June 15, 1979, to appropriate 2.6 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within Lot 3 of Section 12, T17S, R48E, MDB&M, and the place of use is 136 acres within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and Lot 3 and Lot 7 of Section 12, T17S, R48E, MDB&M.

Application 38411 was filed by J. L. and Virginia A. Pennington on June 22, 1979, to appropriate 1.1186 c.f.s. of underground water for irrigation purposes. The point of diversion is within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 25, T18S, R50E, MDB&M, and the place of use is 400 acres within the NW $\frac{1}{4}$, portion NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 25 and SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 24, T18S, R50E, MDB&M.

Application 38466 was filed by H. H. Records on July 2, 1979, to appropriate 2.0 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within Lot 8 of Section 7, T17S, R49E, MDB&M, and the place of use is 80 acres within Lots 8 and 9, of Section 7, T17S, R49E, MDB&M.

Application 38467 was filed by H. H. Records on July 2, 1979, to appropriate 6.0 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 7, T17S, R49E, MDB&M, and the place of use is 300 acres within the S $\frac{1}{2}$ of Section 7, T17S, R49E, MDB&M.

Application 39026 was filed by Oran W. Palmer and Esther R. Palmer on September 10, 1979, to appropriate 3.5 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 9, T17S, R49E, MDB&M, and the place of use is 120 acres within the N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 9, T17S, R49E, MDB&M.

Application 39137 was filed by Wesley H. Cox on September 26, 1979, to appropriate 5.4 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11, T15S, R49E, MDB&M, and the place of use is 320 acres within the S $\frac{1}{2}$ of Section 11, T15S, R49E, MDB&M.

Application 39293 was filed by Mack C. and Artie E. Vassar on October 10, 1979, to appropriate 5.0 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 24, T16S, R48E, MDB&M, and the place of use is 160 acres within the NW $\frac{1}{4}$ of Section 24, T16S, R48E, MDB&M.

Application 39309 was filed by Lon H. Records on October 11, 1979, to appropriate 5.0 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 4, T17S, R49E, MDB&M, and the place of use is 320 acres within the W $\frac{1}{2}$ of Section 4, T17S, R49E, MDB&M.

Application 39398 was filed by Dewey L. Bell on October 26, 1979, to appropriate 5.4 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 15, T15S, R49E, MDB&M, and the place of use is 320 acres within the N $\frac{1}{2}$ of Section 15, T15S, R49E, MDB&M.

Application 40537 was filed by Mr. Steven Honig, Agent; c/o Anglo Fabrics Co., Inc., on February 14, 1980, to appropriate 5.0 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 34, T16S, R49E, MDB&M, and the place of use is 320 acres within Lots 1, 2, 3, 4, 5, 6, 7, and 8, of Section 34, T16S, R49E, MDB&M.

Application 40538 was filed by Mr. Steve Honig, Agent; c/o Anglo Fabrics Co., Inc., on February 14, 1980, to appropriate 5.0 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within Lot 2 of Section 33, T16S, R49E, MDB&M, and the place of use is 320 acres within Lots 1, 2, 3, 4, 5, 6, 7, and 8 of Section 33, T16S, R49E, MDB&M.

Application 40539 was filed by Mr. Steve Honig, Agent; c/o Anglo Fabrics Co., Inc., on February 14, 1980, to appropriate 5.4 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within Lot 2 of Section 33, T16S, R49E, MDB&M, and the place of use is 320 acres within Lots 1, 2, 3, 4, 5, 6, 7, and 8 of Section 33, T16S, R49E, MDB&M.

Application 41139 was filed by I. K. Deeds on April 18, 1980, to appropriate 0.25 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 24, T18S, R50E, MDB&M, and the place of use is 9.1 acres within a portion of SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 24, T18S, R50E, MDB&M.

Application 41215 was filed by C. G. Haycock on May 1, 1980, to appropriate 2.7 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 9, T17S, R49E, MDB&M, and the place of use is 160 acres within the N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 9, T17S, R49E, MDB&M.

