IN THE MATTER OF APPLICATIONS 36666, 36667, 36668, )
36669, 36670, 37070 and 37071 FILED FOR THE WATERS OF)
AN UNDERGROUND SOURCE IN LAKE VALLEY GROUND) RULING 2535
WATER BASIN, LINCOLN AND WHITE PINE COUNTIES,)
NEVADA )

183

## INTRODUCTION

Application 36666 was filed on February 8, 1979 by Keith A. Pearson to appropriate 5.4 c.f.s. of the waters an underground source to be diverted within the SW¼ SW¼ of Section 3, T.5N., R.66E., M.D.B.&M. and to be used for the irrigation of 320 acres within the SW¼ Section 3, SE¼ Section 4, T.5N., R.66E., M.D.B.&M.

Application 36667 was filed on February 8, 1979 by Vilica W. Pearson to appropriate 5.4 c.f.s. of the waters of an underground source to be diverted within the SE¼ NE¼ Section 2, T.5N., R66E., M.D.B.&M. and to be used for the irrigation of 320 acres within the E½ Section 2, T.5N., R.66E., M.D.B.&M.

Application 36668 was filed on February 8, 1979 by Bart A. Pearson to appropriate 5.4 c.f.s. of the waters of an underground source to be diverted within the SE¼ NW¼ Section 11, T.5N., R66E., M.D.B.&M. and to be used for the irrigation of 320 acres within the W½ Section 11, T.5N., R.66E., M.D.B.&M.

Application 36669 was filed on February 8, 1979 by Jean Pearson to appropriate 5.4 c.f.s. of the waters of an underground source to be diverted within the SE¼ NE¼ Section 11, T.5N., R.66E., M.D.B.&M. and to be used for the irrigation of 320 acres within the E½ Section 11, T.5N., R.66E., M.D.B.&M.

Application 36670 was filed on February 8, 1979 by R.N. Halvorsen to appropriate 5.4 c.f.s. of the waters of an underground source to be diverted within the NW¼ NW¼ Section 14, T.5N., R.66E., M.D.B.&M. and to be used for the irrigation of 320 acres within the W½ NW¼, NW¼ SW¼ Section 14, E½ NE¼, NE¼ SE¼ Section 15, T.5N., R.66E., M.D.B.&M.

Application 37070 was filed on March 19, 1979 by Roger Pearson to appropriate 5.4 c.f.s. of the water of underground source to be diverted within the NE¼ SE¼ Section 10, T.5N., R.66E., M.D.B.&M. and to be used for the irrigation of 320 acres within the E½ Section 10, T.5N., R.66E., M.D.B.&M.

Application 37071 was filed on March 19, 1979 by Kady M. Pearson to appropriate 5.4 c.f.s. of the waters of an underground source to be diverted within the NE¼ SW¼ Section 10, T.5N., R.66E., M.D.B.&M. and to be used for the irrigation of 320 acres within the W½ Section 10, T.5N., R.66E., M.D.B.&M.

Applications 33666, 33668, 36669, 33670, 37070 and 37071 were protested on September 26, 1979 by Imperial Farms Land and Cattle Company, Inc.

In 1963, Ground Water Resources - Reconnaissance Series Report # 24, "Ground Water Appraisal of Lake Valley in Lincoln and White Pine Counties, Nevada" by F. Eugene Rush, Thomas E. Eakin was prepared cooperatively by Nevada Department of Conservation and Natural Resources and U.S. Department of Interior, Geological Survey.

This report may be viewed in the State Engineer's Office.

## FINDINGS OF FACT

I

Applications 36666, 36667, 36668, 36669, 36670, 37070 and 37071 were filed in support of Desert Land Applications.

The source of water to be used to reclaim lands under Desert Land Applications is water from an underground source within the Lake Valley Ground Water Basin, Lincoln and White Pine Counties, Nevada. 1/

II

Ground water recharge in Lake Valley is derived solely from precipitation within the valley. 2/ The estimated annual recharge of the ground water reservoir in Lake Valley is 13,000 acre-feet. 3/

On the basis of the estimated average annual discharge from the basin under natural conditions 4/, the average annual recharge is inferred to be about 12,000 acre-feet. 5/

Most ground water recharge to Lake Valley is from precipitation on the Schell Creek and Wilson Creek Ranges.

III

There are currently on file in the State Engineer's office Certificates of Appropriation for 21,171 acre-feet of water per year and permitted rights for 3,001 acre-feet of water per year. 7/ The total amount of water currently appropriated in Lake Valley is 24,173 acre-feet per year.

IV

The perennial yield of the natural system of the Lake Valley reservoir is 12,000 acre-feet annually. 8/ Pumpage in excess of 12,000 acre-feet will eventually result in storage depletion from the principal aquifers, substantial water-level declines and land subsidence. 9/

Should additional water be allowed for appropriation for the reclamation of lands under the Desert Land applications and subsequent development of ground water pursuant thereto detrimentally affect prior ground water rights, the State Engineer is required by law to order withdrawals be restricted to conform with priority rights. 10/

## CONCLUSIONS

If the subject applications were granted, additional land would be irrigated. 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 would not be replace resulting in depletion of the ground water reservoir, substantial water-level declines and land subsidence. The additional withdrawals and consumption of underground water would, therefore, conflict with existing rights and threaten to prove detrimental to the public welfare.

## RULING

Applications 36666, 36667, 36668, 36669, 36670, 37070 and 37071 are hereby denied on the grounds that their granting would tend to impair the value of existing rights and threaten to prove detrimental to the public welfare.

Respectfully submitted,

William J. Newman
State Engineer

WJN/mc

Dated this 17th day

of APRIL, 1980

## FOOTNOTES

1. Public records in the State Engineer's office.
2. Ground Water Resources - Reconnaissance Series Report #24, p. 9.
3. Ground Water Resources - Reconnaissance Series Report #24, p. 11.
4. Ground Water Resources - Reconnaissance Series Report #24, p. 12.
5. Ground Water Resources - Reconnaissance Series Report #24, p. 16.
6. Ground Water Resources - Reconnaissance Series Report #24, p. 9.
7. Public records in the State Engineer's office.
8. Ground Water Resources - Reconnaissance Series Report #24, p. 16.
9. Ground Water Resources - Reconnaissance Series Report #24, p. 9.
10. NRS 534.110, subsection 3 and 6.