

IN THE MATTER OF APPLICATION 31728 FILED)
BY MURIEL E. ANASTAS TO APPROPRIATE WATER)
FROM AN UNDERGROUND SOURCE IN LAS VEGAS,)
CLARK COUNTY, NEVADA.)

R U L I N G

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GENERAL:

Application 31728 was filed on May 16, 1977 by Muriel E. Anastas to appropriate 0.15 c.f.s. of water from an underground source for quasi-municipal and domestic purposes to serve two (2) residences. The point of diversion and place of use are located within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 35, T.21S., R.61E., M.D.B.&M.

A protest to the granting of Application 31728 was filed on September 6, 1977 by the Las Vegas Valley Water District on the grounds that the District has water mains of adequate capacity and pressure in streets on both the west and south sides of the property designated as the place of use.

The report of field investigation prepared by the Las Vegas Branch office of the Division of Water Resources confirms that District water lines are on both sides of the property.

Application 31728 is located within the area of the Las Vegas Artesian Basin designated by the State Engineer under the provisions of NRS 534.030.

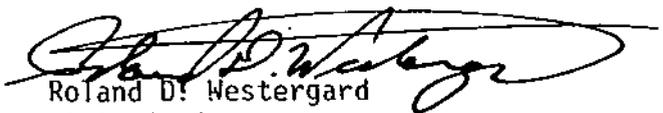
NRS 534.120, subsection 3 provides that in a designated basin, the State Engineer may:

- a) Issue temporary permits to appropriate ground water which can be limited as to time and which may be revoked if and when water can be furnished by an entity such as a water district or a municipality presently engaged in furnishing water to the inhabitants thereof.
- b) Deny applications to appropriate ground water for any purpose in areas served by such an entity.
- c) Limit depth of domestic wells.
- d) Prohibit the drilling of wells for domestic use, as defined in NRS 534.010 and 534.180, in areas where water can be furnished by an entity such as a water district or a municipality presently engaged in furnishing water to the inhabitants thereof.

R U L I N G

The protest to the granting of Application 31723 is upheld and Application 31728 is herewith denied on the grounds that the place of use is within a reasonable distance of water service available from the water district presently engaged in furnishing water.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW/bl

Dated this 17th day

of January, 1978.