

IN THE MATTER OF APPLICATION 31767)
BY ROBERT W. HASS TO APPROPRIATE)
WATER FROM AN UNDERGROUND SOURCE)
IN EAGLE VALLEY, CARSON CITY,)
NEVADA)

R U L I N G

GENERAL:

On May 20, 1977, Robert W. Hass filed application 31767 to appropriate 0.25 c.f.s. of underground water to be used for irrigation and domestic purposes. The proposed point of diversion is within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 1, T.14N., R.19E., M.D.B. & M. The place of use is 10 acres within SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 1, T.14N., R.19E.

2. The City of Carson has the potential requirement and demand for water of approximately 20,000 acre-feet per year.

FINDINGS:
I. The proposed point of diversion and place of use are located within the Eagle Valley Groundwater Basin of underground water except for the area of ground water system yield available.

II. The system yield for the Eagle Valley Hydrologic area has been estimated by the United States Geological Survey in cooperation with the Division of Water Resources to be 10,000 acre-feet of water per year available; the United States Geological Survey has estimated that 3,000 acre-feet may be developed from surface water resources and 7,000 acre-feet per year may be developed and used perennially from ground water sources.

III. A portion of water diverted from the ground water basin and applied to use within the boundaries of that basin will return to the ground water reservoir. This has resulted in an allowable withdrawal of 8,000 acre-feet per year yield available would not affect existing water rights and would be beneficial to the basin.

IV. The Division of Water Resources has estimated that 4,651 acre-feet of ground water were pumped from the Eagle Valley ground water reservoir in 1975. Carson City pumped 3,162 acre-feet in 1975.

V. Carson City pumped 4,151 acre-feet in the 12 months ending July 31, 1976, which indicates that municipal pumpage is increasing rapidly.

VI. Records in the Office of the State Engineer indicate that Certificates of Appropriation for ground water from the Eagle Valley Ground Water Basin have been issued for approximately 10,000 acre-feet per year and that permits have been issued for approximately 15,750 acre-feet per year.

VII. The City of Carson has been issued rights in an amount of approximately 20,000 acre-feet per year from the underground source.

VIII. There are areas within the Eagle Valley Ground Water Basin where there have been significant declines in the static water level.

IX. There have been complaints from individuals in Carson City regarding the declining water table including "losing wells, being required to deepen wells."

CONCLUSIONS:

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

- a. There is no unappropriated water at the proposed sources, or
- b. The proposed use conflicts with existing rights, or
- c. The proposed use threatens to prove detrimental to public welfare.

2. The City of Carson has the potential requirement and demand and capability of placing up to 8,000 acre-feet of water per year to beneficial use under existing water rights with prescribed time limits.

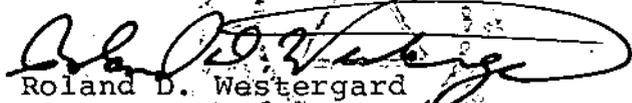
3. Existing approved appropriations of underground water exceed estimates of ground water system yield available.

4. Approval of the proposed appropriation for irrigation purposes would result in significant additional withdrawal of water from the Eagle Valley Ground Water Basin which would further deplete that source and thus adversely affect and conflict with existing rights.

RULING:

Application 31767 is hereby denied on the grounds that the allowance of additional appropriations for the proposed irrigation use from the Eagle Valley ground water reservoir where approved appropriations exceed estimates of ground water system yield available would adversely affect existing water rights and would be detrimental to the public welfare.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW:DLW:jv

Dated this 14th day
of February, 1978.