Application 41754 was filed by Paula L. Bates on July 15, 1980, to appropriate 5.4 c.f.s. of underground water for irrigation purposes. The point of diversion is within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 16, T16S, R48E, MDB&M, and the place of use is 320 acres within the NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 16, T16S, R48E, MDB&M.

Application 41755 was filed by Lee Bates on July 15, 1980, to appropriate 5.4 c.f.s. of underground water for irrigation purposes. The point of diversion is within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 6, T16S, R48E, MDB&M, and the place of use is 320 acres within the W $\frac{1}{2}$ of Section 6, T16S, R48E, MDB&M.

Application 42568 was filed by Billie Bettles on October 1, 1980, to appropriate 2.5 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1, T17S, R48E, MDB&M, and the place of use is 169.93 acres within the SE $\frac{1}{4}$ of Section 1, T17S, R48E, MDB&M.

Application 42757 was filed by Patricia G. Snell on November 3, 1980, to appropriate 5.4 c.f.s. of underground water for irrigation purposes. The point of diversion is within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 20, T16S, R48E, MDB&M, and the place of use is 320 acres within the NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 20, T16S, R48E, MDB&M.

Application 42925 was filed by Wendy L. Snell on December 8, 1980, to appropriate 5.4 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17, T16S, R48E, MDB&M, and the place of use is 320 acres within the S $\frac{1}{2}$ of Section 17, T16S, R48E, MDB&M.

Application 42926 was filed by Carroll C. Snell on December 8, 1980, to appropriate 5.4 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14, T16S, R48E, MDB&M, and the place of use is 320 acres within the W $\frac{1}{2}$ of Section 14, T16S, R48E, MDB&M.

Application 44612 was filed by Wayne E. and Marilyn M. McDannald on October 9, 1981, to appropriate 3.4 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36, T16S, R51E, MDB&M, and the place of use is 40 acres within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36, T16S, R51E, MDB&M.

Application 44652 was filed by David Rau on October 19, 1981, to appropriate 0.34 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 12, T17S, R48E, MDB&M, and the place of use is 20 acres within the S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ and N $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 12, T17S, R48E, MDB&M.

Application 45090 was filed by Verdant Valley Company (Mr. Victor M. Milligan) on November 30, 1981, to appropriate 2.7 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 10, T17S, R49E, MDB&M, and the place of use is 160 acres within the NE $\frac{1}{4}$ of Section 10, T17S, R49E, MDB&M. 1/

II

Timely protests to the granting of Applications 36761, 36762, 36763, 36764, 36765, 36766, 36767, 36768, 36769, 36770, 36771, 36772, 36773, 36774, 36775, and 36776 were filed on June 7, 1979, in the name of Industrial Mineral Ventures. Said protests seek denial of the applications on the following grounds:

"1. Unequivocally there is no unappropriated water in the proposed source of supply, as the Amargosa Desert Ground Water Basin is already overappropriated.

2. The granting of this application would conflict with the prior rights of Protestant, as it would cause an unreasonable lowering of the ground water level.

3. The granting of this application would prove detrimental to the public interest, as the prior rights of Protestant would be adversely effected. Consequently, its mining and milling operation would suffer, all to the detriment of Protestant, Nye County and the State of Nevada." 2/

III

By an order dated May 14, 1979, the State Engineer designated and described the Amargosa Desert Ground Water Basin under the provisions of NRS 534. 3/

IV

In the Memorandum of Decision and Order in Civil Case No. 8801, Marville Stewart et al v. William J. Newman, State Engineer, in the District Court of the Fifth Judicial District of the State of Nevada, in and for the County of Nye, the Order dated May 14, 1979, designating Amargosa Desert Ground Water Basin was affirmed. 4/

V

On June 25, 1979, water right Applications 30443, 31962, 31963, 32120, 32323, 32506, 32507, 32508, 32509, 32510, 32511, 32512, 32731, 32732, 32733, 33011, 33156, 33190, 33344, 33345, 34564, 34635, 34878, 35220, 35647, 35648, 35855, and 35893 were denied by the State Engineer. These applications were requests to appropriate additional underground waters in the Amargosa Desert Ground Water Basin. 5/

