

IN THE MATTER OF APPLICATIONS 30982, 31828, 31829,)
31830, 31831, 31921, 31922, 31923, 31924, 31925,)
31926, 31927, 32434, 32435, 32436, 32437, 32480,) R U L I N G
32481, 32482, 32483, and 36308 FILED TO APPROPRIATE)
THE UNDERGROUND WATERS OF ANTELOPE VALLEY, LANDER)
COUNTY, NEVADA)

INTRODUCTION

Application 30982 was filed on January 5, 1977 by Demar H. Dahl to appropriate 4.5 c.f.s. of the waters of an underground source to be diverted within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 15, T.25N., R.41E., M.D.B. & M. and to be used for the irrigation of 160 acres within the W $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, Section 15, T.25N., R.41E., M.D.B. & M.

Application 31828 was filed on May 25, 1977 by E.A. Hollingsworth to appropriate 2.7 c.f.s. of the waters of an underground source to be diverted within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 6, T.24N., R.41E., M.D.B. & M. and to be used for the irrigation of 160 acres within the SE $\frac{1}{4}$, Section 6, T.24N., R.41E., M.D.B. & M.

Application 31829 was filed on May 25, 1977 by Gloria Allen to appropriate 2.7 c.f.s. of the waters of an underground source to be diverted within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 6, T.24N., R.41E., M.D.B. & M and to be used for the irrigation of 152 acres within the SW $\frac{1}{4}$, Section 6, T.24N., R.41E., M.D.B. & M.

Application 31830 was filed on May 25, 1977 by Cydney A. Liles to appropriate 2.7 c.f.s. of the waters of an underground source to be diverted within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 7, T.24N., R.41E., M.D.B. & M. and to be used for the irrigation of 152 acres within the NW $\frac{1}{4}$, Section 7, T.24N., R.41E., M.D.B. & M.

Application 31831 was filed on May 25, 1977 by Marilyn A. Hollingsworth to appropriate 2.7 c.f.s. of the waters of an underground source to be diverted within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 7, T.24N., R.41E., M.D.B. & M and to be used for the irrigation of 160 acres within the NE $\frac{1}{4}$, Section 7, T.24N., R.41E., M.D.B. & M.

Application 31921 was filed on June 2, 1977 by C. Ernest Nelson to appropriate 2.7 c.f.s. of the waters of an underground source to be diverted within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 25, T.25N., R.40E., M.D.B. & M. and to be used for the irrigation of 160 acres within the SW $\frac{1}{4}$, Section 25, T.25N., R.40E., M.D.B. & M.

Application 31922 was filed on June 2, 1977 by Norman M. McCombs to appropriate 2.7 c.f.s. of the waters of an underground source to be diverted within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 30, T.25N., R.41E., M.D.B. & M and to be used for the irrigation of 160 acres within the NW $\frac{1}{4}$, Section 30, T.25N., R.41E., M.D.B. & M.

Application 31923 was filed on June 2, 1977 by Edith A. McCombs to appropriate 2.7 c.f.s. of the waters of an underground source to be diverted within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 30, T.25N., R.41E., M.D.B. & M and to be used for the irrigation of 160 acres within the SW $\frac{1}{4}$, Section 30, T.25N., R.41E., M.D.B. & M.

Application 31924 was filed on June 2, 1977 by Robert L. McCombs to appropriate 2.7 c.f.s. of the waters of an underground source to be diverted within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 30, T.25N., R.41E., M.D.B. & M and to be used for the irrigation of 160 acres within the SE $\frac{1}{4}$, Section 30, T.25N., R.41E., M.D.B. & M.

Application 31925 was filed on June 2, 1977 by Barbara J. McCombs to appropriate 2.7 c.f.s. of the waters of an underground source to be diverted within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 25, T.25N., R.40E., M.D.B. & M. and to be used for the irrigation of 160 acres within the SE $\frac{1}{4}$, Section 25, T.25N., R.40E., M.D.B. & M.

Application 31926 was filed on June 2, 1977 by Ronald D. McCombs to appropriate 2.7 c.f.s. of the waters of an underground source to be diverted within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 25, T.25N., R.40E., M.D.B. & M and to be used for the irrigation of 160 acres within the NW $\frac{1}{4}$, Section 25, T.25N., R.40E., M.D.B. & M.

Application 31927 was filed on June 2, 1977 by Diania L. McCombs to appropriate 2.7 c.f.s. of the waters of an underground source to be diverted within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 25, T.25N., R.40E., M.D.B. & M and to be used for the irrigation of 160 acres within the NE $\frac{1}{4}$, Section 25, T.25N., R.40E., M.D.B. & M.

Application 32434 was filed on June 29, 1977 by Roni H. Edgmon to appropriate 2.7 c.f.s. of the waters of an underground source to be diverted within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 7, T.24N., R.41E., M.D.B. & M. and to be used for the irrigation of 160 acres within the NE $\frac{1}{4}$, Section 18, T.24N., R.41E., M.D.B. & M.

Application 32435 was filed on June 29, 1977 by James A. Edgmon to appropriate 2.7 c.f.s. of the waters of an underground source to be diverted within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 7, T.24N., R.41E., M.D.B. & M. and to be used for the irrigation of 160 acres within the SE $\frac{1}{4}$, Section 7, T.24N., R.41E., M.D.B. & M.

