

IN THE MATTER OF APPLICATION 26406 )  
FILED BY JAMES C. SWEGER TO APPRO- )  
PRIATE WATER FROM AN UNDERGROUND )  
SOURCE IN LEMMON, VALLEY, WASHOE )  
COUNTY, NEVADA. )

R U L I N G

GENERAL

Application 26406 was filed on November 16, 1971, by James C. Sweger to appropriate 3.0 c.f.s. of water from an underground source for irrigation (529.5 acres) and domestic purposes. The proposed point of diversion is within the NE $\frac{1}{4}$ NE $\frac{1}{4}$  Section 24, T.21N., R.18E., M.D.B.&M. The place of use is described as within the NW $\frac{1}{4}$ , NW $\frac{1}{4}$ NE $\frac{1}{4}$  Section 24 (200 acres); SE $\frac{1}{4}$  Section 15 (160 acres); NW $\frac{1}{4}$ SE $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$  and portions of S $\frac{1}{2}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$  Section 13, all in T.21N., R.18E., M.D.B.&M. The proposed period of use is from January 1 to December 31 of each year.

The open file report titled "Evaluation of the Water Resources of Lemmon Valley with Emphasis on Effects of Ground-Water Development in 1971" prepared by the U. S. Geological Survey in cooperation with the Department of Conservation and Natural Resources, Division of Water Resources, the City of Reno and the County of Washoe reports an annual recharge of 1,000 acre-feet for the Silver Lake subarea of Lemmon Valley.

Under the provisions of Chapter 534 Nevada Revised Statutes, the State Engineer issued Order No. 391 to designate the Lemmon Valley Ground Water Basin on July 14, 1971.

Existing water rights of record to appropriate ground water within the Silver Lake subarea and Lemmon Valley exceed estimates of recharge to the subarea and the valley.

During the meeting of April 12, 1972, held to discuss pending applications to appropriate ground water in Lemmon Valley, the applicant acknowledged that based on the data now available the annual recharge was not adequate to meet the demands of existing water rights and the proposed appropriation under Application 26406.

RULING

Application 26406 is herewith denied on the grounds that this additional withdrawal of water from the Lemmon Valley ground water basin will adversely affect and tend to impair the value of existing water rights.

Respectfully submitted,

  
Roland D. Westergard  
State Engineer

RDW:WJN:jw

Dated this 26th day of  
April, 1972.