VI

The perennial yield is the maximum amount of water that can be withdrawn from the ground water system for an indefinite period of time without causing a permanent depletion of the stored water or causing a deterioration in the quality of the water. It is ultimately limited by the amount of water annually recharged to or discharged from the ground water system. 6/

VII

The Amargosa Desert Ground Water Basin is recharged in part by infiltration of precipitation within the tributary drainage area of about 2,600 square miles, but most is supplied by underflow from beyond the tributary drainage area through Paleozoic carbonate rocks.

The underflow originates in the Nevada Test Site and the ground water is tributary to three discharge areas: 1) Ash Meadows, 2) Alkali Flat (Southern Amargosa Desert), and 3) Oasis Valley, between Beatty and Springdale.

The Ash Meadows area consists of the unnamed valley and a spring line. The ground water travels through the lower carbonate aquifer to a hydraulic barrier which is coincidental to a normal fault. The fault extends from Big Spring on the southeast to a point five miles north of Lathrop Wells. The principal annual discharge from the Basin (17,000 acre-feet) occurs as a direct result of the southwesterly movement of ground water within the lower carbonate aquifer to the fault controlled spring line. The resultant discharge from an individual spring is as much as 2,800 gallons per minute. 7/

The average annual ground water discharge from Amargosa Desert by evapotranspiration and outflow is estimated to be 24,000 acre-feet. Of this amount, 17,000 acre-feet is available on a perennial basis from the

springs in Ash Meadows. Most of the remainder (7,000 acre-feet) is available to wells in the valley fill northwest and northeast of the springs. 8/

VIII

Certificates have been issued for underground water permits which could be exercised to divert 30,288.29 acre-feet of water per year from the Amargosa Desert Ground Water Basin. Permits have been granted which could be used to develop an additional 23,900.66 acre-feet per year of ground water from the Basin. 9/

IX

Since 1962, the level of water in Devils Hole has been measured with reference to a copper washer. In 1969, the water level in Devils Hole was 2.3 feet below the copper washer with a continued lowering of the water level to 3.93 feet in 1972.

On June 5, 1973, the District Court, by Chief Judge Roger D. Foley, entered a preliminary injunction limiting the pumpage of selected wells to return the water level in Devils Hole to not more than 3.0 feet below the copper washer. 10/

On March 23, 1978, an order modifying the final decree was filed April 9, 1974, to limit the pumpage of selected wells to maintain the water level in Devils Hole to a daily mean water level of 2.7 feet below the copper washer. 11/

CONCLUSIONS

I

The State Engineer has jurisdiction of the parties and the subject matter of this action. 12/

II

The State Engineer is prohibited by law from granting a permit where:

- A. There is no unappropriated water in the proposed source, or
- B. The proposed use conflicts with existing rights, or
- C. The proposed use threatens to prove detrimental to the public welfare. 13/

III

The State Engineer shall determine if there is unappropriated water in the area affected and may issue permits only if such determination is affirmative. 14/

IV

If Applications 34760, 35388, 35389, 36585, 36586, 36587, 36761, 36762, 36763, 36764, 36765, 36766, 36767, 36768, 36769, 36770, 36771, 36772, 36773, 36774, 36775, 36776, 36784, 36785, 36786, 36787, 36854, 36875, 36877, 36878, 36879, 37080, 37081, 37082, 37133, 37134, 37135, 37136, 37233, 37234, 37235, 37260, 37281, 37282, 37283, 37284, 37306, 37307, 37308, 37309, 37312, 37324, 37325, 37326, 37327, 37352, 37353, 37354, 37387, 37392, 37393, 37394, 37396, 37404, 37405, 37408, 37409, 37410, 37412, 37413, 37559, 37575, 37592, 37593, 37594, 37595, 37601, 37602, 37603, 37604, 37605, 37634, 37650, 37764, 37765, 37767, 37771, 37772, 37779, 37780, 37781, 38079, 38207, 38208, 38336, 38411, 38466, 38467, 39026, 39137, 39293, 39309, 39398, 40537, 40538, 40539, 41139, 41215, 41754, 41755, 42568, 42757, 42925, 42926, 44612, 44652, and 45090 are granted, an additional 27,764 acres of land would be irrigated. This would result in additional consumptive use by farm land irrigation of 138,820 acre-feet per year. The additional withdrawals and consumption would remove water from the ground water reservoir which:

- A. Would not be replaced resulting in depletion of the ground water reservoir, or
- B. Would be replaced by infiltrating surface water that would otherwise remain in or return to the stream system.

The additional withdrawal and consumption of underground water for irrigation would, therefore, conflict with prior existing rights and threaten to prove detrimental to the public welfare.

V

Existing water rights exceed the estimated average annual recharge to the Amargosa Desert Ground Water Basin. The potential exists for additional pumpage under existing ground water permits which have not yet been fully developed.

VI

The State Engineer is authorized and directed to designate preferred uses of water within the respective area so designated by him such as the Amargosa Desert Ground Water Basin. 15/ The consumptive use of ground water to irrigate additional land is not considered to be a preferred use of the limited ground water resources of the Amargosa Desert Ground Water Basin.

RULING

Applications 34760, 35388, 35389, 36585, 36586, 36587, 36761, 36762, 36763, 36764, 36765, 36766, 36767, 36768, 36769, 36770, 36771, 36772, 36773, 36774, 36775, 36776, 36784, 36785, 36786, 36787, 36854, 36875, 36877, 36878, 36879, 37080, 37081, 37082, 37133, 37134, 37135, 37136, 37233, 37234, 37235, 37260, 37281, 37282, 37283, 37284, 37306, 37307, 37308, 37309, 37312, 37324, 37325, 37326, 37327, 37352, 37353, 37354, 37387, 37392, 37393, 37394, 37396, 37404, 37405, 37408, 37409, 37410, 37412, 37413, 37559, 37575, 37592, 37593, 37594, 37595, 37601, 37602, 37603, 37604, 37605, 37634, 37650, 37764, 37765, 37767, 37771, 37772, 37779, 37780, 37781, 38079, 38207, 38208, 38336, 38411, 38466, 38467, 39026, 39137, 39293, 39309, 39398, 40537, 40538, 40539, 41139, 41215, 41754, 41755, 42568, 42757, 42925, 42926, 44612, 44652, and 45090 are denied on the grounds that the appropriation of underground water for irrigation purposes, as applied for, would conflict with and tend to impair the value of existing rights and be detrimental to the public interest and welfare. Also, the protests filed against Applications 36761, 36762, 36763, 36764, 36765, 36766, 36767, 36768, 36769, 36770, 36771, 36772, 36773, 36774, 36775, and 36776 are herewith upheld.

Respectfully submitted,



Peter G. Morros
State Engineer

PGM/GB/ja

Dated this 15th day

of DECEMBER, 1982.

FOOTNOTES

1. Public records in the office of the State Engineer.
2. Public records in the office of the State Engineer.
3. Public records in the office of the State Engineer.
4. Public records in the office of the State Engineer.
5. Public records in the office of the State Engineer.
6. Water Resources-Reconnaissance Series Report 14, pp. 28.
7. Geological Survey Professional Paper 712-C, Hydrogeologic and Hydrochemical Framework, South Central Great Basin, Nevada-California with Special Reference to the Nevada Test Site. U. S. Government, 1975, pp. 126.
8. Water Resources-Reconnaissance Series Report 14, pp. 40.
9. Public records in the office of the State Engineer.
10. Cappaert v. United States, 426 U.S. 128 (1976).
11. United States v. Cappaert, Civil No. LV-1687, March 3, 1978.
12. NRS. 533.025 and 533.030, subsection 1.
13. NRS 533.370, subsection 3.
14. NRS 534.110, subsection 3.
15. NRS 534.120, subsection 2.