Application 32436 was filed on June 29, 1977 by Carole Lenore Mitchell to appropriate 2.7 c.f.s. of the waters of an underground source to be diverted within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 7, T.24N., R.41E., M.D.B. & M. and to be used for the irrigation of 160 acres within the NW $\frac{1}{4}$, Section 18, T.24N., R.41E., M.D.B. & M.

Application 32437 was filed on June 29, 1977 by Gary Richard Black to appropriate 2.7 c.f.s. of the waters of an underground source to be diverted within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 7, T.24N., R.41E., M.D.B. & M. and to be used for the irrigation of 160 acres within the SW $\frac{1}{4}$, Section 7, T.24N., R.41E., M.D.B. & M.

Application 32480 was filed on June 30, 1977 by James G. Duncan to appropriate 2.7 c.f.s. of the waters of an underground source to be diverted within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 3, T.24N., R.40E., M.D.B. & M. and to be used for the irrigation of 160 acres within the NW $\frac{1}{4}$, Section 3, T.24N., R.40E., M.D.B. & M.

Application 32481 was filed on June 30, 1977 by Flora Lee Duncan to appropriate 2.7 c.f.s. of the waters of an underground source to be diverted within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 3, T.24N., R.40E., M.D.B. & M. and to be used for the irrigation of 160 acres within the NE $\frac{1}{4}$, Section 3, T.24N., R.40E., M.D.B. & M.

Application 32482 was filed on June 30, 1977 by Sandra K. Duncan to appropriate 2.7 c.f.s. of the waters of an underground source to be diverted within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 3, T.24N., R.40E., M.D.B. & M. and to be used for the irrigation of 160 acres within the SE $\frac{1}{4}$, Section 3, T.24N., R.40E., M.D.B. & M.

Application 32483 was filed on June 30, 1977 by Archer E. Duncan to appropriate 2.7 c.f.s. of the waters of an underground source to be diverted within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 3, T.24N., R.40E., M.D.B. & M. and to be used for the irrigation of 160 acres within the SW $\frac{1}{4}$, Section 3, T.24N., R.40E., M.D.B. & M.

Application 36308 was filed on December 15, 1978 by Julia C. Pletcher to appropriate 0.7 c.f.s. of the waters of an underground source to be diverted within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 6, T.24N., R.41E., M.D.B. & M. and to be used for the irrigation of 40 acres within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 6, T.24N., R.41E., M.D.B. & M.

In 1963, Ground-Water Resources Reconnaissance Series Report 19, "Ground-Water Appraisal of Antelope and Middle Reese River Valleys, Lander County, Nevada", by E.G. Crosthwaite, 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. This report may be viewed at the State Engineer's Office.

FINDINGS OF FACT

I

The source of water to be used to reclaim lands under these applications is water from an underground source within Antelope Valley portion of the Antelope Valley - Middle Reese River Valley Ground Water Basin as designated and described by Order of the State Engineer on August 5, 1964. 1/

II

The perennial yield from the Antelope Valley portion of the Antelope Valley - Middle Reese River Valley Ground Water Basin is estimated by the U.S. Geological Survey to be 9,000 acre-feet of water per year. 2/

III

Certificates of Water Appropriations have been issued for the use of 29,650 acre-feet of water per year and additionally, permits presently issued could be developed to divert 4,700 acre-feet of water per year or a total demand on the basin of 34,250 acre-feet of water per year. 3/

CONCLUSIONS

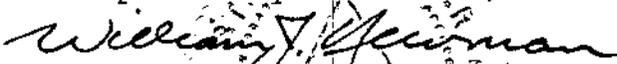
1. The State Engineer has jurisdiction of the parties and the subject matter of this action. 4/
2. The State Engineer is prohibited by law from granting a permit where:
 - A. There is no unappropriated water at the proposed source, or
 - B. The proposed use conflicts with existing rights, or
 - C. The proposed use threatens to prove detrimental to the public welfare. 5/
3. Existing water rights for groundwater in Antelope Valley exceed the estimated perennial yield for the Antelope Valley groundwater reservoir.

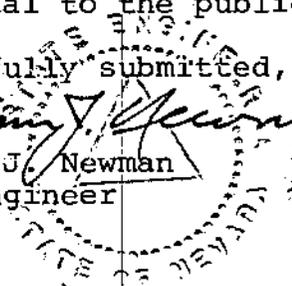
To grant additional water rights under the subject applications would conflict with the existing rights and threaten to prove detrimental to the public welfare.

RULING

Applications 30982, 31828, 31829, 31830, 31831, 31921, 31922, 31923, 31924, 31925, 31926, 31927, 32434, 32435, 32436, 32437, 32480, 32481, 32482, 32483, and 36308 are hereby denied on the grounds that their granting would tend to impair the value of existing rights and be otherwise detrimental to the public welfare.

Respectfully submitted,


William J. Newman
State Engineer



Dated this 24th day
of March, 1980

FOOTNOTES

1. Order No. 276, public records located within the Office of the State Engineer
2. Report 19, pg. 17
3. Public records located within the Office of the State Engineer
4. NRS 533.025 and 533.030, Subsection 1.
5. NRS 533.370, Subsection 4