

IN THE MATTER OF APPLICATIONS 32110)
AND 32111 FILED TO APPROPRIATE THE)
WATERS OF AN UNDERGROUND SOURCE IN)
CARSON VALLEY, DOUGLAS COUNTY, NEVA-))
DA.)

R U L I N G

105

INTRODUCTION

Applications 32110 and 32111 were filed in the Office of the State Engineer to appropriate water from an underground source for irrigation and domestic purposes in Carson Valley, Douglas County, Nevada.

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 32110 was filed on June 17, 1977 by Ian M. MacSween to appropriate 2.7 cfs of the waters of an underground source to be diverted within Lot 4 SW $\frac{1}{4}$ Sec. 30, T.14N., R.21E., M.D.B.&M., and to be used for the irrigation of 160 acres within the NW $\frac{1}{4}$ said Sec. 30.

Application 32111 was filed on June 17, 1977 by Joan C. MacSween to appropriate 2.7 cfs of the waters of an underground source to be diverted within Lot 4 SW $\frac{1}{4}$ said Sec. 30 and to be used for the irrigation of 160 acres within the N $\frac{1}{2}$ S $\frac{1}{2}$ said Sec. 30. 1/

II

By an order dated June 14, 1977, the State Engineer designated and described the Carson Valley Ground Water Basin as a ground water basin coming under the provisions of NRS 534. 2/

III

It is estimated that the potential annual recharge to the ground water basin from precipitation is 25,000 acre-feet. The estimated annual sub-surface inflow to the ground water basin from California is approximately 7,000 acre-feet. The total annual recharge to the Carson Valley Ground Water Basin is therefore approximately 32,000 acre-feet per year. 3/ Any consumptive withdrawal

in excess of the natural recharge will either deplete the ground water reservoir or cause additional surface water to percolate into the ground water reservoir.

IV

Existing certified and permitted ground water rights in the Carson Valley Ground Water Basin for irrigation and other purposes presently total over 40,000 acre-feet of water per year. 4/

CONCLUSIONS

I

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

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. 6/

III

Existing water rights in the Carson Valley Ground Water Basin exceed the annual recharge from precipitation and underflow. To grant irrigation rights that consume additional water in this designated basin would adversely affect existing rights and threaten to prove detrimental to the public welfare.

IV

If Applications 32110 and 32111 are granted, additional land would be irrigated, or land that is irrigated only part time would be irrigated more intensively and frequently. This would result in additional consumptive use by farm land irrigation. The additional withdrawals and consumption would remove water from the ground water reservoir which:

- A. Would not be replaced resulting in depletion of the ground water reservoir, or
- B. Would be replaced by infiltrating surface water that would otherwise remain in the stream system.

The additional withdrawal and consumption of underground water for irrigation would therefore conflict with existing rights and threaten to prove detrimental to the public welfare.

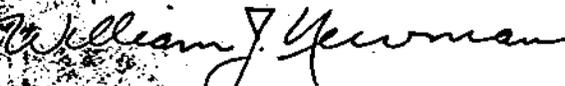
V

The State Engineer is authorized and directed to designate preferred uses of water within designated ground water basins such as the Carson Valley Ground Water Basin. 7/ The consumptive use of additional ground water to irrigate additional land or to more intensively and frequently irrigate other land is not considered to be a preferred use of the limited water resources of the Carson Valley Ground Water Basin.

RULING

Applications 32110 and 32111 are denied on the grounds that the appropriation of underground water for irrigation in the designated area described would tend to impair the value of existing rights and be detrimental to the public interest and welfare.

Respectfully submitted,



William J. Newman
State Engineer

WJN:JC:jw

Dated this 14th day
of March, 1979

FOOTNOTES

1. Public Records in the Office of the State Engineer.
2. Public Records in the Office of the State Engineer.
3. Water Resources - Reconnaissance Series, Report 59, pp. 2, 51.
4. Public Records in the Office of the State Engineer.
5. NRS 533.025 and NRS 533.030, subsection 1.
6. NRS 533.370, subsection 4.
7. NRS 534.120, subsection 2.