

IN THE MATTER OF APPLICATIONS)
31328, 31329, 31336, 31337, 31338)
and 31339 TO APPROPRIATE WATER)
FROM AN UNDERGROUND SOURCE IN RED)
ROCK VALLEY, WASHOE COUNTY, NEVADA.)

R U L I N G

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INTRODUCTION

Applications 31328, 31329, 31336, 31337, 31338 and 31339 were filed to appropriate underground water in Red Rock Valley.

In 1967 Water Resources - Reconnaissance Series Report 43, "Water - Resources Appraisal of the Warm Springs - Lemmon Valley area, Washoe County Nevada" by F. Eugene Rush and Patrick A. Glancy was prepared cooperatively by the Nevada Department of Conservation and Natural Resources and the Geological Survey, U. S. Department of the Interior. A copy of this report may be viewed in the Office of the State Engineer.

FINDINGS OF FACT

I

Applications 31328 and 31329 were filed on April 14, 1977 by Eagle Peak Development Co. to appropriate underground water for irrigation. Each application is for 6.0 c.f.s. The point of diversion under Application 31328 is within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 11, T.23N., R.18E., M.D.B. & M., and the place of use is 640 acres within said Section 11.

The point of diversion under Application 31329 is within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 23, T.23N., R.18E., M.D.B. & M., and the place of use is 640 acres within said Section 23.

Application 31336 was filed by Jeffrey and Rena Pimpl on April 15, 1977 to appropriate 1.7 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 11, T.23N., R.18E., M.D.B. & M., and the place of use is 81 acres within the NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, of said Section 11.

Application 31337 was filed on April 15, 1977 by George and Patricia Pimpl to appropriate 1.0 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 2, T.23N., R.18E., M.D.B. & M., and the place of use is 7 acres within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 2 and the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 11, T.23N., R.18E., M.D.B. & M.

FINDINGS OF FACT (Continued)

Application 31338 was filed on April 15, 1977 by William and Consuelo M. Pimpl to appropriate 1.0 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 11, T.23N., R.18E., M.D.B. & M., and the place of use is 18 acres within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 11.

Application 31339 was filed on April 15, 1977 by Joseph and Helen R. Ranson to appropriate 1.0 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 11, T.23N., R.18E., M.D.B. & M., and the place of use is 22 acres within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 11.^{1/}

II

Applications 31328, 31329, 31336, 31337, 31338 and 31339 are to irrigate about 1200 acres without existing underground water rights. At a diversion rate of 4 acre-feet of water per year, the total diversion would be 4800 acre-feet of underground water per year.

III

The perennial yield from the Red Rock Valley groundwater reservoir is estimated by the U. S. Geological Survey to be 1000 acre-feet of water per year.^{2/}

IV

Permits have been issued in Red Rock Valley which could be developed to divert up to 1020 acre-feet of underground water per year.^{3/}

V

Approximately 16 residential units are now served by domestic wells which require no permit to appropriate groundwater. Additional residential units with domestic wells may be installed on lots in existing subdivisions. Over 600 subdivided lots now exist in Red Rock Valley.^{4/}

CONCLUSIONS

1. The State Engineer has jurisdiction of the parties and the subject matter of this action.^{5/}

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

CONCLUSIONS (Continued)

- A. There is no unappropriated water at 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.^{6/}

3. Existing water rights for ground water in Red Rock Valley exceed the estimated perennial yield for the Red Rock Valley ground water reservoir.

To grant additional water rights under the subject applications would conflict the existing rights and threaten to prove detrimental to the public welfare.

4. The potential exists for additional development of the Red Rock Valley ground water reservoir. Continuing urbanization of Washoe County indicates pumpage will increase.

To grant additional water rights from the Red Rock Valley ground water reservoir under the subject applications, would overcommit this limited natural resource, conflict with existing rights, and threaten to prove detrimental to the public welfare.

RULING

Applications 31328, 31329, 31336, 31337, 31338 and 31339 are denied on the grounds that the granting of water rights for additional ground water development from Red Rock Valley would conflict with existing rights and threaten to prove detrimental to the public welfare in this area where appropriations exceed estimates of perennial yield.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW/JC/bl

Dated this 2nd day
of November, 1977.

FOOTNOTES

1. Public Records located within the Office of the State Engineer.
2. Water Resources - Reconnaissance Series Report No. 43, pages 2 and 49.
3. Public records located within the Office of the State Engineer.
4. Information from the Regional Planning Commission of Reno, Sparks and Washoe County.
5. NRS 533.025 and 533.030, subsection 1.
6. NRS 533.370, subsection 4.