

IN THE MATTER OF APPLICATIONS 30348)
AND 30349 TO APPROPRIATE THE WATERS)
OF AN UNDERGROUND SOURCE IN CARSON)
VALLEY, DOUGLAS COUNTY, NEVADA.)

R U L I N G

10⁶⁵

INTRODUCTION

Application 30348 was filed by John M. Baker on June 24, 1976 for permission to appropriate 6.0 c.f.s. of water from a well located within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 9, T.13N., R.20E. The water is to be used for irrigation and domestic purposes on 287 acres of land within the W $\frac{1}{2}$ E $\frac{1}{2}$ Section 9 and W $\frac{1}{2}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 16, T.13N., R.20E.

Application 30349 was filed on June 24, 1976 by John M. Baker for permission to appropriate 6.0 c.f.s. of water from a well located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 9, T.13N., R.20E. The water is to be used for irrigation and domestic purposes on the same land described under Application 30348 above.

Both applications have been transferred to the name of John M. Baker and Franklin Harvey Baker. 1 /

In 1975 Water Resources Reconnaissance Series Report 59 "Water Resources Appraisal of the Carson River Basin, Western Nevada" by Patrick A. Glancy and T. L. Katzer 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 Nos. 30348 and 30349 were filed to appropriate water from an underground source in the Carson Valley Ground Water Basin, Douglas County, Nevada. 2 /

II

By an Order dated June 14, 1977, the State Engineer designated and described the Carson Valley Ground Water Basin under the provisions of NRS 534. 3 /

III

The proposed points of diversion under Applications 30348 and 30349 are within a concentrated area on the eastern side of Carson

Valley. The applications lie within a short distance of several irrigation wells lying directly to the west and north of the proposed appropriations. There is a large residential area supplied by domestic wells lying to the northeast of the proposed appropriations. 4 /

IV

Should Applications 30348 and 30349 be granted, development of the permits could result in pumpage of an additional 1148 acre-feet per year from this concentrated area.

V

Should Applications 30348 and 30349 be granted, and subsequent development of ground water pursuant thereto detrimentally affect prior existing water rights, the State Engineer is required by law to order withdrawals be restricted to conform to priority rights. 5 /

CONCLUSIONS

I

The State Engineer has jurisdiction of the parties and the subject matter of this action. 6 /

II

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

- 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. 7 /

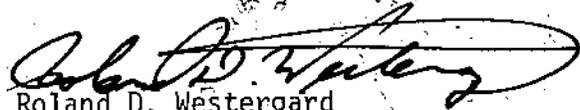
III

The granting of permits under Applications 30348 and 30349 for the amount of water and the use applied for in this concentrated area and in the proximity of existing rights, would tend to impair the value of those existing rights and threaten to prove detrimental to the public welfare.

RULING

Applications 30348 and 30349 are herewith denied on the grounds that the appropriation of additional underground water for irrigation in the concentrated area described, would tend to impair the value of existing rights and be detrimental to the public interest and welfare.

Respectfully submitted,



Roland D. Westergard
State Engineer

RDW/BLR/dc

Dated this 23rd day

of November 1977.

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. NRS 534.110, subsections 3 and 6.
6. NRS 533.025 and 533.030, subsection 1.
7. NRS 533.370, subsection 4.