

IN THE MATTER OF APPLICATION 33391)
FILED TO APPROPRIATE THE WATERS OF)
AN UNDERGROUND SOURCE IN SPANISH)
SPRINGS VALLEY, WASHOE COUNTY, NEVA-))
DA.)

R U L I N G

INTRODUCTION

Application 33391 was filed in the State Engineer's office on August 29, 1977 to appropriate the waters of an underground source for irrigation purposes in Spanish Springs Valley, Nevada.

In 1967, Water Resources Reconnaissance Series Report No. 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, Division of Water Resources and U. S. Department of the Interior, Geological Survey.

FINDINGS OF FACT

Application 33391 was filed on August 29, 1977 by Roxy Thoma Wingfield for permission to appropriate 3.4 c.f.s. of water from an underground source located within the NE1/4 NE1/4 Section 12, T.20N., R.20E., M.D.B.&M. The water is to be used for irrigation purposes located within the NE1/4 of Section 12 and the SW1/4 SE1/4 of Section 1, T.20N., R.20E., M.D.B.&M. 1/

II

Application 33391 was filed to appropriate water from an underground source within the Spanish Springs Valley Ground Water Basin as designated and described by Order of the State Engineer on March 10, 1975. 2/

III

The estimated perennial yield of the ground water basin in Spanish Springs Valley is 1,000 acre-feet of water per year. 3/

IV

Certificates have been issued under ground water permits which could be used to divert 1768.67 acre-feet of water per year from the Spanish Springs Valley Ground Water Basin. Permits have been granted which could be used to develop an additional 6708.60 acre-feet per year from the basin. 4/

Should Application 33391 be granted and should subsequent development of ground water under this permit detrimentally affect prior ground water rights, the State Engineer is required by law to order withdrawals 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/

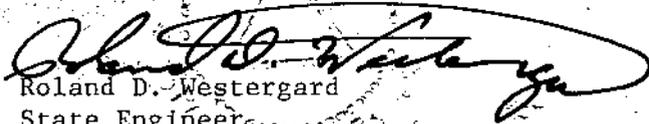
III

Existing water rights for the Spanish Springs Valley Ground Water Basin exceed the estimated perennial yield of the basin. The potential exists for additional pumpage under existing ground water rights which have not been developed. To grant additional water rights from this limited ground water resource for irrigation would adversely affect existing rights and threaten to prove detrimental to the public welfare.

RULING

Application 33391 is herewith denied on the grounds that the appropriation of additional water from this limited ground water resource would tend to impair the value of existing rights and would be detrimental to the public interest and welfare.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW/BLR/bl

Dated this 7th day
of JUNE, 1978.

FOOTNOTES

1. Public Records in the Office of the State Engineer.
2. Public Records in the Office of the State Engineer and Chapter 534 Nevada Revised Statutes.
3. USGS Reconnaissance Series Report No. 43, page 49.
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.

RECEIVED

STATE ENGINEER

