

IN THE MATTER OF APPLICATION 22452, FILED)
ON FEBRUARY 24, 1965, BY HENRY LELAND BERK)
TO APPROPRIATE GROUND WATER FOR IRRIGATION)
AND DOMESTIC USE IN THE GRASS VALLEY)
DRAINAGE BASIN, PERSHING AND HUMBOLDT)
COUNTIES, NEVADA)

R U L I N G

GENERAL

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Application 22452 was filed on February 24, 1965, by Henry Leland Berk for 3.5 cubic feet per second of ground water to be diverted from a point within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 36, Township 32 North, Range 38 East, M.D.B.&M. The water is to be used to irrigate 200 acres within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, and the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 35; and the SW $\frac{1}{4}$ NW $\frac{1}{4}$, and the W $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 36, Township 32 North, Range 38 East, and for domestic purposes.

The United States Geological Survey publication, Ground-Water Resources-Reconnaissance Series Report Number 29, titled "A Brief Appraisal of the Ground-Water Resources of the Grass Valley Area, Humboldt and Pershing Counties, Nevada," published in September, 1964, estimates the amount of ground water available for development within the area to be 7,000 acre-feet. Development in excess of this amount would probably decrease the amount of underflow from Grass Valley to the Humboldt River Basin where, as surface water, it has been adjudicated by downstream users.

An inventory of ground water rights in the Grass Valley Drainage Basin revealed that as of March 20th, 1967, these rights totaled 70,931 acre-feet.

Estimated groundwater pumpage for irrigation in the Grass Valley Drainage Basin during 1966 as computed from electric power consumption in the area by the Division of Water Resources totaled 8,900 acre-feet.

OPINION

It is our opinion that the granting of additional ground water rights within the over appropriated Grass Valley Drainage Basin would adversely affect existing ground and surface water rights, and would therefore, be detrimental to the public welfare.

RULING

Application 22452 is herewith denied on grounds that its granting would be detrimental to the public welfare, and would impair the value of existing ground water rights.

Respectfully Submitted,


Roland D. Westergard
Assistant State Engineer

RDW:TMH:jb

Dated This 4th Day
of April, 1967.